



## CHILD MARRIAGES - GS I AND II MAINS

**Q.** Despite being banned by legislature, child marriage is still a social concern in India. Why is it prevalent in Indian society and what are the measures needed for uprooting it from the society. (15 marks, 250 words)

**NEWS:** *why is child marriage still high in West Bengal? | explained*

### WHAT'S IN THE NEWS?

- A recent study on child marriage in India published in the Lancet noted the overall decrease in child marriage across the country but pointed out that four States, mainly Bihar (16.7%), West Bengal (15.2%), Uttar Pradesh (12.5%) and Maharashtra (8.2%) accounted for more than half of the total headcount burden of child marriages in girls.

### Child Marriage:

- A young child (usually a girl under the age of eighteen) marries an adult man in child marriage, a social phenomenon that happens in many Indian civilizations.

### Data on Child Marriage:

- The National Family Health Survey estimates that 40% of the 60 million child marriages worldwide occur in India.
- The northwest of the country has greater rates of child marriage than the southeast.
- West Bengal has the greatest number of child marriages among the states (42 percent), with Bihar and Tripura closely behind (40 percent each).

### Reasons:

#### 1. Patriarchal ideals:

- The primary cause of early marriage is the fervent desire to maintain a girl's virginity in order to retain the family's honour.

#### 2. Regressive customs and religious norms:

- The official acceptance of cultural, sociological, and customary norms that influence and direct the institution of marriage and family life.

#### 3. Poverty:

- Poor families struggle to provide for everyone in the household, thus they would prefer to "send off" their daughter as soon as possible to another family.

#### 4. Caste disparities:

- Encouraged by the landed castes, the maintenance of the order was preserved by the marriages.

#### 5. Lack of education:

- Inadequate educational possibilities for females, particularly in rural regions, increase a girl child's vulnerability to being married off at a young age.

#### 6. Loophole in The Prohibition of Child Marriage Act:

- It permits child marriages to continue when the girl reaches the age of 18, even if it does not make them unlawful.



## Consequences:

### 1. Child Rights Issues:

- Children who are forced to get married young lose their rights including the **right to an education**, the **right to be safe from physical and mental violence**, injury, or abuse, including sexual abuse, rape, and sexual exploitation, and the **right to the best possible health** among others.

### 2. Health Issues:

- Children born to adolescent mothers have a **greater possibility of seeing stunted growth** as they have low weight at birth.

### 3. Premature Pregnancy:

- Most young brides don't know much about contraception and don't have easy access to reproductive health services. They get pregnant at a younger age and have more than one child before their mind and bodies are ready

### 4. Maternal Mortality:

- Girls under 15 are **five times more likely to die during childbirth or pregnancy**.

### 5. Infant Mortality:

- Babies born to mothers younger than 20 have almost **75% higher death rates** than babies born to mothers older than 20 years. The children who do make it are **more likely to be born premature and with a low birth weight**.

### 6. Mental health:

- Abuse and violence can lead to PTSD (Post-Traumatic Stress Disorder) and depression.

### 7. Illiteracy:

- Child brides are often taken out of school and not allowed to get further education. Their children are also more likely to be illiterate.

### 8. Vicious cycle of poverty:

- Child marriage negatively affects the economy and can lead to an intergenerational cycle of poverty. Girls and boys married as children more likely **lack the skills, knowledge and job prospects needed to lift their families out of poverty**.

### 9. Teen Widows:

- In a society that allows child marriages, it is not unusual to find widows and divorcees under the age of 18.

## Legal provisions:

- The **Hindu Marriage Act, 1955** prescribes age for marriage as 18 for girls and 21 for boys.
- **Prohibition of Child Marriage Act (PCMA), 2006**: This law replaced the Child Marriage Restraints Act, 1929. It criminalizes the acts of the person who performs, conducts, directs or abets any child marriage and provides for punishment with an imprisonment up to 2 years and fine up to INR 1 lakh.
- Laws that provide protections to a child
  - **Juvenile Justice (Care and Protection of Children) Act, 2015**
  - **Domestic Violence Act, 2005**
  - **Protection of Children from Sexual Offences Act, 2012.**
- **Government Schemes**
  - *Beti Bachao Beti Padhao*
  - *Sukanya Samriddhi Yojana*
  - **National Population Policy 2000**
  - **National Youth Policy 2003**



- West Bengal's **Kanyashree Scheme** offers financial aid to girls wanting to pursue higher studies.

## WAY FORWARD:

- A **safety mechanism** should be established for those who report child weddings, and monitoring of the application of current child marriage regulations needs to be strengthened.
- The **prohibition of the Child Marriage Act, of 2006 must be effectively enforced**, and this requires strong political and administrative resolve.
- Organize a national effort to stop child marriage. There is a need for media efforts and **awareness-raising activities** to encourage girls empowerment and the postponement of marriage.
- **Compulsory marriage registration must be made.** Since there is no law requiring the registration of marriages across India, it is essential that it be made mandatory. Thus, the enforcement of such a legal requirement may put pressure on parents to put off marriage.
- A significant intervention technique for postponing the age of marriage is to increase girls access **to education and employment opportunities** as well as their motivation to attend school and pursue higher education.
- It is important to motivate the **women's SHGs and organisations** to act jointly to postpone marriage and avoid child marriage. The SHGs and women's organisations may be crucial in inspiring girls and their families to continue their education.
- **Special attention must be paid to the region where child marriage is most common.** It is necessary to build up special Cells in the districts where child marriage is prevalently practised.
- In **collaboration with civil society organisations** and governmental organisations, these specialised cells may carry out research on the prevalence of child marriage, legal loopholes, administrative barriers to the effective implementation of the Prohibition of Child Marriage Act, and intervention strategies.
- In order to prevent immoral trafficking and provide rehabilitation for trafficked victims, it is imperative that the **Immoral Traffic Prevention Act and UJJAWALA plan** be implemented effectively. Vulnerable and impoverished families are prime targets for human trafficking.