

Prevalence and Incidence of Child Marriage

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ABSTRACT

Child marriage is widespread in India despite a law banning it, and the loser in the end is invariably the girl child given the socio-economic factors that encourage the practice. India is still unable to stop this feudal practice. Most child marriages in northern India take place on an auspicious day - Akha Teej (Akshaya Trithiya). But in the south there appears to be no special occasion for such marriages. Although the illegality of the practice and the fact that such marriages are not registered make the exact numbers hard to determine, some estimates put the number of child marriages in the country at several thousands every year. In some cases, the bride and the groom are said to be little more than toddlers, though the majority are in their teens. There is considerable evidence that child marriages contribute to virtually every social problem that affects women. Present paper highlights the issue of child marriage in India.

Introduction

The tradition of child marriage can be traced in India since time immemorial. It is, however argued that in the Vedic period, post-puberty marriage was the rule and a man could marry at the age of 20 or more after completion of education and girls were equally not married at a tender age. But from 400 B.C, the marriageable age of both boy and girl got lowered gradually and tendency to arrange marriage preferably between eight and ten years became popular. Though, there are several explanations regarding the rise of early marriage among the Hindus in post-vedic society, the factors that encouraged pre-puberty marriages include the joint structure of family, endogamous restrictions on mate selection, and the socio-historic factors in medieval times that prompted the Hindus to begin early married life to protect the chastity and virginity of the girl. Accordingly, one can trace early marriage in the life of even eminent and literary persons of 18th and 19th century. As a corollary, the 1931 Census reported that more than 72 per cent of the girls in India were married before attaining the age of fifteen years and nearly half of them (34%) were married before ten years. Twenty years later, the 1951 Census reported that the median age at marriage in India is 14.5 and 20 for the girls and boys

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respectively. While spread of literacy and other indexes of development during the last 100 years or so have gradually weakened notions like pre-puberty marriage, 'child marriage' being practiced by a large section of particularly rural population in the country even today.

Overview of Literature

Several studies have been conducted on child marriages and early pregnancy. Jone and Catherine said that women who married at younger ages were more likely to believe that it is sometimes acceptable for a husband to beat his wife and were more likely to experience domestic violence themselves. The age gap between partners contributes these abusive power dynamics and to increase the risk of untimely widowhood. Goswami and Samodh are of the view that economic and protectionism is the main cause behind early marriages. People think marrying all of the daughters in a family at one time saves expenses and is thus the reasoning behind the common practice of marrying off young girls when the eldest daughter is of age. Bhatia and Chandra highlighted the issue of child marriage is the age at which girls become sexually active. Women who are married before the age of 18 tend to have more children than those who marry later in life. According to Bhattacharya, 97 per cent of women surveyed in India in 1992-1993 did not use any contraception before their first child was born. However, the Population Council and UNICEF found that, in Pakistan, a substantial number of young married women indicated an interest in the use of contraception in the future. Pregnancy related deaths known to be a leading cause of mortality for both married and unmarried girls between the ages of 15 and 19, particularly among the youngest of this cohort. Hoberland iterated that protection from HIV / AIDS is another reason for child marriage. Parents seek to marry off their girls to protect their health and their honour, and men often seek younger women as wives as a means to avoid infection. In some contexts, however, the evidence does not support this hypothesis and practice. Hobcraft shows that the more education a girl receives, the less likely she is to marry as a child. Improving access to education for both girls and boys and eliminating gender gaps in education are important strategies in ending the practice of child marriage. Legislative, programmatic and advocacy efforts to make education free and compulsory, as well as to expand Education for All programming beyond the primary level, indicated by the strong significance of educational attainment in terms of reducing the number of girls who are married. Increasing the level of compulsory education may be one tactic to prolong the period of time when a girl is unavailable for marriage. Sagade said that it is also important to capitalize on the window of opportunity created by the increasing gap in time between the onset of puberty and the time of marriage by providing substantive skills enhancing programmes and

opportunities. There is a need to develop methods to protect girls at risk of child marriage and to address the concerns of girls and women who are already married by ensuring the fulfillment of their right to a full education and providing them with life skills-based training to ensure that they can earn a livelihood. Efforts are also required to protect girls who are in union. Decreasing the pressure on young women to conceive through education and advocacy on the dangers of early motherhood should be considered. Bhatt and Hazra suggested that outreach efforts should consider targeting women who were married before age 18 as potentially in need of assistance. Mapping child marriage levels within countries may be a useful practice for programmatic purposes when determining where to launch new prevention campaigns. It can also be used to track future progress by comparing child marriage levels at different points in time. Hoberland, Chang and Bracken said that further data collection and research is also required to explore the impact of child marriage on boys and men. The demand-and-supply relationship of child marriage should be qualitatively explored to illuminate dynamics, such as the reasons why households marry their children and why men prefer younger brides, in order to inform programming strategies. The literature simply demonstrates that there is imperative need to examine the prevalence, causes and consequences of child marriage along with the enforcement of Child Marriage Prohibition Act.

Prevalence of Child Marriage

Child marriage has been found more prevalent in the countries of Sub-Saharan Africa, South Asia and Central America. In Sub-Saharan Africa, 8 countries have more than 50 per cent of women experiencing child marriage while 5 of top 20 hotspot countries for child marriage were reported in West Africa. Child marriage is a global problem. Child marriage, generally defined as marriage before the age of 18 years, is not limited to any one country or continent. 10 countries have particularly high prevalence rates, with one half to 3/4th of girls marrying before their 18 birth day. The prevalence rate of child marriage was reported significantly high in Niger, Chad, Mali and Bangladesh. Although, most countries have past laws declaring 18 years as the minimum legal age for marriage, the laws are not effectively enforced and socio-cultural, economic realities perpetuate this practice. Certain risk factors such as poverty, low levels of education, and backwardness are directly correlated with higher rates of child marriage. The practice of marrying girls at a young age is most common in Sub-Saharan Africa and South Asia. However, in the Middle East, North Africa and other parts of Asia, marriage at early age is common among those living traditional lifestyles. There are also specific parts of West and East Africa and of South Asia where marriages much earlier than puberty are not unusual, while marriages of girls between

the ages of 16 and 18 years are common in parts of Latin America and in pockets of Eastern Europe. The prevalence of early marriage has been reported significantly high among girls as compared to boys. The high prevalence rate of child marriage has been reported in the countries of Sub-Saharan Africa such as Niger, Mali and Burkina faso while Bangladesh and Nepal in South Asian countries witnessed a high rate of prevalence of child marriage.

Thus, according to Census 1991, the percentage of married women under the age of 18 was 53.3 in India. The situation however did not change substantially in the following decades. Thus, the National Family Health Survey (NFHS)-2 of 1998-99 (IIPS 2000) found more than 34 percent of married girls in the age group of 15-19 years. In the RCH (Reproductive and Child Health) survey conducted during the same period, 36.9 percent of women below the age of 18 were found married. In the 2001 Census, the percentage of married women under the age of 18 has come down to 43.5 percent for all categories and 47.5 percent for rural women. Notwithstanding nearly 10 percent reduction in the rate of child marriage during the last two Censuses, the latest NFHS-3 (IIPS 2007) data rather indicate that an increasing number of girls, irrespective of regional, community or rural-urban backgrounds, are 'married off' at an early age in India today. Thus, the NFHS-III, carried out in 29 states during 2005-6 shows that more and more women in the states like Arunachal Pradesh, Punjab, Mizoram, Sikkim, Tripura and West Bengal are being married while they are at 15 years. Nearly 45 percent women in the country, aged between 20-24 years, were married off early. The national statistics often disguise significant rates of early marriage.

Child marriage is a persisting harmful traditional practice, rampant in many parts of the country and the incidence of it is highest in the States of Rajasthan, Bihar, Uttar Pradesh, Chhattisgarh and Madhya Pradesh. The fixing of the legal age of marriage at 18 years for girls and 21 years for boys has not prevented the continuation of early marriages. Nor has the Child Marriages Restraint Act, legally in force since 1929, been effective in restraining the practice. Education is recognized by the Constitution of India as a fundamental right for all children in the age group of 6-14 years. Early child marriage denies this basic right to the girl child. Factors like poverty and puberty combine to make the girl a school dropout and pushed into early marriage. The dropout rate among girls is highest at the elementary level often because of early marriage. The lack of proper and complete education renders girls incapable of acquiring any skill that can empower them. Needless to say, lack of education also affects reproductive behavior, use of contraceptives, health of the new born child and proper care and hygienic practices. Every year of education added strengthens a mother's ability to nurture and care for her children.

Child marriage affects girl children's reproductive and sexual health. They suffer from high rates of obstetric complications, anemia, malnutrition, obstructed labour because of small pelvis, postpartum hemorrhage, toxemia, vesico-vaginal fistula, intra-uterine growth retardation, pregnancy induced hypertension, premature delivery, higher maternal mortality rates, high incidence of reproductive tract and sexually transmitted infections (RTIs and STIs) and foetal wastage (miscarriages or still-birth), the neonatal and infant mortality rates are also high along with incidences of premature delivery and low birth weight of the new born. Adolescent mothers are twice as likely to die of complications arising out of pregnancy compared to women 20 years or older. The IMR is 40 per cent higher for adolescent mothers than for adult mothers (107.3 and 78.5 per thousand live births respectively). Adolescent girls also face riskier and unprotected sexual exposure within their marriage, leading to a higher risk of contracting HIV/AIDS and other RTIs and STIs.

Child marriage is a gross violation of the UN Convention on the Rights of the Child and the Constitutional provisions of right to life, liberty, and security, right to health, right to freedom from slavery, right to education, right to non-discrimination on the grounds of sex, and right to equality. In addition to the health effects, the emotional effects of child marriage are immeasurable. Early marriage and forced sexual activity throw the girl's identity into a state of crisis. There is an early burden of responsibilities, a higher risk of violence and abuse within the family, threat of being rejected by the family because of the propensity of child grooms going in for more than one marriage. Child marriage is a complete violation of a child's human rights, self-worth and dignity. It denies children participation in decision-making, recreation, and space of their own. The emotional impact of child marriage on a girl is far worse than in the case of a boy child. However, from the perspective, getting married at an early age violates the human rights of both boys and girls.

In India, child marriage is a centuries old tradition, where children as young as two to three years were often married or given away in marriage. However, in traditional societies in spite of early commitment of children into wedlock, marriages were not consummated till children were much older and were perceived to be able to understand the responsibilities intrinsic to marriage. Over time, giving children in marriage has turned into a major social evil entailing issue of child rights, dowry, and sexual abuse, among others detailed above. Some of the emerging trends in child marriage have far-reaching adverse consequences in the life of a child. For example, child marriages have come to be used as a means to traffic young girls and women into the sex trade and labour both within the country and outside. Children are married, trafficked and sent to work in places like Delhi, Haryana, Uttar

Pradesh, and Kolkata. Imbalance in the sex ratio in some states is emerging as a reason for trafficking of young girls for the purposes of marriage. In states with very low sex ratio, there is a tremendous shortage of marriageable girls, resulting in the need to buy young brides from other states. In some cases, these girls may be forced to serve as a wife to two or three brothers in the same family.

In some situations, economic circumstances have forced parents to give away their young daughters in marriage to much older or physically or mentally challenged men. Incidents of girls being given away to rich/old Arab 'sheikhs' in the city of Hyderabad in Andhra Pradesh have received much attention nationally and internationally. The media representation of marriages attracts the adolescent mind to courtships and marriages of choice. Such relationships have only further increased the vulnerability of girls to sexual abuse, exploitation, desertion, mental and physical torture. Of late, some runaway marriages have led to negative consequences for the young boys as well, as they have been booked for kidnapping, abduction and rape, thereby getting marked as young child offenders. Child marriage has always been prevalent in India and is rampant in large parts of the country. Marriage at early age has serious repercussions on the physical and mental health of the children and it deprives the children their right to childhood. Child birth amongst physically immature girls is a further threat to their health. Child brides often end up as young widows with a number of children to take care.

The 2001 Census reports that there are nearly 300,000 girls under 15 who have given birth to at least one child. According to the Rapid Household Survey conducted across the country, 58.9 per cent of women in Bihar were married before the age of 18, with 55.5 per cent in Rajasthan, 54.9 per cent in West Bengal, 53.8 per cent in UP and 53.2 per cent in Madhya Pradesh and 39.3 per cent in Karnataka. Jammu and Kashmir has the lowest percentage of under-age marriage, which is 3.4, followed by Himachal Pradesh (3.5) and Goa (4.1). Despite high female literacy in Kerala, close to one-tenth of women are married before attaining the legal age of 18 (Bhat, Sen & Pradhan, 2005). National Family Health Survey (II) data suggests that the median age for the marriage of girls in India is 16.4 years. The survey also found that 65% of the girls are married by the time they are eighteen. The practice of child marriage is prevalent in all the Indian states in varying degrees. The problem is however more acute in certain Northern and Central Indian states. It has generally been noticed that incidence of child marriage varies inversely with the level of development within the state (Sagade 2005). It is therefore not a mere coincidence that states like Rajasthan, Madhya Pradesh, Bihar, Uttar Pradesh, Jharkhand and Haryana together account for 63 percent of all under-age marriages in the country (Krishna Kumar and Rajalakshmi 2005). Contrarily,

states like Kerala, Nagaland, Punjab, Sikkim, Goa, Mizoram and Manipur have fared better in this respect. Thus, only 10 percent of adolescent girls in the corresponding age group in these states are currently married (NFHS-II). NFHS-III has equally found the more than half of women marry before reaching the legal minimum age at marriage in eight Indian states namely, Bihar (64%), Jharkhand (60%), Rajasthan (58%), Andhra Pradesh (56%), West Bengal (53%), Madhya Pradesh (53%), Uttar Pradesh (52%) and Chhattisgarh (51%). The proportion of women marrying before 18 is lowest in Goa (11%), Himachal Pradesh (14%), Manipur (14%), Jammu & Kashmir (16%), Kerala (17%), and Mizoram (19%) (IIPS 2007). While high female literacy and other indices of socio-economic development are helpful in controlling child marriage in several parts of the world, there are many regional, cultural and historical reasons behind the prevalence of the social evil. The state, being one of the developed one in the western region of the country with a moderate level of female literacy, has a long history of social reform movement. Yet, 40 percent of women below the age of 18 are married in 2005-6 (NFHS-III). Similar is the case with Karnataka (41%). Moreover, the tribal dominated North Eastern states have build up a strong tradition of late marriage even though the practice of child marriage is widespread among a good number of tribal communities in the country. Again, relatively prosperous states like Punjab, Haryana, Delhi, Himachal Pradesh and Gujarat that have performed quite satisfactorily in tackling child marriage over the last few years, being faced with the problem of declining child sex ratio during the same period. The decline has been attributed to the twin factors of increasing masculinity of sex ratio at birth (SRB) and continued neglect of girl child after birth as traced through higher age-specific death rate of girls in the age group of 0-9.

Among the reasons cited for the continuance of the practice include: tradition, family and societal pressure, feudal set-up, and poverty. Based on the view that 'virginity' is essential in a bride, girls are married off at a very young age, beginning five years. As a result, these girls are traumatized by sex and are forced to bear children much before their bodies are fully mature. Many parents are of the view that keeping their daughters unmarried after puberty is a big responsibility of protecting them. Most parents cite poverty as the reason. They find it so difficult to feed everyone in the family that they prefer to "send off" the daughter as early as possible to some other family. As for the boy's family, it gets an "unpaid servant" to do the household chores, often along with dowry.

The reasons for child marriage today go beyond custom and poverty. The oppressed classes and castes, with the encouragement of the landed castes, emulate this feudal social practice as it ensures for them a source of cheap family labour. He believes that it is in the interest of the dominant classes to

keep this system going. It is also the observation of the United Nations Children's Fund (UNICEF) that poor families may regard a young girl as an economic burden and her marriage as a necessary survival strategy for her family. UNICEF is of the opinion that there may be several reasons why parents get their daughters married off early. They may think that early marriage offers protection from the dangers of sexual assault or more generally, offers the care of a male guardian. Early marriage may also be seen as a strategy to avoid girls becoming pregnant outside marriage. But there is no doubt that these notions get an impetus in an environment that basically goes against the girl child and women. There is no doubt that the affluent and the well off do not indulge in this practice, as the system is favourable to them in every sense.

Discussions on the evils of child marriage began as early as the last century. But a law - The Child Marriage Restraint Act (CMRA) - was introduced only in 1929. In fact, the Indian political class woke up to the reality when Census 1921 reported that there were 600 brides between the ages of one and 12 months. It is said that a shocked Mahatma Gandhi urged a member of the Central Legislative Council, Harbilas Sarada, to introduce a Bill restraining child marriages. Thus was born the CMRA, popularly known as the Sarada Act. It was amended in 1978, when the minimum age of marriage was fixed at 21 for boys and 18 for girls and offences under the Act were made cognizable. The provisions of the Act are only to restrain and not to invalidate such marriages. Several decades later, child marriages still take place with brazen impunity. The Central government does not have any records of child marriages; the argument is that the CMRA is administered and implemented by State governments and Union Territories. Therefore, the only institutions that do such tabulation are the Census of India and the National Family Health Survey (NFHS).

According to Census 1991, the percentage of married females in the total number of females in the age group 10 to 14 was 13.2 in Rajasthan, the highest in the country. In second place was Madhya Pradesh at 8.5 per cent, followed by Uttar Pradesh at 7.1. For the country, the percentage of married women under the age of 18 stood at 53.3. The situation did not change substantially in the following decade. Census 2001 reports that there are nearly three lakh girls under 15 who have given birth to at least one child. In India, children are forced everyday into a relationship, of which they have only the faintest knowledge and for which they are not at all prepared. To push two physiologically and emotionally ill-prepared individuals into marriage is a compassionless way of looking at relationships. India's Parliament adopted the Child Marriage Restraint Act in 1978 (a revision of the British Child Marriage Prevention Act of 1929 and the following amendment of 1949) setting

18 as the minimum age for women to get married and 21 for men. Nevertheless, like in many other Indian social spheres, the law seems inconsequential when it comes to protecting the rights of the poorest and most vulnerable people in society. Religion plays a key role in such harmful traditions and practices. *Akha Teej* is an annual festival and an auspicious day for marriage in India.

It is not uncommon for political leaders and government officials to attend these ceremonies to bless newly-married children and impart legitimacy to the practice. The society in turn, instead of playing a watchdog role, is an enthusiastic participant in a deliberate perpetuation of entrenched interests, including property and social considerations, all which make child marriages so common. The origin of child marriages may be found in the Muslim invasions that began more than 1,000 years ago. Legend says that the invaders raped unmarried Hindu girls or carried them off as booty, prompting Hindu communities to marry off their daughters almost from birth to protect them. Today, these invaders have been replaced by superstition: the local view that any girl reaching puberty without getting married will fall prey to sexual depredations, some from men imbued with the common belief that having sex with a “fresh” girl can cure syphilis, gonorrhea and other sexually transmitted diseases, including AIDS.

Tradition and superstition are further reinforced by necessity. The benefit of child marriages for poor people is that it is cheaper for the family than adult marriages, since a child marriage does not need to be as prestigious and costly as an adult marriage. It is said in Hindi that “*chhota chhora dahej kam mangta*” (“the younger the groom, the smaller the dowry”). Rural poverty similarly puts pressure on families to transfer the economic cost of a daughter to another family as early as possible. The practice is particularly rampant in the populous northern belt where child marriages are most deeply rooted: Rajasthan, Madhya Pradesh, Uttar Pradesh, Bihar and West Bengal, with a combined population of 420 million, about 40 percent of all India. In Rajasthan alone, 56% of the women have been married before they were 15.

Married girls are generally separated from their immediate families, taken out of school to be “transferred” to her new-husband home, where they are expected to be used as free labor, sex objects and procreative machines. The teenagers’ health is put at risk. They are much more vulnerable than mature women when it comes to sexually transmitted diseases. Since their bodies are often not prepared to bear children, early pregnancy leads to more extreme peril, including death, during delivery and jeopardizing the health of these young mothers as well as their babies. As first-time mothers, girls face high risk in their pregnancies including obstetric fistula. This is a disease usually caused by several days of obstructed labor, without timely medical

intervention. The consequences of fistula are life shattering: The baby usually dies and the woman is left with chronic incontinence. Because of her inability to control her flow of urine or faeces, she is often abandoned or neglected by her husband and family and ostracized by her community.

Statistically, it is translated into soaring birth rates, grinding poverty and malnutrition, high illiteracy, a high infant mortality rate, and a low life expectancy, especially among rural women. According to the United Nations, maternal mortality in India (which indicates the number of women dying in childbirth or from pregnant-related causes) is 25 times higher for girls under 15, and two times higher for 15-19-year-olds. In view of this data, we can consider these marriages crimes not only against the children to be married but also against all of humanity. Ending child marriage is challenging because even parents who are aware of its negative impact may find it too difficult to resist the economic and social pressures as well as the heavy weight of the tradition. In order to stop such child marriages, the Indian government is aiming to create stricter and more easily-enforced laws, since the current legal atmosphere is not having a widespread enough effect. Currently, the police cannot arrest the organizers of mass child marriages without applying for a magistrate's order, which may take days. The punishment (maximum three months in prison) and fine are also not severe enough to stop the practice. Proposed changes include stronger punishment, a compulsory registration of all marriages rather than merely religious rites, the appointment of anti-child marriage officers in every state, and making a law requiring anyone who attends a child marriage to report the marriage. A further recent proposal is to administer campaigns to encourage poor families to participate in mass marriages of sons and daughters who are over the legal age to get married, in order to save costs of dowries and wedding arrangements.

However, the law alone cannot curb this harmful social practice. A change in psyche of the backward and illiterate people is required. Education and the empowerment of women are, beyond a doubt, two of the best remedies in a largely male-dominated country. Marriage before the age of 18 is a reality for many young women. According to UNICEF's estimates, over 60 million women aged 20-24 were married/in union before the age of 18. The number of children who enter into marriage or cohabitation each year varies according to region and across countries. Factors that influence child marriage rates include: the state of the country's civil registration system, which provides proof of age for children; the existence of an adequate legislative framework with an accompanying enforcement mechanism to address cases of child marriage; and the existence of customary or religious laws that condone the practice.

Young married girls are a unique, though often invisible, group. Required to perform heavy amounts of domestic work, under pressure to demonstrate fertility, and responsible for raising children while still children themselves, married girls and child mothers face constrained decision-making and reduced life choices. Boys are also affected by child marriage but the issue impacts girls in far larger numbers and with more intensity. Cohabitation - when a couple lives together as if married - raises the same human rights concerns as marriage. Where a girl lives with a man and takes on the role of caregiver for him, the assumption is often that she has become an adult woman, even if she has not yet reached the age of 18. Additional concerns due to the informality of the relationship - for example, inheritance, citizenship and social recognition - might make girls in informal unions vulnerable in different ways than those who are in formally recognized marriages.

Conclusion

Child marriage is widespread in India despite various laws i.e. Child Marriage Prevention Act, 1929, Child Marriage Restraint Act 1978 and Prohibition of Child Marriage Act 2006. India is still unable to stop this feudal practice. Most child marriages in northern India take place on an auspicious day like Akha Teej especially performed in Rajasthan. Religion plays a key role in such harmful traditions and practices. Akha Teej is an annual festival and an auspicious day for marriage in India. Among the reasons cited for the continuance of the practice include: tradition, family and societal pressure, feudal set-up, and poverty. Based on the view that 'virginity' is essential in a bride, girls are married off at a very young age. Many parents are of the view that keeping their daughters unmarried after puberty is a big responsibility of protecting them. Most parents cite poverty as the reason. They find it so difficult to feed everyone in the family that they prefer to "send off" the daughter as early as possible to some other family. The reasons for child marriage today go beyond custom and poverty. According to the observation of the United Nations Children's Fund (UNICEF), the oppressed weaker section with the encouragement of the landed castes, emulate this feudal social practice as it ensures for them a source of cheap family labour. Discussions on the evils of child marriage began as early as the last century. But a law - The Child Marriage Restraint Act (CMRA) - was introduced only in 1929. In fact, the Indian political class woke up to the reality when Census 1921 reported that there were 600 brides between the ages of one and 12 months. It is said that a shocked Mahatma Gandhi urged a member of the Central Legislative Council, Harbilas Sarada, to introduce a Bill restraining child marriages. Thus was born the CMRA, popularly known as the Sarada Act. It was amended in 1978, when the minimum age of marriage was fixed at 21 for boys and 18 for girls and offences under the Act were made cognizable.

The provisions of the Act are only to restrain and not to invalidate such marriages. Several decades later, child marriages still take place with brazen impunity. The Central government does not have any records of child marriages; the argument is that the CMRA is administered and implemented by State governments and Union Territories. Therefore, the only institutions that do such tabulation are the Census of India and the National Family Health Survey (NFHS).

The benefit of child marriages for poor people is that it is cheaper for the family than adult marriages, since a child marriage does not need to be as prestigious and costly as an adult marriage. The practice is particularly rampant in the populous northern belt where child marriages are most deeply rooted: Rajasthan, Madhya Pradesh, Uttar Pradesh, Bihar and West Bengal, with a combined population of 420 million, about 40 percent of all India. In Rajasthan alone, 56% of the women have been married before they were 15. According to the United Nations, maternal mortality in India (which indicates the number of women dying in childbirth or from pregnant-related causes) is 25 times higher for girls under 15, and two times higher for 15-19-year-olds. However, the law alone cannot curb this harmful social practice. A change in psyche of the backward and illiterate people is required. Education and the empowerment of women are, beyond a doubt, two of the best remedies in a largely male-dominated country. Marriage before the age of 18 is a reality for many young women. According to UNICEF's estimates, over 60 million women aged 20-24 were married/in union before the age of 18. In many parts of the world parents encourage the marriage of their daughters while they are still children in hopes that the marriage will benefit them both financially and socially, while also relieving financial burdens on the family. In actuality, child marriage is a violation of human rights, compromising the development of girls and often resulting in early pregnancy and social isolation, with little education and poor vocational training reinforcing the gendered nature of poverty. The right to 'free and full' consent to a marriage is recognized in the Universal Declaration of Human Rights - with the recognition that consent cannot be 'free and full' when one of the parties involved is not sufficiently mature to make an informed decision about a life partner. The Convention on the Elimination of all Forms of Discrimination against Women mentions the right to protection from child marriage in article 16, which states: "The betrothal and the marriage of a child shall have no legal effect, and all necessary action, including legislation, shall be taken to specify a minimum age for marriage". While marriage is not considered directly in the Convention on the Rights of the Child, child marriage is linked to other rights - such as the right to express their views freely, the right to protection from all forms of abuse, and the right to be protected from harmful traditional practices - and is frequently addressed by the Committee on the

Rights of the Child. Other international agreements related to child marriage are the Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages and the African Charter on the Rights and Welfare of the Child and the Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa.

It is imperative to improve law enforcement mechanism in India. Early marriage cannot be eliminated over night and therefore monitoring of the implementation of existing child marriage laws needs to be strengthened and a protective mechanism should be established for individuals reporting child marriages. The effective enforcement of Prohibition of Child Marriage Act, 2006 must be ensured with strong political and administrative will power. There is need to launch a nationwide campaign for prevention of child marriage. There is a need for awareness and sensitization programmes including media campaigns for creating an environment of delaying marriage and empowering adolescent girls. The compulsory registration of marriage is imperative as there is no law requiring registration of marriages throughout India. Thus, enforcement of such legal provision is likely to pressurize parents for delaying marriage. Increasing girl's access to and motivation for schooling and attaining higher education is a key intervention strategy for delaying age at marriage. However, government schools must be improved both in terms of educational infrastructure and quality education. Scholarships and other financial incentives may be provided to the poor families for attaining secondary and higher education to their daughters. Promotion of girl's schooling should include attention to special vocational and livelihood training directed at increasing girl's income earning opportunities. Awareness and enforcement of law must be strengthened to discourage child marriage practices. In order to create awareness and sensitization of government enforcement agencies, orientation and training programmes need to be organized for sensitizing the officials of government enforcement agencies. The elected representatives and community-based workers including development activists also need orientation and training regarding the legal provisions and policy related information for promoting delayed marriage.

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