

The Impact of Bride Price on the Lives of Married Women in Two Southern Chin Communities (Falam and Hakha)

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Abstract

This paper explores an improved understanding of the customary laws and practices of the Chin people in Myanmar and the impact of bride price and its implications for women's rights in two Chin communities. Bride price is used to cement and validate marriages in Falam and Hakha communities. The study identified and analyzed the local customary practices in the framework of the Chin Special Division Act, particularly Section 15(A) related to inheritance, to understand the differences and commonalities of customary laws and practices among the Chin tribes. The paper examines the issue of gender inequality and finds that it runs across cultures. Marriage involving a man and a woman is a universal social institution, but its practices vary among cultures. Based on qualitative focus group discussions and key informant interviews with men and women aged 18-70, this study provides useful insights regarding bride price and its connection to violence. Bride price is a deep-rooted cultural practice with almost all participants supporting its continuity. However, recent commercialization has changed the practice and its cultural relevance is less clear at the present time. Although bride price provides protection, respect, and acknowledgement of women within marriages, the paper argues that the practice prescribes the role of women in marriages and further subordinates women to men. This study highlights the need to engage with communities/traditional leaders on possible mitigation of the negative impacts of bride price on women, men, and community development at large.

Keywords: bride price; Chin Special Division Act, Falam, Hakha, cultural practice, women, gender

Introduction

The UN Declaration on the Elimination of Violence against Women (1993) states that traditional attitudes by which women are regarded as subordinate to men or as having stereotyped roles perpetuate widespread practices involving violence or coercion, including forced marriage, dowry deaths, acid attacks and female circumcision. The Committee recommends that States parties take effective legal measures, including penal sanctions, civil remedies and compensatory provisions, to protect women against all kinds of violence (General recommendation No. 1914 of the Committee). Violence therefore can ultimately be ascribed to women's systematic inferior status in society compared to that of men.

In Chin communities, bride price is an important practice as a traditional cultural norm. It is an ancient practice that aided communities and promoted social cohesiveness and harmony. However, in recent years, there have been widespread concerns that the practice may have negative impacts for married women. It has become a commercialized practice, particularly in richer urban communities. As modernization impacts social customs, so the traditional cultural value of bride price is now less clear. There is extensive debate between women's rights activists and other actors as to whether bride price has genuine positive outcomes or whether it is a dehumanizing tool that reduces women to purchasable commodities and degrades their position and decision making power and creates negative outcomes in marital relations including violence and inequality. To address the debate, this research analyses the perspectives of Chin people about bride price. The analysis is grounded in international human rights norms, but draws upon data gathered from Chin communities.

Background & Literature Review

Gender inequality remains a large problem amongst rural ethnic groups in Myanmar. Chin people follow customary law that has been passed down through generations. Bride price refers to the payments that a man or his family makes to the family of his wife in order to formalize the marriage (Encyclopedia Britannica, 2012). According to Huntingford (1932), payments made to formalize marriages predate modern civilization and are paid either as bride price or dowry. The practice of bride price is not peculiar to Chin communities alone: it is a global practice which dates back to Mesopotamians and Hebrews in 3000 BCE (Murdock, 1967), from which it spread throughout much of the world's societies. Schwimmer (2003) explains that two thirds of the world and ninety percent of Sub Saharan Africa practice the system of bride price with only three percent practicing the dowry system.

The various forms of the payments made for a wife include bride price or wealth, bride service, sister exchange and token bride price. The difference between these forms lies in how the payments are made, but the objective is the same: 'give for a wife'. 'Bride price', also known as 'bride wealth' or 'bride token', is an amount of money or property or wealth paid by the groom or his family to the parents of a woman upon the marriage of their daughter to the groom. In regards to bride wealth, it is defined as payment made by the groom's family to the bride's family at the time of marriage (Bride price and bride wealth, 2006; Nadeau and Rayamajhi, 2013; Vang, 2013). Subsequently, the definitions of bride wealth and bride price are the same, although "the term bride price is rarely used now due to its implications that women are being purchased" (Bride price and bride wealth, 2006). Bride wealth payments may help provide economic gains and stability in cultures that continue to practice it (Hoogeveen, Van Der Klaauw & Van Lomwel, 2011).

These are not necessarily reflective of the Chin's cultural practice of bride price. In Chin custom, the most important of all the prices connected with marriage -it is the big price (*man pai*) paid to the bride's father or her heir and is only returnable in the event of a woman divorcing her husband (Head, 1917). If the groom's family cannot come up with the full amount, the groom may spend several years doing bride service. In recent times, this has generated a lot of controversy. For some Chin, bride price is very popular as some people see it as a measure of the worth of the bride, and some Chin young women, even compete for their bride price. (Flora Bawi, 2015) Others, however, see bride price as problematic. For example, a recent bride price negotiation went viral and has attracted negative attention as being that it is derogatory and not promoting equality (JASS, 2014). The sentiments are supported by comments such as:

"They say that traditionally when a woman gets married, the man 'owns' the woman. But women are not 'things'. Women are not 'property'. We are not 'products' to be 'owned'. We are human beings!" (Interview, 10 June 2019).

Among the Chin, women are entirely excluded from discussions regarding the price that then is to have a major influence over the power structures of their marriages. The practice of bride price also reinforces traditional domestic obligations, perpetuating the idea that a woman must "deliver" on her high bride price. Upon marriage a woman is expected to move in with the husband's clan where she is made to do farming work, fulfill household chores, bear and tend to children, and care for her in-laws (JASS, 2014). Sometimes, women themselves do not realize that this is a problem. So when they get married, the women consent to what the men do – they believe that men can do whatever they want with their wives. The relations between husband and wife under the bride price system are represented by the following quote:

“...It was like the buying and selling of a business. The groom’s family would propose the marriage, and the bride’s family would name the price. If the groom’s family could afford it, they paid and took that woman to their house. After that, her husband owned her and forced her to work as hard as possible because he had bought her already.” (Interview, 15 June 2019)

Chin customs reinforce men’s dominant position in society and deny women’s access to opportunities and resources, which leaves women at risk of domestic abuse. Violence against women is not a criminalized offence under Chin customary law. Many Chin, similar to many people in Myanmar, do not see domestic violence as a problem (APWLD, 2017). As a result, no pathways to justice or remedy exist for women who fall victim to domestic abuse. Women’s exclusion and lack of access to justice perpetuates the cyclical nature of violence and discrimination against women.

Many women remain stuck with their husbands, even in situations involving domestic abuse or alcoholism. Women wanting a divorce must go through local negotiators in order to settle with their husbands. When women do manage to initiate a divorce, their family must return the received bride price. Men maintain ownership of all property as well as custody of all children. When men initiate a divorce, they must pay the family of the wife. In some townships, if the man refuses a divorce initiated by a woman, or is unable to pay a divorce fee, the two are not considered divorced. Chin custom dictates that only men may inherit property, land, and other family assets. Because women change clans when they marry, they are not permitted to receive inheritance from their own family. This would be transfer of property between clans. The subordinate status of women continues after the husband’s death. In Chin bride price practice, wives are also excluded from inheritance in the case of a husband’s death, as ownership of property goes to sons or other male relatives. Daughters and widows may continue to live at the deceased husband’s home, but any daughters must vacate the home when the widow passes away (Nikio, 2012).

In the present day, the bride price practice appears to have become monetized and commercialized hence losing much of its traditional essence and value: the wife to be a full member of the husband’s family and a tool for cementing the relationship between the two families, in many circumstances. Bride price thus appears to involve bargaining and buying of a wife as a 'commoditized' item in the marriage market, which can result in domestic violence towards a woman if she does not fulfill her 'value for money' expectation (Kambarami, 2006; Chireshe, 2010; Srinivasan & Bedi, 2007; Matembe, 2004).

Bride Price is a Chin customary practice and as such fall customary law in most places. Chin Customary Law is maintained in the areas of governance and inheritance by the Chin Special Division Act of 1948 (Act XL Burma Code VIII, 1948). As a result, the continuation of Chin customary laws perpetuates a patriarchal system that excludes women from decision-making processes and deprives them of equality and access to justice.

Rationale & Methodology

Non-government organizations (NGOs) in Chin State find that conformity to the practice of bride price may be supported through threats of domestic violence in terms of mental and physical violence and gender inequality (Ninu, Women in Action Group, 2017). As a result, bride price is seen as a potential driver of domestic violence and unequal power relations between men and women (Ninu, Women in action Group, 2017). While the same belief has been expressed by other researchers no evidence has been yet presented to support this. Hence, this study was undertaken in order to ascertain if this belief is justified.

The aims of the research were to:

- Explore what happens during a traditional Chin marriage.
- Investigate the impact of bride price and associated practices on the lives of married women.
- Explore the issue of refund of bride price.
- Explore the links between bride price and domestic violence

Designing the most effective interventions to reduce the negative impact of bride price of Chin women requires an understanding of the cultural attitudes and practices which enable it to happen. The prevalence of, and attitudes towards, impact of bride price on the lives of married women, especially domestic violence and gender inequality, has been the subject of a number of studies by a few local researchers in the recent years (Flora Bawi, 2016; Ninu, 2017). A research study focused on Falam and Hahka townships, and focused on gaining insights into the knowledge, attitudes and practices related to bride price as well as its relationship with domestic violence. The present research on Chin bride price involved one focus group discussions (with 10 participants) and 8 in-depth interviews with men and women in Falam and Hahka communities in Chin State from June 2019. The research chose an in-depth qualitative approach in order to gain a deeper understanding of the differences and similarities in attitudes relating to bride price and violence. By examining the impact of bride-price and violence through the words of women and the communities in which they live, it was hoped that this study illuminated the underlying impacts of bride price on the lives of Chin women in two Chin communities.

Findings

Cultural leaders and expert interviewees gave their views on a range of topics regarding the custom and practice of bride price and its importance in society. Their views deal with the definition of bride price, the clan system, positive aspects of bride price, the connections between bride price and gender inequality, and the relationship between bride price and domestic violence. Each of these topics is discussed below.

Definition

The bride price practice is common among the Chin tribes, but the details of practices are different across Falam and Hakha communities. Some tribes only have one type of bride price, while the others have several types, such as a major bride price (*man-pi*) and other minor bride prices (*man-te*). The most important of all the bride prices are connected with marriage. The major bride price can be demanded by the bride's father or brother (the father's heir). Minor prices can be demanded by the bride's maternal grandfather or uncles (*pu-man*), by mothers (*nu-man*), brothers (*ta-man*), by the one who gave a name to the bride (*min-man*), and other relatives (Head, 1917; Nikio, 2012).

With the exception of a few communities, the price is not negotiable and those who negotiate are looked down upon. Instead, if a high price is asked, about half is paid on the wedding day and the rest can be paid in installments later. If a man is unable to pay the bride price debt in his lifetime, the debt is handed down to the next generation. His son has an obligation to continue to pay. This kind of bride price debt was mentioned mostly in Hakha Township, when interviewees explained about past practices. While older respondents shared more about their own experiences of hardship, caused by high bride price debt, this phenomena occurred, less among the younger respondents (Nikio, 2012).

In Hakha Township, the major bride price is called '*phun-thawh*.' '*Phun*' means clan and '*thawh*' means pay. Only after a man pays *phun-thawh* for his wife, she will leave her father's clan and become his clan member, as do her children. If a man does not pay *phun-thawh*, he cannot claim their children as his. If a man paid *phun-thawh* for a child who was born out of a wedlock, the child would belong to his clan. Among some Zomi tribes, the husband pays the bride price only after his wife bears a son. Only after that, a woman is considered to become a full member of her husband's family/clan (Nikio, 2012).

The practice bride price may look as if a man pays for his wife. But in reality, the receivers of the bride price have to return gifts for what they have received. Traditionally, the groom's family pays the bride price and the bride's family slaughters animals and hosts the wedding feast. In some communities, for

the feast, the bride's family would slaughter a pig and the groom's family brings chickens. While the bride's relatives were only allowed to eat chickens, the groom's relatives can only eat pork. In Laitu and Asho communities, the groom's family bring gifts, such as swords, spears etc. for the bride's relatives. In return, the bride's family gives clothes and other gifts to the groom's relatives (Ninu, 2017).

A man who has paid a bride price is recognized as an in-law. When you don't pay, a bride price, you're not recognized and not accommodated at parties and burials by families and clans member. Women are not happy when bride price is not paid, as there is no ownership of the bride. Some women think marriage lasts longer when a bride price is paid. As result, return of the bride price is difficult. Even old people have a voice and a stronger base when a bride price is paid. They can talk at the village and clan meetings. Some women say bride price is for marriage protection as it makes you endure marriage. They know they are married, owned and recognized when a bride price has been paid. Courts of law have upheld that a woman is only married when a bride price has been paid because village chiefs come and witness the occasion.

Benefits of Bride Price

Some interviewees recognized that bride price forms, the status and official start of a marriage and many confessed that it binds a couple. It generally gives value to the marriage and the man. It was also revealed that many people use bride price as a token of saying thank you to the wife's parents for raising such a beautiful daughter and giving her to the bridegroom's family.

It was also noted that bride price gives pride, value, security and purchase to the wife in her new home and portrays the man as a grown up, responsible enough to take care of his wife. Traditionally, bride price was supposed to consist of gifts given to the parents of a bride in appreciation of their role in the bride's upbringing (MIFUMI World Conference, 2010). Bride wealth has also been defended as an institution that serves to protect the wife against abuse from her husband, stabilizing the marriage and joining two families together. It was noted that bride price has resulted in loving relationships between the two families. All the above in a way make spouse interaction cordial and healthy, which is a cardinal aspect in marriage relationships. Marriage stability depends on an array of issues and spouse interaction is one of them. Normally when men pay a bride price they value their wives and thus do not mistreat them. They respect them as equal parties in this commitment, and this is no doubt a pillar in ensuring the stability of the marriage (Habati, 2009). So bride price in these ways can positively influence interactions between spouses and ultimately improve marriage stability.

Bride price was seen as a means of protecting the marriage. When bride price is paid, the woman belongs to the home. It was seen as a form of stability where the marriage was bonded with cows and pigs and this kept the marriage stable and recognized. If the couple separated, you had to return everything. It did not allow you to abuse the marriage and run away as a result of small quarrels and problems. It was, and still is, seen as recognition that the girl is married when the bride price are presented as the event is witnessed by the families and clans of the bride and groom as well as village chiefs who write down and sign for what has been presented. It is recognized by the court of law as a marriage. It acts as an appreciation for bringing up the girl. The payment of bride price is seen as a replacement for the labor that will be lost when the girl is taken to a new home (Keko, MIFUMI, 2011).

Some interviewees also looked at bride price from legal perspectives. They argued that before any marriage is solemnized in the Christian way or in the law court and publically recognized, the bride price had to be paid first. The practice gives men the rights over the woman and her children in a patrilineal society (Doodoo, 1998a; Nkunya, 1999). When a man is unable to pay the bride price of his wife and she passes on, the wife's family owns the corpse and surviving children according to the tradition and custom. An interviewee said:

“If you don't pay the bride price of your wife, it is considered an illegal marriage. After paying the bride price, the woman now belongs to you (man). It is then left unto them to decide whether to wed or not” (Interview, 11 June 2019).

Another female interviewee buttressed this statement saying:

“When your bride price is paid, you the woman's dignity, status, security is respected” (Interview, 15 June 2019)..

However, some women were of the opinion that the practice takes away their rights and further enslaves them as they (women) have limited choices in decision making within the family (Group discussion, 10 June 2019). Bride price renders women to 'commoditized objects' whose value is equated to material items or money (Interview, 14 June 2019).

Bride Price and Unequal Gender Relations

Gender inequality remains a large problem amongst rural ethnic Chin groups in Myanmar. Chin people follow customs that have been passed down through generations.

Chin custom dictates that grooms must pay a bride's family before a marriage. The practice of bride pricing reinforces the subordinate position of women in Chin society. The price is negotiated by male

family members and male community negotiators. Women are entirely excluded from discussions regarding the price that then has a major influence over the power structures of their marriages (Ninu, 2017).

The traditional value of bride price is less clear due to the impacts of modernization on social customs in the contemporary period.

Bride price is sometimes associated with negative consequences for women (Kingah & Kingah, 2010). For instance, some researchers have concluded that the payment of the bride price may result in women's diminished autonomy and their commodification as objects for sale (Dodoo, Horne & Biney, 2014; Heenren, 2011). Other studies have hinted that husbands sometimes are unhappy at the exorbitant amount of money paid for the marriage, which could be a reason for women's subjugated position (Hague, Thiara, & Turner 2011).

Many men often perceived themselves as 'superior to the woman' because they (or their families) paid bride price to bring the woman 'into the man's household'. Older men expressed that they felt compelled to exercise their authority in the home with the justification they paid bride price, a view common among young men too. Where they sensed a real or imaginary threat to their authority, men were said to resort violence, as exemplified by two key interviewees:

"Men are dominant in decision-making. The woman has no power for anything. Where the man is suspicious or insecure, domestic violence is common. This is mainly where the man is unemployed or the woman has higher education and social status. ... He expects the woman to show him respect as the village women should. He may even refuse her from working outside home. Such women may be assaulted.... I am not sure whether people who have grown in the town experience the same" (Interview, 14 June 2019).

"Women lack power to make decisions in the home. The culture does not allow them to stand up to the men. The custom is also (support) men, especially over family matters. If (women) want to leave, they pay back the bride price first" (Interview, 12 June 2019).

Many interviewees also pointed out the impact one of bride price in cementing gender inequality, as women have little power in relation to the practice and, rather, are passed from family to family (Interview, 11 June 2019).

Negotiations usually involve senior men in the two families who decide what the woman will do, and how she will behave. Thus, bride price can be seen both as a symptom of male dominance and power in families and also as a cause (Tamale, 2004).

An example of how it can be seen as a symptom of male dominance is that it is a result of male family members already being in a more powerful position in the family, leading to men automatically, and more or less without question, expecting to control their family through its operation. One example of how bride price can be seen as a cause of a male dominance is that, at the root of the practice, women are culturally attributed little power to influence the custom but are bargained for and 'exchanged' from household to household by male family members so there are few opportunities for equal treatment of men and women as a result. Rather, the subservient position of the wife is often made worse and greater inequality is therefore caused by the payment of bride price.

As men control bride price, women are in a weaker position as the ones being negotiated over, the objects to be exchanged, so – both ways – the power difference is increased by bride-wealth –it gives men more and at the same time women less.... So it changes the power both ways. No wonder men don't like bride price to be challenged (Interview, 15 June 2019).

In the patriarchal family structures and marriage patterns of Chin communities, patriarchy is closely linked to the clan system, in which only men are allowed to carry and pass the clan name on to the next generations. Women, on the other hand, are made clan-less. Women follow men into their family households and men pay a bride- price to the wife's parents. In this way, when women marry they are 'passed' from the hands of their parents to the hands of the husband (GEN, 2015). Women are consequently highly dependent on male family members for their livelihoods.

These customary laws are designed to keep the power in the hands of men while discriminating and oppressing women into ordinate subordinate positions. Being deprived of the right of ownership to land, house and other important properties, women are forced to depend on male guardians as a particular characteristic of the patriarchal system, i.e. their fathers, husbands, brothers and even sons. This, in turn, puts pressure on men, as they have to bear the weight of 'the dependent girl child' they have created in adult women.

The father and relatives of the bride demand a bride price at the marriage. After a man pays the bride price, the woman becomes a member of his family or clan and so do their children. This grants guardianship to fathers in cases of divorce. Widows might lose child custody to the male heir of her late husband. If a woman divorces her husband, her father or relatives have to return the bride price they have received. If they are not willing or cannot afford to return it, she cannot leave her husband. In addition, this practice objectifies women, as men often regard themselves as the 'owner' of their wives after having paid the bride price. Objectification in turn is one of the causes of physical and sexual violence committed against married women (Nikio, 2012).

Couples who have gone through financial hardship because of a high bride price, and who think this practice is similar to selling daughters, want to end this practice. On the other hand, those who think a bride price gives prestige to a woman and her family prefer to continue the practice. Many respondents are in favor of continuing the practice with a moderate amount in order to maintain keep Chin identity alive.

Many of the interviewees said that a high bride price puts families under financial strain, as both husband and wife have to work harder for years to repay their bride price debts. For example:

“Normally, parents pay bride prices for their sons. But when we got married, my husband’s parents had already passed away. So, we had to pay on our own. We worked hard, raised pigs and chickens and saved money. And all of the money was used for paying our bride price debt. It made our life so difficult. So I think this is not a good practice. If I have a daughter and I won’t demand a bride price for her. It took us four years to repay my bride prices”
(Interview, 14 June 2019)

After paying bride prices for their wives, many husbands get a sense of ownership over their wives. This is often used as a justification for undermining women’s rights in marriage, divorce and inheritance. Some male respondents say that men value women more after they have paid a high bride price. On the other hand, many study participants complained about husbands and parent-in-laws using the bride price to justify claims over women’s labor as well as to legitimize their authority. For example:

“Think about what you own. You don’t regard things you get for free, but highly value those for which you pay high prices. It’s the same. Men value and treasure women for whom they have paid high prices” (Interview, 12 June 2019).

Discriminatory Divorce Customs

Chin customary laws regarding divorce further reiterate men’s dominant position as primary controllers of assets, resources, and children. Under Chin customary law men can freely decide to divorce their wives, while many obstacles prevent women from divorcing their husbands.

Many women remain stuck with husbands, even in situations involving domestic abuse or alcoholism. Women wanting a divorce must go through local negotiators in order to settle with their husbands (Nikio, 2012).

When women do manage to initiate a divorce, their family must return the received bride price. Men maintain ownership of all property as well as custody of all children.

Some male respondents praise the bride price for few divorce cases in Chin communities. However, this low divorce rate has been achieved by putting up many barriers for women to divorce. If a woman initiates divorce, her parents and relatives have to return the bride price they have received. If they cannot or are not willing to repay, she cannot divorce her husband. In some communities, they don't have to return the bride price if she already gave birth to a child or children. However, her husband will receive the custody over their children (Nikiko, 2012). For example:

“When I was young, my cousin was forced to get married against her will. They lived in our neighborhood. As she couldn't love her husband, they had problems every night. My father often had to go to their house and talk to her around 10 or 11 pm. She wanted a divorce, but her parents said they wouldn't be able to return the bride price. So she had to endure. After bearing five children, she still couldn't love her husband and ran away to Phakant, leaving all the children behind” (Interview, 11 June 2019).

Bride Price and Domestic Violence

Women are objectified through bride price practices. In turn, the objectification of women is one of the causes of physical violence. At the same time, it might also cause sexual violence among married couples. During a male group discussion, one respondent half-jokingly says that since men own their wives after paying their price, a wife cannot say “no” if her husband demand sex .For example:

“I don't know about other places, but among us here, I think violence towards women is related to the bride price practice. If men did not pay bride prices, they would not be able to bully their women. Without bride price, women would have less restriction and could act more freely” (Interview, 12 June 2019).

One male doctor said that he sometimes treated women with injuries which look like marks of beating. But none of the women would admit that their spouses were the source of their wounds. Women think that to be beaten is shameful and try to hide it from others if possible:

“Women have to take it silently. Mostly they don't speak about it to others but keep it secret, because they worry that they will lose face in their society” (Interview, 14 June 2019).

“The Chin Customary Law”, compiled by Maung Tet Pho, is the first written record of Chin Customary Law and is about the practices of the Asho tribe. Chapter IV, Para 36, states, “If while a man and a women are living together and the husband puts her to work and the wife effused to do , he has the right to cane his wife three times if she talks back to him. If she is stubborn and refuses to change, he

can punish her by divorcing her, or with another canning to correct her bad behavior” (Maung Tet Pho, 1884, p.14).

Across the study communities, men’s physical violence against their wives falls into the categories of cruelty: ‘ordinary’ and ‘grievous’. If the husband beats his wife severely, even if she does not go back to her parents; her parents can take her back. If the husband wants to bring her back, her parents can demand compensation or refuse him. For example:

“According to our custom, a man should not beat his wife severely so that blood comes out or should not slap on her face. Parents understand that sometimes husbands and wife do quarrel and fight. But you are not supposed to beat your wife so that she gets a cut and blood comes out from the wound. You should not slap her face, as there are other parts you can beat. You should not beat her severely so that her bones break, even if you have paid her bride price. If a man does this, he has to give a gong or cow as compensation to her parents” (Interview, 15 June 2019).

This compares with another interviewee:

“If the husband wants to bring back a wife who left him, he has to give a mithan to her parents and discuss the matter with them. But here, we don’t have mithans. So I paid 200,000 MMK to bring my wife back. In earlier times of our marriage, she often went back to her parents. She stopped only after we had two children. I had to go and bring her back again and again. ‘I was drunk and that’s why I beat her. Now I regret what I did. Please forgive me.’ In turn, they killed chickens or a pig and I was reprimanded: ‘Don’t drink so much. You should not beat her again” (Interview, 13 June 2019).

Compensation varies across communities, e.g. a chicken, a pig, *mithan*, a gong or a pot, etc. Among the Laitu, the wife’s maternal uncle has a strong influence over the decision making and has the right to demand compensation separately (Nikio, 2012). But the women survivors are not the ones who receive compensation:

“When men are sober, they can control themselves, but when they are drunk, they let out their dissatisfaction and anger freely. Women, on the other hand, also get angry when their husbands drink. So they complain. It is often followed by quarrels and then beatings. Women start with words; men respond with fists” (Interview, 13 June 2019).

One male respondent from Hakha Township explains that apology and forgiveness is embedded in Chin customs. This practice is further strengthened by Christianity and now, it is often applied in

solving rape cases. Instead of bringing justice for the victim, the current practices focuses more on the harmony and wellbeing of the community through forgiveness and reconciliation between the two families (GEN, 2015)

Discussion – Challenging Bride Price as a Human Rights Violation

In Myanmar, as in many other countries, women are widely considered to be ‘bearers’ or ‘protectors’ of culture (Belak, 2002). The notion that women are the bearers of culture is strongly linked to the gendered norms that cast women foremost as reproductive beings.

This is a foundational principle in understanding the mechanisms that subordinate women. The alleged responsibility for women to uphold the culture is used to: justify men’s influence over women; restrict women’s mobility and thereby their social, cultural, religious, educational and occupational opportunities; control women’s sexuality and marriage choices by discouraging interethnic or interfaith marriages; and warrant the need for ‘protection’ from men (APWLD, Ninu, Women in Action Group, 2017). This is a patriarchal system where society views women as inferior to men.

The findings showed that bride price was a widely accepted practice among both men and women and younger and older participants in Falam and Hakha communities. Although there was widespread support in preserving it, there was also acknowledgement of its negative impacts on Chin society including on women, men and their children. This is similar to findings of a nationwide study in Chin State conducted by Ninu in which many respondents viewed bride price as important to validate marriage (Osuna, 2003). Such high levels of acceptance among the Chin community are a huge challenge for the engagement of communities and policy makers in working towards mitigating the negative impacts of this practice.

Challenging bride price is not an easy thing to do because whatever its drawbacks, people are still deeply attached to the practice. It is difficult to implement laws to ban it or to restrict the amount payable. Nevertheless, the practice has to be challenged because it has implications of violating women’s rights. It is thus important that massive sensitization and education is carried out on the negative effects of bride price and legislation should be enacted to prohibit it. Both the taking and giving of bride price can be made an offence. In this regard the Domestic Relations Bill, which provides that marriage gifts shall not be an essential requirement for any marriage under the act and where any party to a marriage has given them, and that it is an offence to demand for their return, should be adopted.

However, effective implementation of such a law if put in place can only be possible if those affected by bride price make the initiative to cooperate in the legal process, and the community leader must give a favorable and encouraging response to such an initiative. It is important to note that it is not easy to bring an end to the payment of bride price. Underlying the practice is the socio-cultural presumption of the inferior status of women, which cannot be brought to an end by legislation only. In this regard, there is need for cooperation with all the government departments, civil society and all citizens to work together to bring to an end to the negative effects of payment of bride price. Furthermore, it falls within the larger scope of women's rights to equality and protection from discrimination in all spheres of life. The implementation of the Myanmar Constitution and other related laws which espouses, women's rights and particularly eradicating laws and customs that demean women, should be a priority for our government, which has already played a key role in the protection of women's rights.

Conclusion

Although the practice of payment of bride price is widely accepted, analysis of both national and international law clearly shows that the practice has led to violations of women's rights to equality and dignity, among others. Challenging the practice is not an easy process because of its perceived traditional, cultural and religious importance by both men and women not only in Chin communities but also in many other communities all over the world.

The study found a mix of positive and negative impacts of bride price on individuals, families and communities, with negatives far outnumbering positives, and mainly negative impacts in terms of the lives of married women.

The research identified many negative impact on women, most of them extremely damaging and distressing in nature, and some of these impacts also affected men and children. For women, they included the cementing of gender inequality, endemic domestic violence and abuse. Further impacts highlighted include debt and difficulties for young men and an entrenchment of poverty.

The development of a gender analysis on the ground by a local and national NGO (Ninu) and the ensuing campaigning and policy work, including research, have been of key importance in beginning the process of transforming views on bride-price, and indeed transforming rural women's lives in Chin communities. It has also proved vital to introduce a gendered lens into conceptualizations of bride price. The practice may have functioned in the past, at least, as a helpful means of exchange, but this study and other recent literature demonstrate the huge cost to women of such a custom.

Thus, reform of bride price can be seen to be an important issue in moving towards gender equality and combating patriarchal notions of power and decision-making in communities. Men remain in positions of control in the communities concerned, but reforming bride price would be one step towards enhancing women's human rights, removing bride price violations and abuse, and empowering women to feel equal members of communities, marriages and families.

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