

## **The Persistence of Child Marriage\***

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It is commonplace to note that women tend to have low status and little autonomy over much of Indian society. This is reflected in many distressing features that have persisted and even intensified in recent years despite all the talk of modernisation: the low and falling rates of female participation in recognised employment; adverse child sex ratios that appear to be even worse among more well-off groups; increases in recorded cases of violence against women. But there is one very startling feature that gets relatively little attention: the continuing prevalence of child marriage across most parts of the country.

According to the Census data, the numbers of girls under the age of 18 years who were found to be married actually increased between 2001 and 2011, from 5.05 million to 5.14 million girls. The proportion of all such girls fell very slightly, from 2.51 per cent to 2.43 per cent, but in fact this decline was only evident among Hindus, who already had the highest rate of child marriage (from 2.66 to 2.49 per cent). In fact, for all other religious groups, which actually had lower rates of child marriage, this ratio actually increased over the decade.

Obviously, this speaks volumes for the lack of seriousness with which the law preventing the marriage of girls below 18 years is implemented in India. But what is particularly shocking is not just that girls are being married off below the legally minimum age. Rather, the Census data point to the persistence of child marriage at even lower ages, with significant presence of married girls in the age group 10-14 years. Across India, 2.82 per cent of girls were already married in 2011 – amounting to a little more than 2.27 million girls.

In terms of state-wise variations, in 2011 the states with the highest proportion of girls aged 10-14 years who were already married were Maharashtra (4.13 per cent) Rajasthan (4.08 per cent) and Gujarat (3.64 per cent). Of these, Rajasthan may be the least surprising, because it is clearly among the states that stand out even in the northern-central belt, for the low status of women in its society, which is also expressed in low ratios of female to male infants and low recognised work participation of females. But Maharashtra is supposed to be one of the most industrialised states and is among the top in terms of per capita income, while Gujarat is routinely touted in the mainstream press for its supposedly remarkable “development” model and rapid rate of income growth. The celebration of Maharashtra and Gujarat as examples of successful development is no doubt misplaced, especially given the low wage rates and high inequality in the two states. But even so, the greater spread of one of the most blatant expressions of patriarchal control over half the population in these states, and the persistence of truly backward social practices like this, must raise even more questions about the kind of development that has been propagated.

Surprisingly, even Goa showed a very high ratio of very young girls being already married (at 3.89 per cent). While the two most urbanised states of Delhi and Chandigarh showed comparatively lower rates (around 1.5 per cent) this did not reflect in the wider urban pattern across India. Remarkably, the incidence of such

child marriage among young girls across India was even higher in urban areas (3.07 per cent) than in rural areas (2.73 per cent). This puts paid to any fond notions that urbanisation would automatically lead to a dissolving of traditional patriarchal norms that push for early marriage for girls.

Similarly dashed is the hope that increasing female enrolment in schools would reduce this extremely revanchist tendency: while school enrolment for girls increased significantly over this period, rates of child marriage remained almost the same. And while it is true that some states with higher female literacy (such as Kerala and some Northeastern states) did show lower incidence of such child marriage, the differences were not great and there was no evidence of a systematic relationship between literacy rates and very early marriage.

In general, such high rates of very early child marriage persisting well into the 21st century are surely causes for alarm. They push girls into marital relationships, typically denying them education and the possibilities of outside employment even into their future. Given the very young age, the likelihood of independent agency or any kind of autonomy is very low in the marital household. Even when shifts in residence out of the natal home are not immediate, they are often found to occur at the onset of puberty, and the resulting conjugal relationships result in very early child bearing, which has been found to be very bad for the health of both mother and child. This explains why the average age of first childbearing remains so shockingly low in India.

What explains the extraordinary persistence of this very backward practice, which has been illegal for so long and yet appears resistant to both legal and policy-related efforts to ban it? There is no doubt that this is a continuing expression and indicator of the subjugation and oppression of women, which denies them any agency over some of the most significant features of their lives. This is partly related to patriarchal perceptions about the need to control the sexuality of women, and the related urge to attach girls to some socially approved partner often at or even before puberty. But it also reflects the widespread social attitude towards marriage as a contract between two families rather than between two individuals, in which questions of property and division of assets, control over labour power (and particularly over the unpaid labour provided by women) and other issues that affect the material and social functioning of households are accorded primary importance.

This is a particularly significant indicator of the lack of empowerment of women in our society, but its implications go well beyond the problems faced by such young girls through their lives as a result of such early marriage. There is also the possibility of the dissolution of such marriages, for which the rates tend to be higher in this age group than for those who marry later. Of these very young girls aged 10-14 years who had been married off, nearly 6 per cent of them had experienced marriage dissolution even at that very young age. As many as 3.51 per cent of them were already widowed in 2011. Another 1.82 per cent were separated, that is the marriage had dissolved without any formal end, and 0.36 per cent were divorced. It is not clear how they were recognised as divorced, since marriages of such young girls are not legally accepted in the first place.

This particular phenomenon has barely been studied in India, as social scientists appear to be in denial about the continued prevalence of child marriages despite their

illegality, and policy makers also have tended to simply ignore this issue. As a result, the inevitable fact that some of these very early child marriages do dissolve has not been adequately studied, and therefore there is very little awareness of the implications and outcomes of such patterns. But these are obviously crucial, because it is well known that Indian attitudes towards widows and divorced/separated women, even when they are very young, remain extremely unfair and regressive.

So what becomes of such young girls, who looks after them and how does the rest of their lives unfold after these traumatic occurrences so early in their lives? In the absence of any further information it may be pointless to speculate, but the very existence of such a large number of young girls who have been so mistreated by society points to yet another way in which Indian society as a whole fails so many of its females.

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