

MATRIMONIAL RIGHTS OF BUDDHIST WOMEN IN MYANMAR

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ABSTRACT

Myanmar Customary Law evolved from the customs that had been followed by the Myanmar People since the ancient times .It is not an enacted law. It is the law which applies to all Buddhists in Myanmar as the personal law which mainly concerns with family matters such as marriage, divorce, inheritance and matrimonial rights.A consistent feature of the Myanmar Customary Law has been freedom of the individual. When the contract of the marriage has been formed, the equal status of husband and wife is created. The wife is by custom and law, a sharer and not merely a bearer of the burden of household chores and of the children. Her rights to keep her own name, to her own separate property which she brought to the marital home or acquires later ,are well defined; her share in the husband's and joint earning is a vested right. The matrimonial rights are fully acknowledged. Myanmar Buddhist spouses are not joint tenants but tenant in common and that married persons hold during the subsistence of their marriage an interest in all properties belonging to either or both. Myanmar Buddhist women are entitled to the full protection of Myanmar Customary Law concerning marriage, divorce, the right of property, custody of the children, maintenance and inheritance. Those peculiar and remarkable matrimonial rights of Myanmar Buddhist married women are well accepted both by custom and law.

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Abstract

Abbreviations

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