

NOTE
Answering a Questionary of the Births,
Marriages and Deaths Registrar in Antwerp

- Have the events which have taken place during the war modified the state of marriage in Siam, principally as regards the age of marriage required for the two sexes, the forms which relate to the consent to marriage, the formalities regarding publications and the duration of the latter ?

Ans. - The recent war has had no effect upon the conditions of marriage in Siam, and could not have owing to the country being so far from the place of hostilities. A longtime before the war, it was decided to codify the civil laws, including of course the statute of family, but this Codification which is now in course, has not been affected by the war.

II. - Is religious marriage alone allowed ? or is a civil form of marriage which accompanies the former ? Does civil marriage prevail over the religious form of marriage ?

Ans. - This question has caused very grievous difficulties in the Western countries, but fortunately they are unknown in Siam. It must be reminded that Siam is almost exclusively a country of Buddhist faith. The Buddhist religion did never try to conflict with the powers of the State concerning civil law. Marriage is therefore in Siam a civil contract very near to the other contracts. All religious ceremonies which the parties might like to perform accessorially are freely admitted, but have no connection with the contract.

III. - Is divorce allowed and which are the proceedings?

Ans. - Marriage being taken as a contract, it follows that divorce is admitted liberally especially by way of repudiation or of mutual consent. In the latter case, the consent can result from an exchange of divorce letters, or be declared by words before an official who receives the declaration at the same time as that of the division of the properties, or also be pronounced by Court. Divorce may be pronounced by Court in case of a claim of one party only, for breach of contract by the other party (such as adultery, misbehaviour, etc.) . Regulations as to the registration of civil acts are under reconsideration and margin entries are not used now.

IV. - On what texts does the civil officers rely upon especially in interpreting the civil legal acts and principally that concerning marriage and divorce ?

Ans. - The principal laws concerning the civil legal acts are: the Law on Marriage (Phua Mia) which exists since a long time and the Regulations on Registration of Births and Deaths promulgated in August 1909.