

**2021 年结婚彩礼新规定：不用给彩礼是真的吗？要彩礼犯法吗？**  
**Wedding Gift New Regulations 2021: Is it really true caili\* is gone? Is demanding 'bride price' now against the law?**

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**Image:** 2021 – China bans “bride price”  
**Source:** thepaper.cn

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**\*Translator’s note**

*Caili (pronounced tsai lee) or “Bride price” in English has been described as one of China’s most critical social issues facing the central authorities in recent times. Scholars and commentators call it a political challenge for the Communist Party of China in the face of declining marriage rate, rising divorces and increasingly large numbers of urban and rural women choosing to stay single or unmarried. Caili, China’s centuries-old tradition has become a big obstacle, especially since rising urban incomes for the middle-class population following the implementation of reform policy forty years ago. More recently, as China’s demographic balance has been tilting in favour of male populace – according to China’s official data released in 2016, the country had 33 million women fewer than men – “hunt” for a bride has turned caili custom into “dowry bargain.” Just as in India today, demanding or offering dowry is a punishable crime, in China too asking for “bride gift” or “bride price” has been illegal for some time now. However, the practice has been not only thriving but the list of demands under marriage bargain is ever-growing.*

The “bride gift” or *caili* has always been a rather sensitive issue in China. For centuries, it has been a common practice in China to pay “bride price” to the family of the bride in order to “win” and bring over bride to her new home. But in recent years, the marriage “bride gift” has undergone a huge change. I have learnt on the social media that currently it costs hundreds of thousands of Yuan to bring home a bride. From 1 January, 2021 China will implement the Civil Code 2021. Recently, I have also watched a number of Tik Tok videos showing there is going to be a ban on *Caili* into the next year. So what does the new Civil Code say about “bride price?” Is it true you no longer have to offer betrothal gift? Is it against the law to give bride gift?



**Image:** *Caili* or “bride gift”

**Source:** [kknews.cc](http://kknews.cc)

## I

### Wedding Dowry or *Caili* – Introduction

1. What is Wedding Dowry? Wedding dowry refers to the exchange of dowry or gift money between the families of bridegroom and bride, or bridegroom and bride giving money or gift to each other in a marriage or in romantic relationship. The practice of pre-marriage gift money or wedding gift is very common in China, and it has become a widespread local customary “tradition.”

2. Is wedding dowry or marriage money the common property of the husband and wife?

It depends. According to the prevailing custom, no matter which side receives or which side gives away the wedding money or dowry, once the dowry gift or money has exchanged hands, it becomes the joint property of the newly wedded couple. Interestingly, if the gift or money has not been handed over to the newly wedded couple and stays with the bride’s family then the couple has no claim over such wedding gift.

3. When is wedding gift or dowry “gifted” away to the bride’s family?

Because the traditional custom is practiced in different ways in different regions, in some places the wedding gift giving ceremony is arranged at the time of the wedding, in some areas it is held at the time of the fixing of the marriage and there are parts of China where the ceremony is held a day before the wedding.

## II

### Wedding Gift New Regulations 2021

The government has not introduced new Marriage Gift or Dowry regulations. However, the marriage Civil Code has announced implementation of New Regulations from January 1, 2021.



**Image:** Wedding money or dowry

**Source:** biz.zjol.com.cn

Article 1042 of the Civil Code stipulates: Arranging or sponsoring of marriages involving money, dowry and all other activities that interfere with the conduct of marriages out of one’s free will and choice are prohibited. To obtain property or money through marriage is prohibited.

1. Bride’s family must return the dowry gift under the following circumstances:
  - A. Both sides have not formally completed the marriage formalities;
  - B. Both sides have obtained the marriage certificate but can prove that groom and bride are not living together;
  - C. The groom’s financial conditions were tough before the marriage and he had to raise “wedding money” with great difficulty<sup>1</sup>



**Image:** Bride’s family are becoming smarter in bargaining “wedding money”  
**Source:** hunliji.com



**Image:** A news report published on March 20, 2021 says several banks have apologised for giving away “wedding money” loans

**Source:** newtoday.cc

### III

#### Is it really true *Caili* is gone? Is demanding ‘bride price’ now against the law?

Of course, it is untrue.

<sup>1</sup> According to the Chinese custom, it is the groom’s side which pays “money” to the bride’s family – [Translator’s note ]

1. Regarding the violation of the New Regulations, it is very easy to manipulate depending on how one comprehends the new law. For example, the New Regulations do not prohibit or prevent a woman from receiving “wedding money” or “wedding dowry”; the law prohibits receiving such gifts through wedding;
2. Asking for household items and proper dowry are two entirely different things and must not be confused as the same thing; prohibition of demanding “wedding gift” is only to prevent sky-high price;<sup>2</sup>
3. Therefore, the government has not made regulations stipulating prohibition of exchanging “wedding money”; it is

<sup>2</sup> According to a January 2021 Xinhua report, rural grooms typically shell out between 500,000 and 1 million Yuan – \$77,300 to \$154,700 – to woo a bride and her family, a custom that is leaving more cash-strapped men unmarried – [Translator’s note ]

China’s centuries-old custom and the government wants to preserve the tradition.



**Image:** *Caili* is China’s traditional custom  
**Source:** politicis.people.com.cn



**Image:** “Bride Money” – Marriage or Robbery  
**Source:** udn.com

Therefore, receiving “wedding price” or *caili* is legal despite the new Civil Code Regulation 2021 and will not be considered an illegal offence.

Finally, a marriage cannot be hijacked by the bridal dowry and marriage should not be determined by both sides indulging in the traditional custom of betrothal dowry. However, “wedding price” is not just a traditional custom that has been passed down from generations. It should also be seen as one of many standards to judge a groom’s

character. We suggest a groom should offer “wedding price” respecting the local customs as well as his means.



**Image:** Divorce after 41 days of marriage; Groom demanding return of “bride price” money  
**Source:** news.xmnn.cn

[Series editor: Hemant Adlakha]

*The views expressed here are those of the original author and not necessarily of the translator or of the Institute of Chinese Studies*

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