



## An analysis on child marriages in India

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**Abstract:** Marriage is an important event in the life of a person. It is a blending and agreement between two persons to live together and produce offspring. Marriage determines the fate of a person. In Indian society marriage is considered as a sacrament and as an important religious duty. Various forms of marriage prevail in the Indian society. Child marriage was one such form. Child marriage was an evil form of marriage because it hinders the growth of the children. This form of marriage existed in the society from time immemorial. A number of causes have been attributed towards child marriage. But still it has severe consequences in the society. It is a huge responsibility for a young girl to become a wife and mother and because girls are not adequately prepared to face these roles which demand a lot of maturity and a big sense of responsibility.

**Key words:** child, Marriage, India,

### Introduction

Marriage is an important event in the life of a person. It is a blending and agreement between two persons to live together and produce offspring. Marriage determines the fate of a person. In Indian society marriage is considered as a sacrament and as an important religious duty. Various forms of marriage prevail in the Indian society. Child marriage was one such form. Child marriage was an evil form of marriage because it hinders the growth of the children. Child marriage is a marriage of individuals before they attain the age of adulthood. At present the Indian law recognizes the age of marriage as 18 years for girls and 21 years for boys and any marriage before this minimum age is called child marriage. The free growth of women was curbed by child marriage. It is a form of violation of the rights of the child. Child marriages became popular during the medieval period and continued during the British period and it still prevails in the society.

### History of Child Marriage in India

In the earliest known history of India from 200 BC TO 700 AD, young women and men rejoiced a liberal concept of love

and they had the freedom to choose a partner and enter into romantic relationships with each other without any fear of scandal. However, from Middle Age, as states and government developed, the political system elaborated and modified the Indian society gradually. It transformed the lifestyle and opinion of its people from a simple to more complex form, restricting significantly the notion of liberty. Women lost their rights and had to obey rules and respect the code of behaviour. They were now subject to family discipline and the honour of their clan. Since young women were considered irresponsible and irrational in love, parents married them early before they got caught into any scandal. Though, age at which the girl was to be married differed and it was rare for girls younger than 12 to be married in antiquity. Nevertheless, girl brides became younger towards the Medieval period, and it became increasingly common for girls as young as six or eight to be married in Indian society. The prime concern of negotiating the marriage was to find out the compatibility between the two families. It was believed during those times that if two persons know each other right from childhood it enhanced



understanding and affection. Hence, parents decided on the marriages of their children at a very early age although the daughter stayed with her parents until she attained the age of puberty. It was only during the British period efforts were taken to put an end to this evil. The child marriage was banned in the society by passing the Child Marriage Restraint Act of 1929.

#### **Child marriage around the world**

- One third of girls in the developing world are married before the age of 18 and 1 in 9 are married before the age of 15.
- In 2012, 70 million women 20-24 around the world had been married before the age of 18.
- If present trends continue, 150 million girls will be married before their 18th birthday over the next decade. That's an average of 15 million girls each year.
- While countries with the highest prevalence of child marriage are concentrated in Western and Sub-Saharan Africa, due to population size, the largest number of child brides reside in South Asia.

#### **The Present Situation of child marriages in India**

More than 40 per cent of the world's child marriages take place in India, even though the legal age for wedding is 18, reported UNICEF. Child marriage is of course banned in India and the Indian government has taken a strong step to tighten laws against child marriage, but unfortunately this custom continues to exist in spite of legal interdictions. According to the new bill, Prohibition of Child Marriage Bill 2006, the priests, police or local leaders will be jailed and fined if they will be found indulged in this illegal practice, declared Renuka

Chowdhury, minister for women and children. This bill grants protection to many children forced into marriage every year in the rural parts of the country. They are forced to consent with their parent's decision or choice. Very often, they are even too young to understand the significance of marriage and do not understand the gravity of the event. Young girls are threatened, bullied, black-mailed and emotionally exploited.

A brief situation analysis of child marriage in India (Census of India, 2100) Indian states with a high proportion of girls getting married below age 18 are Bihar (46 percent), West Bengal (41 percent), Rajasthan (40 percent), Jharkhand (36 percent), Uttar Pradesh (33 percent), Madhya Pradesh, Dadra and Nagar Haveli and Andhra Pradesh (29 percent). In these nine states more than one-fourth of the girls are married before they are 18 years old and it is more than the national average. In 16 states, less than or equal to onetenth of the girls are married below 18 years; these states are Himachal Pradesh, Lakshadweep, Goa, Chandigarh, Pondicherry, Daman and Diu, Uttarakhand, Punjab, Delhi, Andaman and Nicobar Islands, Manipur, Kerala, Jammu and Kashmir, Arunachal Pradesh, Tamil Nadu and Mizoram. Despite Himachal Pradesh and Kerala having high female literacy, the levels of child marriage are noticeably high. Over 45,000 child marriages, bulk of them from the Muslim community, are reported to have occurred in Kerala since 2001.<sup>8</sup> The national goals set out by India its various policy and plan documents are still far from being met. The analysis as presented in the chart that follows is also a reflection on the poor implementation of international.



Is India really as modern as it claims to be at present? Has it really evolved into an outstanding nation where women folk have equal rights and command a respectable place in the society? The reply is of course NO. India is proud to reach the moon today and it boasts about its technological and economic progress, but can the nation be modern and prosperous when children are being sold off for a petty sum of money or forced to marry at a very early age and often wedded to old men literally old enough to be their father and die with childbirth and miscarriages! How can the Indian government celebrate the Commonwealth games and spend 6 billion dollars for it, when such an important part of its population are living in misery, and facing deplorable living conditions. How can India be proud of the opening ceremony show with a Rs 80-crore aerostat, the giant helium balloon that glittered in the limelight over the Jawaharlal Nehru Stadium on Sunday the 3rd of October 2010 when thousands of Indian children labour day and night and have no roof or access to education or health care? How many helpless parents are obliged to marry off their minor daughters, some as young as seven years old! No concrete step is taken to fight against child abduction or sexual abuse. The poor and the category belonging to the lower castes are victims of discrimination and deprived of everything, even of their self-dignity! Despite the ban, child marriage is still widespread in Jharkhand, Chhattisgarh, Orissa, Rajasthan, Madhya Pradesh and many other states of India.

### **The Serious Consequences of Child Marriage**

Indian society is actually very complex, infested with same age-old beliefs, cultural and social interdictions, outdated

rites and customs. In a country where ignorance and poverty are dominating factors, early marriage is often perceived as the only option for girls and is often seen by parents of young girls as a means of securing both their own and their daughter's future. The causes and consequences of child marriage are intrinsically linked, including girl's lack of autonomy and low levels of education, poor health status, poverty and overall low socioeconomic status.

Early and child marriage creates a number of negative consequences for young adults and their families. Of these, the development sector currently focuses on two primary impacts: on education, as girls are forced to drop out of school; and on the health of young women, especially linked to early pregnancy. These two problems are essential to address, but there are other impacts that are also important. By looking at root causes, we gain a broader understanding of the impacts of early and child marriage on education and health, but also on gender and sexuality, and livelihoods.

The recent government studies shows that more than 65 per cent of girls are getting married before 18 in India. Naturally, child marriage causes high rates of maternal mortality and one woman dies every seven minutes in India because of a pregnancy-related cause.

It is a huge responsibility for a young girl to become a wife and mother and because girls are not adequately prepared to face these roles which demand a lot of maturity and a big sense of responsibility. Naturally, this heavy burden has a serious impact on their psychological welfare, their perceptions of themselves and also their marital relationship. Women who marry early are more likely to suffer inevitable psychological as well as physical



consequences. Studies indicate that women who marry at young ages are more likely to believe that it is sometimes acceptable for a husband to beat his wife, and are, therefore, more likely to experience domestic violence themselves. Abuse is sometimes perpetrated by the husband's family as well as the husband himself, and girls who enter families as a bride often become domestic slaves for the in-laws and live under a constant threat and pressure.

#### **Causes of child marriages**

Early marriage has also been linked to wife abandonment and increased levels of divorce or separation. Child brides also face the risk of being widowed by their husbands who are often much older to them or they have an unexpected death. In these instances the young bride is likely to suffer additional discrimination as in Indian culture the young widows are held responsible of the death of their husband and suffer a loss of status and may be ostracized by society and denied property rights.

#### **Poverty and child marriage**

- Girls living in poor households are almost twice as likely to marry before 18 than girls in higher income households.
- More than half of the girls in Bangladesh, Mali, Mozambique and Niger are married before age 18. In these same countries, more than 75 percent of people live on less than \$2 a day.

#### **Education and child marriage**

- Girls with higher levels of schooling are less likely to marry as children. In Mozambique, some 60 percent of girls with no education are married by 18, compared to 10 percent of girls with secondary schooling and less than one percent of girls with higher education.

- Educating adolescent girls has been a critical factor in increasing the age of marriage in a number of developing countries, including Indonesia, Sri Lanka, Taiwan and Thailand.

#### **Health and child marriage**

- Pregnancy is consistently among the leading causes of death for girls ages 15 to 19 worldwide.
- Child brides often face a higher risk of contracting HIV because they often marry an older man with more sexual experience. Girls ages 15 – 19 are 2 to 6 times more likely to contract HIV than boys of the same age in sub-Saharan Africa.

#### **Violence and child marriage**

- Girls who marry before 18 are more likely to experience domestic violence than their peers who marry later. A study conducted by ICRW in two states in India found that girls who were married before 18 were twice as likely to report being beaten, slapped or threatened by their husbands than girls who married later.
- Child brides often show signs symptomatic of sexual abuse and post-traumatic stress such as feelings of hopelessness, helplessness and severe depression.

#### **National Strategy on Child Marriage:**

The MWCD has proposed a National Strategy on child marriage dated 14 February 2013 that reflects the commitment of the Government of India to curb child marriage<sup>11</sup>. It has suggested ensuring linkages with the Integrated Child Protection Scheme (ICPS) structures and statutory bodies to ensure detection and prompt referral of cases that require care and protection. One of the strategic directions is 'In cases in which children have already been

#### **What can be done?**



Repeated studies have shown that education plays an important role to eliminate child marriage. Research by UNICEF shows that the more education a girl receives, the less likely she is to be married as a child. Improving access to education and eliminating gender gaps in education are, therefore, important strategies for ending the practice of child marriage. Hence, it is urgent to bring some positive and concrete changes, to multiply the efforts to improve the social conditions, to impart education and to put an end to this age-old tradition that cripples the nation. Radical actions should be taken to reform the old fashioned mentality of the people who cling to such irrational customs. The Indians who practice child marriage in remote villages or towns must be helped, guided, educated and informed about all the health and psychological problems which follow any child marriage

The Indian government has voted a new bill, people marrying children and people involved in these practices, people abetting or attending a child marriage would face up to two years in prison and a fine of 100,000 rupees. The new bill has the provision to appoint « child marriage prohibition officers » in each of India's states. They will keep an eye on the practice and will collect evidence to prosecute such cases. Further, Courts have been empowered to rule a child marriage null and void even after many years of the practice. In addition, the husband will be forced to give compensation and residence to his former wife. Unfortunately, in spite of the legal announcements made by the Supreme Court, there are many cases which hardly enter the register logs.

As poverty is one of the main causes of child marriage and more than half of the Indian population live under the poverty

line and have no money to afford a decent shelter or a proper meal, it is the duty of the Government to promote long-term policies to develop the rural areas and impart education in remote areas, to uplift the poor living conditions and enhance instructive projects of education and health care facilities. Because of poverty and lack of education precisely many desperate parents from the poor class get their minor daughters married in return of money as old men pay a considerable sum to achieve young girls. Only when a joint effort is made, will the country rise and prosper, and the worthless customs such as child marriage will cease to exist and happy educated children will make a better future and a healthy nation.

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