



PROGRESS AND PROSPECTS







ELIMINATING CHILD MARRIAGE IN INDIA

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Cover Photograph: Five-year old Asha lives in the slums of Bengaluru. While her mother works to feed her family, Asha looks after her baby brother and does the cooking and cleaning for her siblings. (Name changed to protect identity) Photo Credit: ActionAid

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FOREWORD

ActionAid India and its allied organisations have been working on the ground to prevent child marriages in various states. The present study on child marriage in India, supported and inputted by Child Rights Focus, a knowledge initiative of ActionAid, is based on the analysis of the data from the Census 2011 and other sample surveys. The study found that 103 million persons living as on 1st March 2011 were married before reaching 18 years. Out of this, 85 million were marriages of girls who constituted 83 per cent of the total child marriages. An analysis of data from the National Family Health Survey (NFHS I) and the recent India Human Development Survey II (IHDS II) shows that the percentage of women in India in the 20–24 years age group married before the age of 18 was declining from 56.8 per cent in 1992–93 (NFHS I) to 36.2 per cent in 2011–12 (IHDS II). However, the number of child marriages and their prevalence among girls remain very high even in recent times. According to Census 2011 even as close as 2007–11, 7.4 million persons were married before 18 years. Of these 88 per cent were girls.

Rural areas accounted for 75 per cent of total child marriages in the country in 2011. Seven states (Uttar Pradesh, Andhra Pradesh, West Bengal, Rajasthan, Bihar, Maharashtra and Madhya Pradesh) together contributed to 70 per cent of child marriages in the country. In five districts more than 50 per cent of marriages in rural areas were child marriages, out of which four belong to Rajasthan viz., Bhilwara, Chittaurgarh, Tonk, and Ajmer and one was from Uttar Pradesh i.e. Lalitpur. Along with these districts, the report identifies all together twenty districts from the states of Madhya Pradesh, Bihar, Odisha and Jharkhand as "hotspots" for the occurrence of child marriages in India.

The extent and magnitude of child marriage in India and its prevalence with impunity and social concurrence demands much stronger action from the Government and law enforcing agencies including taking strong action against its perpetrators. This needs to be combined with a consistent national campaign through the mainstream as well as social media to delegitimize the social acceptability it is still getting in some states and districts.

I thank Dr. Alex George of the Child Rights Focus for having initiated this important research and Dr. Srinivas Goli of Centre for Study of Regional Development, Jawaharlal Nehru University, for having done the illuminating analysis to highlight this pressing problem.

Sandeep Chachra

Executive Director ActionAid Association India



PREFACE

A significant proportion of marriages in India are of girl children below the age of 18 years, as is shown in this research report. Child marriage arises out of lack of free and informed consent and leads to the violation of basic human rights, bonded lives, sexual slavery and economic and social vulnerability. It also affects the survival and development of the child, by denying the right to continue education, thus stunting her growth as a person; and at the same time exposes her to the risks of early pregnancy and delivery leading to even death.

Child marriages are widely prevalent in some states and districts of India as the present study points out. The study also shows that child marriage is not just a consequence of poverty as it was happening even in the better off sections, though not in very large proportion. It comes out that the continuation of the practice of child marriage has more to do with traditions and customs, which are also intertwined with religion and patriarchal notions of marrying the girl as a virgin at an early age, purportedly to protect family honour.

Along with strong law enforcement as well as enhancement of educational and employment opportunities for girls and women; it is equally important to engage with the realm of religion and culture to delegitimize child marriage. This aspect should also be an important part of the campaign against child marriage.

Alex George

Senior Consultant, Child Rights Child Rights Focus

ACKNOWLEDGEMENTS

This report was produced with a purpose to highlight the concern that despite several legislations and policies, child marriage in India is still a widely prevalent practice with its debilitating causes and consequences. The key theme of the report intends to address the problem of child marriages within the cultural context of Indian society with a special focus on gender and child rights perspectives. The report presents the results on levels, trends and patterns of child marriages in India derived through the analyses of data from the Census and national-level population sample surveys.

This report is the product of combined efforts from many supporters. I must thank all supporters for their commitment and dedication extended towards the completion of the study and report writing. I extend my special thanks to the team of ActionAid for their support and collaboration in publishing the report. I am extremely thankful to Deepshikha Singh, Senior Research Associate, who played a crucial role in facilitating the analyses and writing of the report. I extend special thanks to my M.Phil/PhD students, viz., Mohammad Zahid Siddiqui, Md. Juel Rana, Swastika Chakraborty and Risha Singh for research assistance. The special contribution of Prof. P.M. Kulkarni and Prof. K.S. James is deeply acknowledged who have been great sources of inspiration to the subject. The report has been enhanced by their invaluable guidance.

I hope this report will be of great value to all the readers especially the researchers, the policy formulators and the practitioners. I wish the report will motivate the stakeholders to reflect on the extent and intensity of the problem and take further course of action in terms of future research, updated policies, and effective implementation to counter the malpractice of child marriages in India.

Srinivas Goli

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EXECUTIVE SUMMARY

Child Rights Focus, a knowledge initiative of ActionAid has analysed the data on child marriage from the Census 2011 and some sample surveys. The main objectives of this exercise were to assess the progress achieved in the elimination of child marriage in India, and to study the prospects and future challenges. This report provides information on the 'hot spots' of the problem and the strategies to support governments and local leaders in the efforts to fight against child marriage.

The key points of the present report are as follows:

- » Although the average age at marriage in India has improved, the rate of improvement is not at the desired level. It is observed that 103 million people surviving as on 1 March 2011 were married before reaching the age of 18. This accounts for 17.5 per cent of the total married population of India. According to the Census 2011, the cumulative share of child marriages in the ever-married female population is as high as 30.2 per cent; while its prevalence is 36.2 per cent according to estimates from other surveys. Moreover, gender disparity in child marriage is clear when we look at the absolute share of males and females in the population married below 18 years. Out of the total 103 million child marriages, 85 million are girls, constituting 83 per cent of the total child marriages. Below the age of 10 years, 2.3 per cent of girls are married and nearly 14 per cent are married at the age of 15 (Figure A).
- The number of child marriages in India (103 million) is more than the total population of the twelfth largest country in the world (the Philippines with a population of 100 million). Girl child marriages alone (85 million) are more than the total population of the seventeenth largest country in the world (Germany, with a population of 80.68 million). Out of every 28 child marriages that occur per minute in the world, more than two take place in India. Everyday 3,603 new cases of child marriage are being added to the existing number. (Figure B)
- » An analysis of data from the National Family Health Survey (NFHS I) and the recent India Human Development Survey II (IHDS II) shows that the percentage of women in India in the

- 20–24 years age group married before the age of 18 was declining from 56.8 per cent in 1992–93 (NFHS I) to 36.2 per cent in 2011–12 (IHDS II). However, the number of child marriages and their prevalence among girls remain very high even in recent times. According to Census 2011 even as close as 2007–11, 7.4 million persons were married before 18 years. Of these, 88 per cent were girls.
- The geographical pattern of the prevalence of child marriage in India shows that the rural areas accounted for 75 per cent of the total child marriages as on 2011; and 82 per cent for the period 2007 to 2011. A state-wise assessment of the prevalence of child marriage shows huge inter-state variation in the occurrence of child marriage. Seven states (Uttar Pradesh, Andhra Pradesh, West Bengal, Rajasthan, Bihar, Maharashtra and Madhya Pradesh) together account for 70 per cent of child marriages in the country (Figure C). Together with Tamil Nadu, Karnataka and Gujarat, these ten states have a share of 82 per cent of child marriages in the country. Similarly, a further regional assessment of the prevalence of child marriage within the states suggests huge intra-state variations by

Figure A. Cumulative Share of Child Marriages for Female by Age

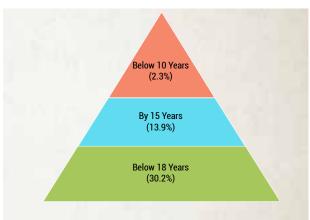


Figure B. Occurrence of Child Marriages

YEARLY	MONTHLY	PER DAY	HOURLY	PER MINUTE
1,297,005	108,084	3,603	150	2.5

- district. In the rural areas, five districts show that more than 50 per cent of all marriages occuring in the district are child marriages, out of which four are in Rajasthan (Bhilwara, Chittaurgarh, Tonk and Ajmer) and one is in Uttar Pradesh (Lalitpur). Apart from this, the report identified twenty districts as 'hot spots' for the occurrence of the child marriages in India (*Figure D*).
- » Socio-economic factors cannot be the only cause of the high prevalence of child marriages, because six of the ten states that account for a significant proportion of marriage below 18 years of age (that is, former Andhra Pradesh, West Bengal, Maharashtra, Tamil Nadu, Karnataka and Gujarat) are socio-economically better-off states. Moreover, some of these very states have indicated a slight increase in the percentage of child marriages. The reasons for an increasing trend of child marriages in these states need to be explored through in-depth qualitative research.
- » The analyses across socio-economic groups indicate that although the prevalence of child marriage is higher among lower socio-economic groups, a disconcerting finding is the significant prevalence of child marriages among the higher socio-economic groups. For instance, the occurrence of child marriages among the wealthiest households stands at over 30 per cent, both in rural and urban areas. Therefore, we cannot solely attribute child marriage to lower socio-economic status.
- Although all socio-economic factors are not strongly associated with child marriages, poverty and female literacy have shown a definite link with child marriages. Increased investment in gender-sensitive education programmes to improve girls' access to education and ensuring girls' enhanced educational participation would reduce the likelihood of child marriages.
- » Although we have not accounted for state, region and community-specific cultural factors in our analyses, the existing evidence from micro-level studies allows us to speculate that the cultural and traditional factors, and the safety and security concerns for the girl child, might play a greater role in child marriage. Community-specific cultural factors also drive to fundamental issues such as lack of free and informed consent, powerlessness and violation of basic human rights.

- The report strongly recommends the need for future research (on both the quantitative and the qualitative dimensions of child marriages) to examine the exact causes and consequences of continuing practice of child marriages in the country. Adequate research on culturally legitimate practices related to child marriages in different communities would lead to better informed policies and programmes, and provide a basis for effective advocacy and evidencebased strategies to eradicate child marriage.
- » Given that the occurrence of child marriage is relatively higher among women, rural inhabitants, scheduled caste/other backward castes, Muslims in rural areas, low socio-economic group, and women from poorest wealth quintile,

Figure C. Seven States with Highest Prevalence of Child Marriages in India

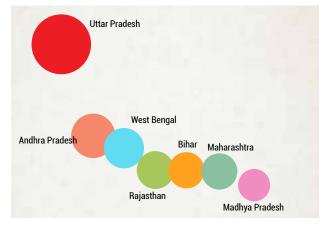
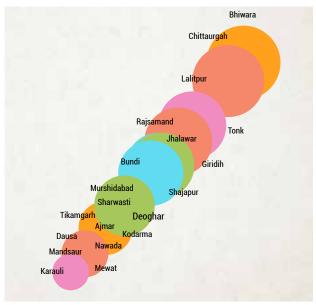


Figure D. Twenty Districts with Highest Prevalence of Child Marriages in India



- - the efforts to eradicate child marriage, need to be addressed in an integrated form through adopting an inter-sectional approach of gender, class, caste, region and religion. This approach helps in designing a context-specific mechanism to deal with the problem.
 - Sovernment at the Centre and in the States need to initiate full-fledged programmes along with the support of community-based and religious institutions to raise awareness within communities about the harmful consequences of child marriages and augment social pressure to fight against it. Taking into consideration the growing use of smart phone technology and internet in the country, the Government at Centre and States need to use modern means of communications such as social media (Facebook, Twitter and WhatsApp) to spread the message of negative consequences of child
- marriages. Also, the basic information on the negative consequences of child marriages must come into the text books of class six and above. School teachers and staff need to be sensitized about consequences and legal implications of child marriages, thereby passing the message to parents and children. Under the emergency situations, government school teachers can be given the legal sanction to rescue the children under threat of child marriages with the help of the police and the local government officials.
- » Stronger legal actions need to be taken against all those who are responsible for child marriage. In this connection, the roles and responsibilities must be assigned to different stakeholders at the national, state, and community levels for effective policy and legal enforcement; those facilitating or promoting child marriage must be held accountable and punished.

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ABBREVIATIONS

CEDAW Convention on the Elimination of All Forms of Discrimination

Against Women

CRC Convention on the Rights of the Child

DHS Demographic and Health Survey

EAG Empowered Action Group

ICRW International Centre for Research on Women

IHDS India Human Development Survey

IIPS International Institute for Population Sciences

IMR Infant Mortality Rate

IPV Intimate Partner Violence

MICS Multiple Indicator Cluster Survey

MMR Maternal Mortality Ratio

NCAER National Council of Applied Economic Research

NFHS National Family Health Survey

NRHM National Rural Health Mission

NSDP Net State Domestic Product

OBC Other Backward Class

RGI Registrar General of India

SC Scheduled Caste

SDG Sustainable Development Goal

SMAM Singulate Mean Age at Marriage

ST Scheduled Tribe

STD Sexually Transmitted Disease

TFR Total Fertility Rate

TSRDS Tata Steel Rural Development Society

UN United Nations

UNICEF United Nations International Children's Fund

USAID United States Agency for International Development

WHO World Health Organization



INTRODUCTION

1.1 Defining Child Marriage

The widely accepted definition of child marriage is the marriage before completion of the minimum age of 18 years. In simple terms, child marriage is the marriage of a person before attaining 'majority'. The completion of 'majority' is identified as the attainment of the minimum age of marriage, prescribed by the Convention on the Elimination of Discrimination Against Women (CEDAW) Committee as being 18 (United Nations, 1999).

Child marriage is a type of forced marriage as minors are incapable of giving their informed consent. According to the United Nations, forced marriage is 'a marriage that takes place without the free or valid consent of one or both of the partners and involves either physical or emotional duress'(Thomas, 2009, p. 1) Several international human rights instruments and regional legislations and policies have mandated the consent of both the parties for marriage, recommended the minimum required age at marriage, and mandated marriage registration in order to review the occurrence of child marriages or forced marriages and to ensure that both the partners have equal rights and protection.¹

Although, birth, marriage and death are three key events in human lives, only marriage is a matter of choice (UNICEF, 2001, p. 2). The right to exercise that choice was recognized as a principle of law even during historical times and has been long established under international human rights. It is derived from Article 1 of the Convention on the Rights of the Child (CRC), which states that a 'child' is a person below the age of 18, unless the law of a particular country set the legal age for adulthood younger (United Nations, 1989).

The Committee on the Rights of the Child, the monitoring body for the CRC has encouraged countries to review the age of majority if it is set below 18 and to increase the level of protection for all children under 18. In 1945, the United Nations Charter under the Universal Declaration of Human Rights reaffirmed faith in fundamental human rights and upheld fundamental freedoms without distinction between sexes (United Nations, 1948). The CEDAW endorses the Prohibition of Child Marriages in its Article 16.3.

Notwithstanding the considerable attention given to the problem of child marriage at the global level, children in developing countries are still forced to marry at a very early age, most often without any chance of exercising their right to choose their partner. Even if there is a choice, they are too young to make an informed decision about their marriage partner or about the implications of marriage itself. UNICEF has identified that although parents claim that they take their children's consent, in reality the consent of binding union has been made by others on their behalf (UNICEF, 2001). The assumption is that once a girl is married, she has become a woman, even if she is only 12 years of age. Similarly, where a boy is made to marry, he becomes a man.

Evidence suggests that while the age at marriage is generally on the rise, marriage of children and adolescents below the age of 18 years is still widely practised (Nguyen and Wodon, 2012a; Nguyen and Wodon, 2012b; Save the Children, 2014). Furthermore, studies have identified that child marriage poses a number of challenges and is considered to be a major bottleneck in the global development efforts aimed at creating a more educated, healthier, economically stable and

^{1.} The Recommendation on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages, G.A. res 2018 (XX), 20 U.N. GAOR Supp. (No.14) at 36, U.N. Doc. a/6014 (1 November 1965). http://www.unhchr.ch/html/menu3/b/64.htm.

gender-balanced society (Bruce and Clark, 2004; Nour, 2006; Otoo-Oyortey and Pobi, 2003; Wodon et al., 2015).

Child marriage affects girls more than boys, apart from the fact that men are less likely to be married as children. Child marriage is the most vicious manifestation of the unequal power relations between males and females (ICRW, 2007; UNICEF, 2005). The National Strategy Document on Prevention of Child Marriage by Ministry of Women and Child Development states:

Evidence shows that early marriage makes girls more vulnerable to violence, abuse and exploitation. For both girls and boys, marriage has a strong physical, intellectual, psychological and emotional impact, cutting off educational opportunities and chances of personal growth. While boys are also affected by child marriages, this is an issue that impacts upon girls in far larger numbers and with more intensity (MWCD, 2013, p.1).

Child marriage produces severe negative outcomes in the lives of young girls, primarily poor health and educational outcomes. For girls, it almost certainly means premature pregnancy and childbearing, and is likely to lead to a life of domestic and sexual labour over which they have no control (Desai and Andrist, 2010). Young girls have limited access to contraception and reproductive health information and services. A majority of them have no autonomy to make any choice regarding the appropriate time and space for childbirth; also, exposed to early and frequent sexual relations, they undergo repeated pregnancies and childbirth before they reach physical and psychological maturity. Young brides and their infants are at risk of impaired health and the infants are prone to deformities, disorders and diseases. Maternal and infant mortality are highly associated with under-age pregnancies and childbirth. According to the latest Sample Registration System (SRS) Report published by the Registrar General of India (RGI), maternal mortality ratio (MMR), that is, the number of women who die during pregnancy and childbirth per 1, 00, 000 live

births), in the country has gone down from 212 in the period 2007-09 to 178 in the period 2010-12 and further to 167 in the period 2011-13 (GOI, 2013). This improvement may be related to various government interventions to support maternal and child health and survival, such as Janani Suraksha Yojana (JSY) and Janani Shishu Suraksha Karyakram (JSSK), which provide free maternity services to women who deliver in public health institutions and also extend healthcare services to infants. Although the MMR has dropped, many young girls in remote rural areas are still vulnerable to child marriage and teenage pregnancies, and are thus susceptible to maternal mortality due to the poor outreach of these services in remote areas. The quality of reporting and counting of maternal deaths in the country is also a major problem. The current levels are reportedly undercounted. In spite of this, the MMR is still significantly higher in India as compared to many other countries (WHO, 2011).

Child marriage also hinders educational attainment of girls. Educational deprivation limits girls' access to better opportunities in the future. It limits their freedom to make decisions and contributes to intergenerational cycle of poverty. On the one hand, the lack of education leads to financial dependence of women on their husbands or others, which further increases the risks of exploitation in the form of domestic violence², marital rape and other crimes against women. Child brides are also at risk of being abandoned after the husband's sexual desires have been satisfied and often become destitute with limited or no means of survival (Ahmed and Ahmmed, 2015). On the other hand, the level of educational attainment is closely linked with women's age at marriage. The Census 2011 data shows that higher the level of education among married women, the later she gets married. The data on percentage of under-age marriages show that 38.1 per cent of illiterate married women were married below the age of 18 years while only 23.3 per cent of literate married women were married below the age of 18. Further, it is seen that 34.9 per cent of women with educational attainment below primary level, 30.9 per cent of women with primary-level but not middle school education, 25.4 per cent of literate women with middle school education but not matriculation or secondary education, and only 15.3 per cent literate women who had matriculation or secondary-

The United Nations defines violence against women as 'any act of gender-based violence that results in, or is likely to result in, physical, sexual or mental harm or suffering to women, including threats of such acts, coercion, or arbitrary deprivation of liberty, whether occurring in public or in private life.

level education but below graduation, were married under the age of 18. Only 5.2 per cent of women who had completed their graduation or above were married below the age of 18. This pattern clearly indicates that the percentage of women married as children declines steeply with the increase in their level of education. In particular, empowered and educated girls have added capabilities to nourish and care for their children, leading to healthier and smaller families.

Child marriage is also a severe form of the violence inflicted on the mind and body of young girls. It not only places restrictions on free choice by girls in the areas of health and education, but it is also a root cause of gender-based violence, which curbs the voices of young females and forces them to keep their miseries hidden within closed walls.

Notwithstanding that the elimination of child marriage has been given priority under the United Nations' Sustainable Development Goal 5, massive efforts to curb child marriage are on by the global partnership Girls Not Brides, and there is powerful advocacy from a growing number of studies (Dixon-Mueller, 2008; Garenne, 2004; Toyo, 2006; UNICEF, 2014a) to end child marriage, the fact remains that in a considerable percentage of marriages, the girls, especially, are below 18.

In its recent report, UNICEF reported that worldwide, more than 720 million women alive today were married before their 18th birthday. Out of this, about 250 million girls who entered into marital union were below age of 15 years while, about 15 million girls are married every year before they reach 18 years of age. Among women aged 15 to 24 years, 48 per cent were married before the age of 18 years (UNICEF, 2014a). Also, there is a huge disparity across regions. In the developing world, one in three girls is married by the age of 18 years, and one in nine is married by the age of 15; some are married as young as eight or nine years (UNFPA, 2016). In South Asia, around 46 per cent of girls are married before reaching the age of 18. Sub-Saharan Africa (39 per cent), Latin America and the Caribbean (29 per cent), the Middle East and North Africa (18 per cent), and East Asia and the Pacific (16 per cent) also have a high prevalence of child marriage (Westoff, 2003).

A review of trends by age at marriage reveals that though there has been a rise in age at marriage and a decline in child marriage over the years in the

world as a whole, along with Sub-Saharan African countries, child marriage continues to remain firmly entrenched in countries of South Asia and Southeast Asia such as India, Bangladesh, Indonesia, Pakistan, the Philippines and Thailand (Field and Ambrus, 2008; Nguyen and Wodon, 2012a; Zakar et al., 2015). In these countries, a considerable proportion of girls still get married early and many of them have to contend with childbearing in their teenage years. For instance, in Bangladesh, 27 per cent of women aged 15 to 19 years were married by the age of 15 years, and 65 per cent of women aged 20 to 24 years were married before the age of 18 years. While, in Nepal, it is estimated that 41 per cent of girls are married before reaching the age of 18 years. Similarly, one in every five girls in Indonesia is married before the age of 18 years. Around 21 per cent of girls are married before the age of 18 years in Pakistan (USAID, 2015).

1.2 The Indian Context

Child marriage is not a new phenomenon in India (UNICEF, 2001). The practice of child marriage prevails in many communities of India, especially those that are governed by customary and traditional practices. In India, although boys are also subjected to early marriage, girls are excessively affected and form the vast majority of the victims of child marriages (Birodkar, n. d.; UNICEF, 2012). India has a high proportional share of child marriage globally (Lee-Rife et al., 2012; United Nations, 2011). Despite the fact that India is one of the fastest growing economies in the world (UNICEF, 2001), it ranks just above some of the poorest economies in the world (namely, Somalia, Nigeria) and its neighbouring nations (namely, Nepal, Sri Lanka and Pakistan) in terms of prevalence rate of child marriage (Figure 1.1.). The position of India is even more terrible in terms of absolute number of child marriages. With more than 10 million child marriages as of 2013, it ranks first in the absolute number of child marriages, even above some of the world's poorest countries like Nigeria and Niger; as well as above its neighbouring countries like Pakistan and Bangladesh (Figure 1.2.).

India has endorsed and adopted various human rights treaties, such as the Universal Declaration of Human Rights (UDHR), Convention on the Elimination of Discrimination Against Women (CEDAW) and Convention on the Rights of the Child (CRC). These international instruments have outlawed the

Figure 1.1. Top 20 Countries with the Highest Rate of Child Marriages



Source: Compiled data based on Multiple Indicator Cluster Surveys (MICS), Demographic and Health Surveys (DHS) and other national surveys, and refers to the most recent year available during the period 2005–2013.

† Child marriage prevalence is the percentage of women 20–24 years old who were first married or in union before they were 18 years old (UNICEF State of the World's Children, 2015).

India 10,063 Bangladesh 2,359 Nigeria 1,193 Brazil **Ethiopia** 673 **Pakistan** 600 Indonesia 458 Democratic Republic 291 of the Congo 260 Mexico Niger 244 n 4,000 2,000 6,000 8.000 10,000 12,000 Child marriage (in thousands)

Figure 1.2. Top 10 Countries with the Highest Absolute Numbers of Child Marriages

Source: Vogelstein, 2013 and compiled data based on Multiple Indicator Cluster Surveys (MICS), Demographic and Health Surveys (DHS) and other national surveys, and refers to the most recent year available during the period 2005–2013.

practice of child marriage. The Government of India has also put in place several national legislations, policies and programmes to prevent the practice of child marriages. The Eleventh Five Year Plan focused on legislative change and awareness about the issue of child marriage. Consequently, the initial legislation, the Child Marriage Restraint Act (1929) was repealed and replaced by the relatively more progressive Prohibition of Child Marriage Act (2006). Other legislations and policies that prohibit child marriage and put the focus on the health, education, protection and empowerment of children with a special focus on girls include the Dowry Prohibition Act (1961), National Population Policy (2000), National Youth Policy (2003), Domestic Violence Act (2005), Protection of Children from Sexual Offences Act (2012) and Juvenile Justice (Care and Protection of Children) Act (2015). Other efforts initiated at the national level include the National Strategy on Prevention of Child Marriage that details the specific strategies to eradicate the practice of child marriage at the state/district levels. To draft the strategy document, the Ministry of Women and Child Development held a National Consultation on Child Marriage on May 25, 2012. Governments from twelve States,

NGOs, International organizations and experts took part in the Consultation. Recommendations from participants have contributed to drafting this strategic document. A small working group has collaborated with the Ministry of Women and Child Development to further strengthen the strategy. The key components of the National Strategy Document on Prevention of Child Marriage (2013) include law enforcement, provision of quality education and other opportunities, changing mindsets and social norms, empowering adolescents, producing and sharing knowledge and data, and monitoring and evaluation. The National Girl Child Day celebrated on 24 January and the Rajiv Gandhi Scheme for Empowerment of Adolescent girls (RGSEAG), also called SABLA, aim to raise awareness about the evils of child marriage. SABLA has replaced the Nutritional Programme for Adolescent Girls (NPAG) and Kishori Shakti Yojana (KSY) in selected districts in the initial phase of its coverage. SABLA aims to empower adolescent girls in the age group 11-18 years by improving their nutritional and health status, and upgradation of home skills, life skills and vocational skills. Girls are provided information on health and family welfare, hygiene and guidance on existing public services. The scheme also aims

to mainstream out-of-school girls into formal education or non-formal education.

A recent study has revealed some progress in the decline in child marriage rates in the country and in a majority of the states, corroborating the information in Census 2011 (Ediga, 2015). Similarly, data from some recent surveys also support this evidence from Census 2011 (Goli et al., 2016). Our extensive search for existing literature (Ediga, 2015; Kishor and Gupta, 2009; Goli et al., 2016) affirms that Census 2011 and the data from other national surveys have not been analysed in detail state-wise, district-wise and by social groups to make an observation on the progress achieved and challenges ahead in the reduction of child marriages. Since many of these studies are mainly descriptive rather than analytical in nature, they have failed to provide a detailed assessment of the child marriage scenario from a policy perspective (Lloyd and Mensch, 2008; UNICEF, 2014a). A critical appraisal of the progress achieved, by measuring the trends across the major geographical units and identifying the major socio-economic groups associated with child marriage can help to monitor the existing policies and programmes and design new strategies to eliminate the problem.

In this context, we have analysed the recent Census of India (2011) and the India Human Development Survey (IHDS)³ (Desai & Vanneman, 2015) data on child marriage and compared them with the estimates from the previous census rounds and the National Family Health Surveys (NFHS) data (IIPS, 1995; IIPS & Macro Internationals, 2000; 2007).⁴

The primary objective of this study is to analyse the levels, trends and patterns of child marriage in India by age and sex, and across the states and socio-economic groups (rural-urban, caste, religion and economic groups) using the data from latest census and other national-level surveys for the period 2005–12. Our analysis is, however, limited by the non-availability of data on the relevant aspects taken up for analysis. The study also aims to discuss the causes and consequences of child marriage and seeks to suggest measures to counter the bane of child marriage.

^{3.} The India Human Development Survey II (IHDS II), 2011-12 is a nationally representative, multi-topic survey of 42,152 households in 1,503 villages and 971 urban neighborhoods across India. The IHDS II dataset was produced by the National Council of Applied Economic Research (NCAER), New Delhi, and by the University of Maryland. Interviews in each household covered the topics of health, education, employment, economic status, marriage, fertility, gender relations and social capital. The IHDS-II data is assembled in ten datasets: Individual, Household, Eligible Women, Birth History, Medical Staff, Medical Facilities, Non Resident, School Staff, School Facilities, and Wage and Salary. We used questions related to marriage history from the 'Women' file for the child marriage analyses.

^{4.} Please see the Appendix A: Note on Data, for details of the variables used.



PREVALENCE OF CHILD MARRIAGE IN INDIA

2.1 Rate of Prevalence

The United Nations' definition of rate of prevalence of child marriage is the proportion of marriage before the age of 18 among women in the age group of 20–24 years. This definition follows the recommendation of Convention on the Rights of the Child (CRC) where a child is defined as 'every human being below the age of 18 years unless, under the law applicable to the child, the majority is attained earlier' (United Nations, 2002). Accordingly, an estimate of the prevalence of child marriage can be made as follows:

= (number of women married below exact age of 18) (number of women in the age cohort of 20-24 years) *100

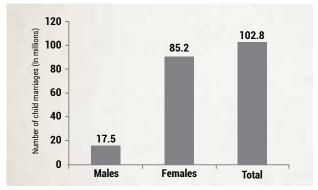
However, an estimation of child marriage in India using the aforementioned definition can be done only when information on age at marriage and current age is available in single years in the form of Micro data.1 The Census of India (2011) does not provide the required information in this particular format; thus computing child marriage with reference to the United Nations' definition is not possible. Therefore, alternatively, we have measured only the proportion of persons who were married by the age of 18 years. Nevertheless, this works as a reliable measure of child marriage. We have however, used the United Nations' definition to estimate the prevalence of child marriage on the basis of unit level information from other sample surveys that is available for the same time as when Census 2011 was conducted.

This chapter first discusses the absolute number of persons married before 18 years, as estimated from Census 2011, by sex and across states, and each state's share of the overall child marriage number in the country. Secondly, the prevalence of child marriages by state and socio-economic group is discussed and the regional patterns of child marriage presented.

2.2 Child Marriage in India: Absolute Numbers

As pointed out earlier, India cuts a sorry figure when it comes to child marriage because it contributes a large proportion in absolute numbers to the world total of child marriages. Therefore, it is worthwhile to start the analysis by measuring the absolute number of child marriages in India with reference to key regional units and other relevant characteristics. The figures show that among those who were married and surviving as on 1 March

Figure 2.1. Absolute Number of Surviving Persons (in millions) Married Before 18 Years as on 1 March 2011, by Sex



Source: Estimated from Census of India (2011) data.

^{1.} Micro-data stands for the information of every single individual interviewed available in the form of statistical packages, which are used for more in-depth analyses.

2011, 102.8 million were married below 18 years of age. Females form the major proportion of this figure (85.2 million), while the share of males was only 17.5 million (*Figure 2.1*). Also, in the period 2007–11, 7.4 million persons were married before they were 18 years of age. There is again a huge male–female difference, with 6.5 million females married when they were below 18 years as against 0.9 million males (*Figure 2.2*).

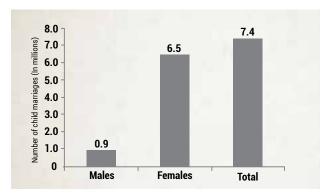
2.3 Proportional Share of Child Marriage, by Gender

Although, the share of each gender in child marriage in absolute numbers shows the magnitude of the problem, the severity of the issue can be assessed only when we estimate the proportional share of child marriage by gender because absolute number is a crude measure that does not take into account the difference in the marriageable age population among males and females. The difference in the absolute number of male and female child marriages can be attributed to the difference in marriageable age population among males and females, therefore an estimation of the proportional share of child marriage by gender is important. Figure 2.3 shows the proportional share of males and females in total number of persons who were married as children. Among all married persons surviving as on 1 March 2011, females constitute 49 per cent and males constitute 51 per cent. However, the gender distribution in terms of persons who were married before reaching 18 years of age shows that only 17 per cent are males and remaining 83 per cent are females. The percentage share is further skewed towards females for the more recent period, 2007-11, for which only 12 per cent share comes from the male population while the remaining 88 per cent comes from the female, showing an increasing occurrence of girl child marriage. Despite the higher share of males in total married population, their share in child marriage is four to five times less as compared to females. This indicates a huge male-female difference in child marriage prevalence in India.

2.4 Proportional Share of Child Marriage in Rural and Urban Areas

Given the huge variations between rural and urban socio-economic conditions and cultural practices in India, it is clear that there is great variation in the prevalence of child marriage by place of residence. *Figure 2.4* shows that 75 per cent of child marriages occur in rural areas as against 25 per cent in urban areas. In the recent period (2007–11), the difference between rural and urban share has increased. Currently, rural areas account for 83 per cent and urban areas 18 per cent. This indicates that the prevalence of child marriage is heavily skewed towards rural areas.

Figure 2.2. Absolute Number of Persons Married Before 18 Years Among Those Who Married Between 2007 and 2011, by Sex



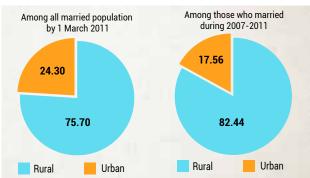
Source: Estimated from Census of India (2011) data.

Figure 2.3. Percentage Contribution of Males and Females in Child Marriages in India, by 1 March 2011 and During 2007-11



Source: Estimated from Ever Married Persons of Census of India (2011) data.

Figure 2.4. Percentage Contribution of Rural and Urban Areas in Child Marriage in India, by 1 March 2011 and During 2007-11



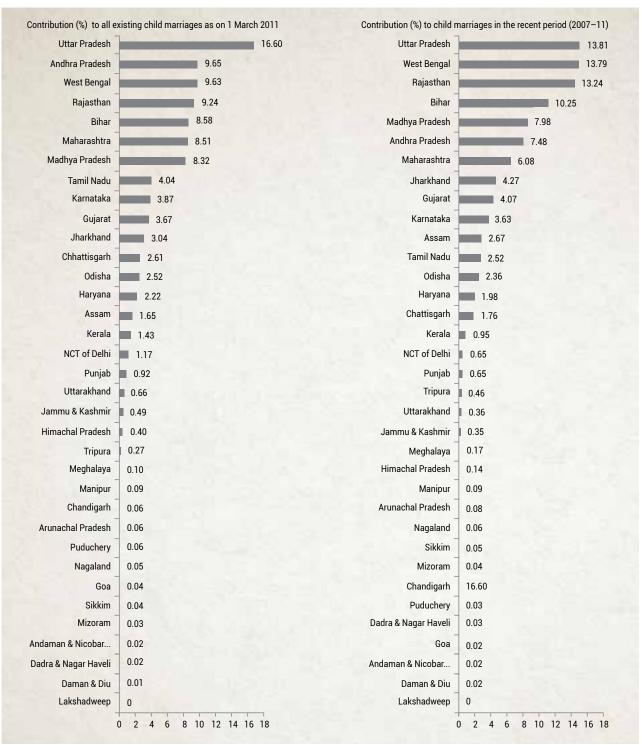
Source: Estimated from Ever Married Persons of Census of India (2011) data.

2.5 Proportional State Share of Child Marriage

Figure 2.5 shows the absolute share of states among those married as children. As in the previous analyses by gender and place of residence or region, the proportional share of child marriage by state is measured in two ways: (i) proportion of child

marriage out of all those surviving as on 1 March 2011 and (ii) proportion of child marriage out of those married during the recent period 2007–11. It is seen that Uttar Pradesh (16.60 per cent), Andhra Pradesh (9.65 per cent), West Bengal (9.63 per cent), Rajasthan (9.24 per cent) and Bihar (8.58 per cent) are the five states with the highest percentage share of the total child marriages in India. These

Figure 2.5. Percentage Contribution of States in Child Marriage in India



Source: Estimated from Census 2011 data.

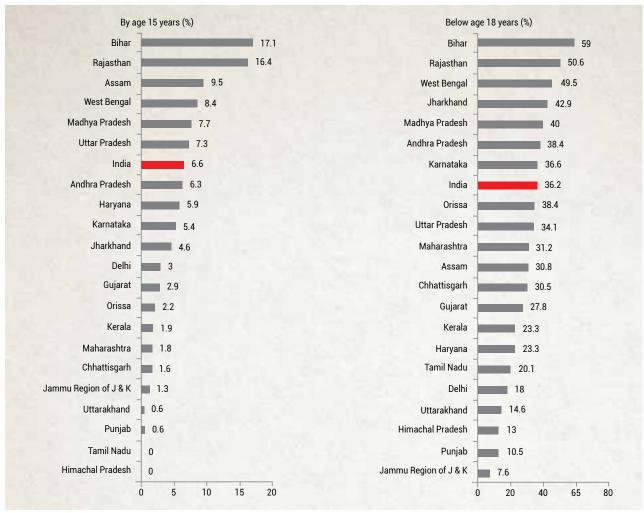
five states together comprise 53 per cent of those who underwent child marriage in the country. Other major states like Maharashtra (8.51 per cent) and Madhya Pradesh (8.23 per cent) also significantly contribute to child marriage figures. These seven states together account for 70 per cent of those who underwent marriage in India.

In the more recent period (2007–11), Andhra Pradesh has however improved its position by moving from the second to the sixth place. Uttar Pradesh (13.81 per cent), West Bengal (13.79 per cent), Rajasthan (13.24 per cent), Bihar (10.25 per cent) and Madhya Pradesh (7.98 per cent) are the five states with the highest combined percentage share (total of 60 per cent) of child marriages in India during 2007–11. However, Andhra Pradesh (7.48 per cent) and Maharashtra (6.08 per cent) also have a significant percentage share.

2.6 Child Marriage by Ages 15 and Below 18 Across States

The percentage figure for child marriages by state for women in the age group 20–24 years who were married by the exact age of 15 years and those in the same group married below age 18 years as estimated by the India Human Development Survey II (Desai and Vanneman, 2015) are presented in *Figure 2.6*. The states of Bihar (17 per cent), Rajasthan (16 per cent), Assam (9.5 per cent), West Bengal (8.4 per cent) and Madhya Pradesh (7.7 per cent) have the highest prevalence of child marriage, measured in terms of child marriage by the exact age of 15 years among women in 2011. Uttar Pradesh (7.3 per cent) also has a higher than the national average (6.6 per

Figure 2.6. Rate of Child Marriages in Women Aged 20–24 Years Married by Age 15 Years and Below Age 18 Years in 2011-12, by State



Source: Source: Estimated from IHDS II (2011-12) data.

cent) figure, in terms of child marriage taking place by the exact age of 15 years.

According to the United Nations' definition of child marriage measured as women in the 20-24 years age group married before age 18 years, the state-level distribution shows that Bihar (59 per cent), Rajasthan (51 per cent), West Bengal (46 per cent), Jharkhand (43 per cent) and Madhya Pradesh (40 per cent) have the highest prevalence, while the all-India average stands at 36.2 per cent. Andhra Pradesh (38 per cent) and Karnataka (37 per cent) are the other states that are above the national average. Overall, the results suggest that child marriage is highly prevalent in both the less developed as well as relatively advanced states of India. A considerable proportion of child marriages are reported in the better-off states of Andhra Pradesh, Karnataka, Maharashtra, Gujarat, and even Kerala.

2.7 Prevalence of Child Marriage by Socio-economic Group

The prevalence of child marriage among women was measured as marriage by the exact age of 15 years and below the age of 18 years across socio-economic groups in rural and urban areas separately (see Figure 2. 7). In the case of child marriage measured as marriage by the exact age of 15 years, the results show that Scheduled Castes (SCs) in rural areas have the highest prevalence of child marriage among women (35) per cent), followed by women belonging to Other Backward Castes (OBCs) in rural areas (33 per cent) and women in the poorest wealth quintile in rural areas (28 per cent). The same is observed to be very less (<7 per cent) among Sikh and Christian women in both rural and urban areas. Similarly, in the case of child marriage measured as marriage below the age of 18 years, the results once again show the highest percentage of child marriage among SC women in rural areas (61 per cent) followed by OBC women in rural areas (59 per cent), Hindu women in rural areas (57 per cent), women in the poorest wealth quintile (56 per cent) and Muslims in rural areas (56 per cent). However, the percentage is very less (<7) among Sikh and Christian women, in both rural and urban areas.

2.8 Child Marriage by Different Ages, Across Socio-economic Groups

Table 2.1 shows the age by which 25, 50 and 75 per cent of women aged 20—-24 had married across major socio-economic groups in India. It is seen that in rural places of residence, 25 per cent of women are married by age 15.5 years while 50 per cent are married by 17.5 years and 75 per cent are married by 19 years. In urban places of residence, 25 per cent women are married by age 17.5 years, 50 per cent are married by 18.5 years and 75 per cent married by 19.5 years. The results show just 0.5 year difference in rural (19 years) and urban areas (19.5 years) in terms of age by which 75 per cent of women are married.

By religious affiliation of women, the figures indicate a variation in the prevalence of child marriage. Among both Hindus and Muslims, 25 per cent women are married by age 15.5 years and 50 per cent are married by 17.5 years; while among Christians and Sikhs, respectively, 25 per cent women are married by 16.5 years and 17.5 years, and 50 per cent women are married by 18.5 years and 19.5 years.

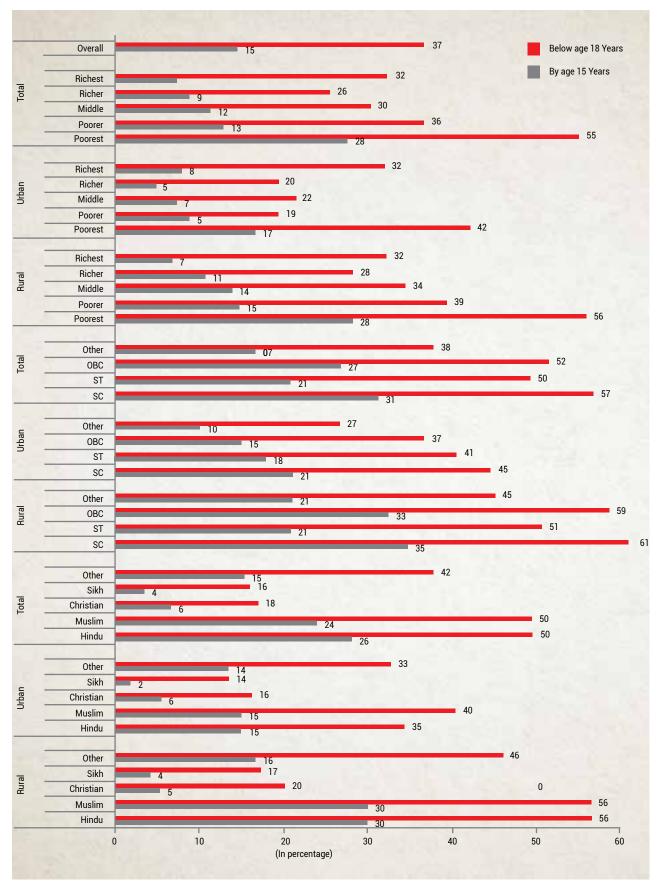
In the case of social groups, there is not much variation among SC, ST and OBC groups: 25 per cent of women are married by 15.5 years in all three social groups. Among other castes, 25 per cent of women are married by 16.5 years, but overall there is not much variations in terms of age at which 75 per cent of women are married.

Among economic groups, the figures show a remarkable difference in terms of the age by which 25, 50 and 75 per cent women are married. Against the average age of 16.5 years in women in the richest wealth quintile, it is just 14.5 years by which 25 per cent of women are married in the poorest wealth quintile. Similarly, 75 per cent of women are married by the age 20 years in the richest wealth quintile while it is 18 years for women in the poorest wealth quintile.

2.9 Progress Against Child Marriage

An analysis of data from the National Family Health Survey (NFHS 1, 2, 3) and the recent India Human Development Survey II (IHDS II) shows that

Figure 2.7. Rate of Child Marriage in Women aged 20–24 years Married by Age 15 Years and Below Age 18 Years by Socio-economic Group in Rural and Urban Areas, 2011–12



Source: Estimated from IHDS II (2011-12) data.

the percentage of women in India in the 20-24 years age group married before the exact age of 18 in the period 1992 to 2012 was on a declining trend: 56.8 per cent during 1992-93 (NFHS I), 55.6 per cent during 1998-99 (NFHS II), 39.5 per cent during 2005-06 (NFHS III) and 36.2 per cent during 2011-12 (IHDS II). The declining trend in child marriage in the period 1992 to 2011 is presented in Figure 2.8. The figure indicates a one-third decline in child marriage over the period of two decades from the early 1990s to 2011. In the same period, the state-level assessment shows that states with high child marriage prevalence such as Andhra Pradesh, Madhya Pradesh, Chhattisgarh, Karnataka and Haryana with 77.6 per cent, 72.6 per cent, 67.0 per cent, and 58.2 per cent, respectively, in the initial period 1992-93, have achieved considerable progress against child marriage during the period 1992 to 2012, with the figures standing at 38.4 percent, 40 per cent, 36.6 per cent and 23.3 per cent, respectively, for these states. Although, a majority of the states with a high prevalence of child marriage have progressed in the period 1992 to 2011, the quantum of progress in states such as Bihar, Rajasthan, Jharkhand and Orissa is not enough to bring convergence in the levels of child marriage across the states. It is seen that in the initial year (1992-93 for Bihar, Rajasthan and Orissa; 1998-99 for Jharkhand), the percentage of child marriages was 67.3 per cent, 69.6 per cent, 62.7 per cent, and 66 per cent, respectively, for the four states, which declined to 59 per cent, 50.6 per cent, 34.8 per cent and 42.9 per cent, respectively.

Furthermore, the states with a traditionally low prevalence of child marriages such as Kerala, Tamil Nadu, Himachal Pradesh and Jammu & Kashmir have experienced a moderate rise in child marriage during the recent period. In the initial year of 1992-93, the percentage of child marriage in Kerala and Tamil Nadu was 37.9 per cent and 49 per cent, respectively, which decline moderately during 1998-99 to 30.2 per cent and 37.1 per cent, respectively. In the state of Kerala, during the year 2005-06, the prevalence of child marriage came down to 15.6 per cent but unexpectedly rose to 23.3 per cent in the year 2011-12. The same trend was visible in the state of Himachal Pradesh, in which during the year 2005-06 the percentage of child marriage was 11.6, rising to 13 per cent during the year 2011–12. In Tamil Nadu and Jammu & Kashmir, there was a slight decline: in Tamil Nadu, from 22.2 per cent in 2005-06 to 20.1 in 2011-12; while in Jammu & Kashmir, from 13.6 per cent in 2005-06 to 7.6 per cent in 2011-12.

The state-wise percentage trends during the period of 1992 to 2012 for women in the age group 20–24 years married before the age of 18 years are represented in *Figure 2.9*.

2.10 Regional Prevalence of Child Marriage

2.10.1 State-level patterns

The occurrence of child marriage refers to the occurrence of child marriage (in percentage terms) among women in the age group 20-24 years who were married before the exact age of 15 or before 18 years of age. Figure 2.10 shows the state-wise proportion of women in age group 20-24 years who were married by 15 and before 18 years, respectively, in India in the period 2007-11. In the case of women in the age group 20-24 married by 15 years, Rajasthan and West Bengal are in the higher than 5 per cent category. Madhya Pradesh, Bihar and Tripura are in the 3.2 to 5 per cent range in terms of women married by 15 years. The statewise distribution of the proportion of women married before 18 years indicates that states such as Rajasthan, Madhya Pradesh, Andhra Pradesh, Bihar, Jharkhand, West Bengal and Tripura are in the higher than 20 per cent category. While Uttar Pradesh stands between national average of 17.2 per cent and 20 per cent, the other states are below the national average of 17.2 per cent.

The pattern of the prevalence of child marriage in rural areas is also presented in Figure 2.10. When child marriage is defined as marriage by the exact age of 15 years, the results reveal that Rajasthan and West Bengal are above the national average (that is, more than 5 per cent of total marriages are child marriage); while, Andhra Pradesh, Madhya Pradesh, Bihar and Tripura are in the category of 3.2 to 5 per cent. However, other states are below the national average.

Further, the pattern of child marriage measured as marriage below 18 years in rural areas indicates that Rajasthan in the west, West Bengal in the east, Madhya Pradesh, Chhattisgarh, Bihar and Jharkhand in the central plains, Andhra Pradesh in the south and Tripura in the north-east stand above the national average of 17. 2 per cent.

Table 2.1. Age by Which 25, 50 and 75 per cent of Women Aged 20-24 Were Married in India, by Socio-economic Group

	BY AGE		
		25 per cent had married by age	15.5
	Rural	50 per cent had married by age	17.5
Place of Residence		75 per cent had married by age	19.0
Place of nesidefice	Urban	25 per cent had married by age	17.5
		50 per cent had married by age	18.5
		75 per cent had married by age	19.5
		25 per cent had married by age	15.5
	Hindu	50 per cent had married by age	17.5
		75 per cent had married by age	19.5
	Muslim	25 per cent had married by age	15.5
		50 per cent had married by age	17.5
		75 per cent had married by age	18.5
	Christian	25 per cent had married by age	16.5
Religious group		50 per cent had married by age	18.5
		75 per cent had married by age	20.5
	Sikh	25 per cent had married by age	17.5
		50 per cent had married by age	19.5
		75 per cent had married by age	20.5
		25 per cent had married by age	16.5
	Others	50 per cent had married by age	18.5
		75 per cent had married by age	19.5
		25 per cent had married by age	15.5
	SC	50 per cent had married by age	17.5
Social Group		75 per cent had married by age	18.5
	ST	25 per cent had married by age	15.5
		50 per cent had married by age	17.5

contd. ...

While Assam and Delhi fall between 17.3 and 20 per cent, the other states are below the national average of 17.2 per cent. In urban areas, all the states, except Rajasthan West Bengal and Tripura, fall under the category of 3.2 to 5 per cent of all marriages by the exact age of 15 years.

When the prevalence of child marriages is measured as marriage below 18 years, it is seen that Rajasthan, Bihar, Jharkhand, West Bengal and Tripura fall under the category of 17.2 to 20 per cent. In both definitions, all other states stand below the national average. Overall, the rural areas show a greater prevalence of child marriage according to both definitions as compared to urban areas.

2.10.2 District-level patterns

Similar to Figure 2.10, which shows the regional pattern of child marriage by state, Figure 2.11 shows the regional pattern by district, according

to both definitions: marriage by the exact age of 15 years and marriage below the age of 18 years. District-level patterns present greater insights in terms of both definitions. For instance, in the case of child marriage in terms of marriage by the exact age of 15 years, along with districts in Rajasthan, West Bengal and Andhra Pradesh, districts in Karnataka, Uttar Pradesh, Chhattisgarh, Gujarat and Arunachal Pradesh show a higher prevalence of child marriage than national average (7 per cent). In terms of child marriage below 18 years, along with districts in Rajasthan, Madhya Pradesh, Andhra Pradesh, Bihar, Jharkhand, West Bengal and Tripura, districts in Uttar Pradesh, Karnataka, Orissa, Maharashtra, Gujarat, Tamil Nadu, Arunachal Pradesh, Assam and Manipur show a higher prevalence of child marriage than national average (36 per cent).

In rural areas, along with districts in Rajasthan, Jharkhand, West Bengal and Andhra Pradesh, a



BACKGROUND OF WOMEN			BY AGE
		75 per cent had married by age	19.5
	OBC	25 per cent had married by age	15.5
		50 per cent had married by age	17.5
Social Group		75 per cent had married by age	19.5
		25 per cent had married by age	16.5
	Others	50 per cent had married by age	18.0
		75 per cent had married by age	19.5
		25 per cent had married by age	14.5
	Poorest	50 per cent had married by age	16.5
		75 per cent had married by age	18.0
		25 per cent had married by age	16.5
	Second	50 per cent had married by age	17.5
		75 per cent had married by age	19.5
	Middle	25 per cent had married by age	16.5
Economic Group		50 per cent had married by age	17.5
		75 per cent had married by age	19.5
		25 per cent had married by age	16.5
	Rich	50 per cent had married by age	18.0
		75 per cent had married by age	19.5
		25 per cent had married by age	16.5
	Richest	50 per cent had married by age	18.5
		75 per cent had married by age	20.0
		25 per cent had married by age	16.0
Total		50 per cent had married by age	17.5
		75 per cent had married by age	19.5

Source: Estimated from IHDS II (2011-12) data

few districts in Karnataka, Gujarat, Uttar Pradesh, Madhya Pradesh and Arunachal Pradesh are above the national average in terms of child marriage by the exact age of 15 years. However, the number of districts increases when child marriage is measured as marriage below 18 years. Along with districts in Rajasthan, Jharkhand, West Bengal, Andhra Pradesh, Karnataka, Gujarat, Uttar Pradesh, Madhya Pradesh and Arunachal Pradesh, districts in Tamil Nadu, Kerala, Karnataka, Uttarakhand, Assam and Maharashtra also join the group of districts with the percentage of child marriage above the national average.

In the urban areas, in terms of child marriage by the exact age of 15 years, although no state shows an above 5 per cent figure, districts in Rajasthan, West Bengal, Madhya Pradesh and Assam have an above 5 per cent share. The number of districts with a higher than national average increases with regard to child marriage before 18 years: along with districts in Rajasthan, West Bengal, Madhya Pradesh and Assam, districts in Andhra Pradesh, Orissa, Tripura, Uttar Pradesh, Bihar, Jharkhand and Manipur also join the group of districts with figures above the national average.

2.11 Age at Marriage

The average age at marriage is specific to the age of the population and does not refer to any specific point in time. It gives an idea about the average age of the population at which they might have married. A substantial increase in average age at marriage is critical for lifting a significant proportion of young girls and boys out of child marriage. As we mentioned earlier, although males are also subjected to child marriage, the prevalence of child marriage is quite low among males as compared to females. Therefore, this section mainly presents the

female age at marriage and the corresponding male figures are used only for comparative purpose. The most recent levels of female age at marriage are measured based on data from Census 2011.

The national average for mean age at marriage for females is 21 years. The levels of mean age at marriage for females by state indicate the six states with lowest mean age at marriage for females. These are Rajasthan (19.7 years), Bihar (19.7 years), West Bengal (20.1 years), Jharkhand (20.4 years), Madhya Pradesh (20.5 years) and Andhra Pradesh (20.7 years). These are also the six major states that stand below the national average of mean age at marriage for females (21 years). The five states with the highest mean age at marriage for females are Nagaland (25.5 years), Manipur (25.5 years), Jammu & Kashmir (24.4 years), Goa (24 years) and Mizoram (23.9 years). Along with these five states, Delhi (22.8 years), Punjab (22.7 years), Chandigarh (23.3 years) Himachal Pradesh (22.6 years), Uttarakhand (22.1 years) and majority of the north-eastern states have a higher mean age

at marriage for females. (See Appendix B: Mean Age of Marriage in India).

Figure 2.8. Trends in the Rate of Child Marriages in Women Aged 20–24 Years Married by Age 15 Years and Below Age 18 Years in India during, 1992–2012

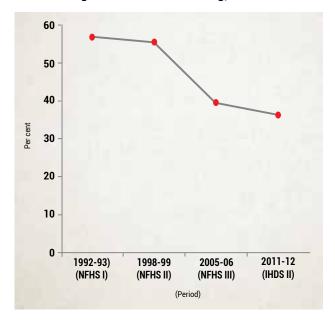
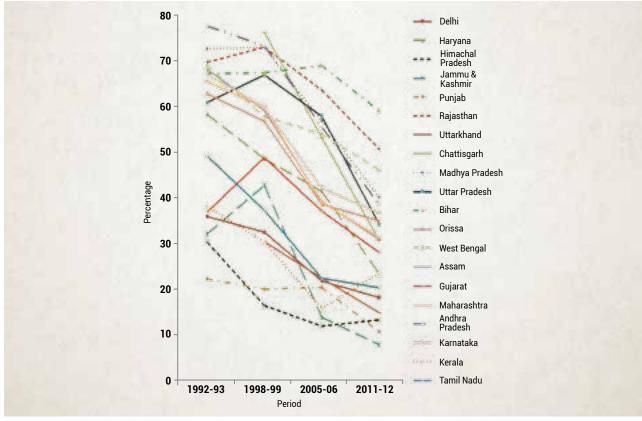
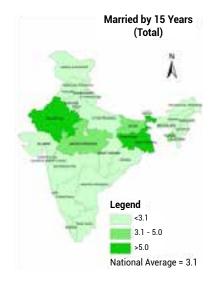


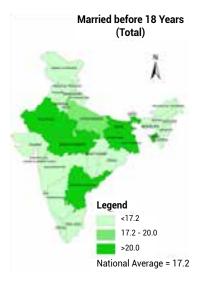
Figure 2.9. Trends in the Rate of Child Marriages in Women aged 20–24 Years Married by Age 15 Years and Below Age 18 Years during 1992–2012, by State

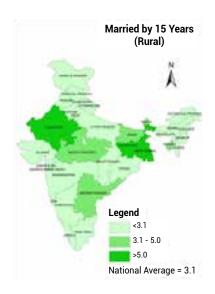


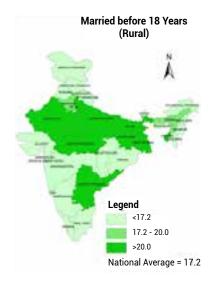
Source: Estimated from NFHS I to III and IHDS II (1992-93, 2011-12) data.

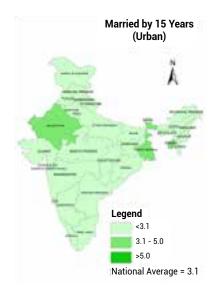
Figure 2.10. State-wise Proportion of Women Married by 15 Years and Before 18 Years in India in 2011











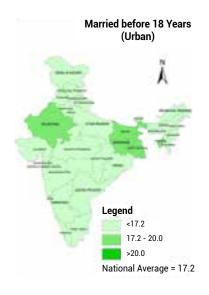
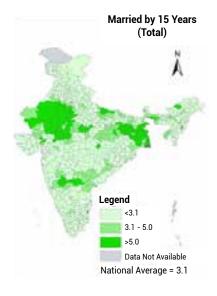
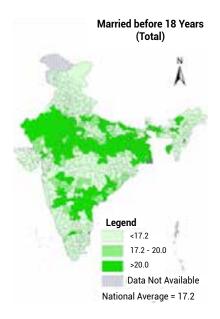
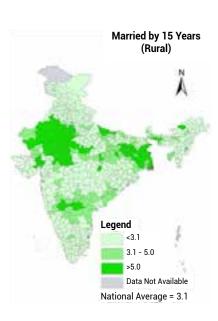
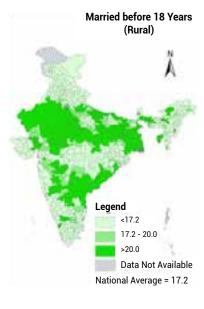


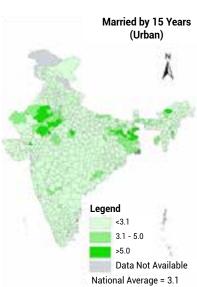
Figure 2.11. Districtwise Proportion of Women Married by 15 Years and Before 18 Years in India in 2011

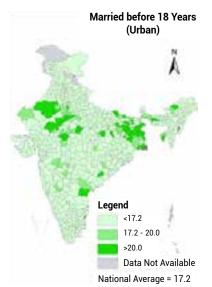


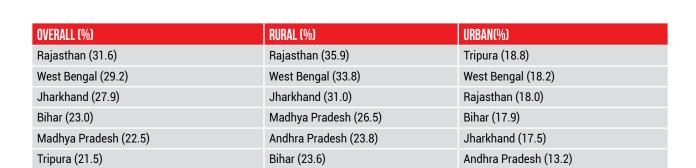












Tripura (22.4)

The global trends in mean age at marriage among women are on an upward trajectory, particularly among younger girls. Nevertheless, the rate of progress has been slow, and in some places the problem of early age at marriage remains inflexible. Similarly, studies in India have reported an upward trend in mean age at marriage based on the analyses of data from censuses and other surveys, although the rate of progress is not impressive.

Andhra Pradesh (20.2)

An important dimension indicating the progress in female mean age at marriage is a reduction in the male-female difference in age at marriage. The difference in age at marriage for males and females is considered to be an important manifestation of gender discrimination in the society, which often leads to less bargaining power and low socio-economic freedom for women. According to Census 2011, the male-female difference in mean age at marriage in India is 4.4 years.

Arunachal Pradesh (12.3)



CAUSES AND CONSEQUENCES OF CHILD MARRIAGE

3.1 Causes of Child Marriage

The literature on child marriage in the global and Indian contexts has demonstrated a range of factors associated with child marriage. These include household factors (such as poor economic status and parents' illiteracy), socio-cultural factors (such as customs, traditions and gender inequality) and state-level factors (such as lack of effective legal mechanisms in practice and lack of safety nets for young girls) (Goli & Jaleel, 2014; Mostafa-Kamal et al., 2014; Save the Children, 2014) This section discusses the causes of child marriage based on a survey of the literature as well as empirical analyses. Some of the important causative factors for the higher prevalence of child marriage in the Indian context are discussed in the order of their importance.

3.1.1 Economic factors

The patriarchal mindset deeply embedded in society, coupled with the lack of economic opportunities for girls, perceives females as being 'financially dependent on male family members' (Arokiasamy & Goli, 2012; Dyson & Moore, 1983; Kishore, 1991). This impels society to consider girls as a liability to be married off as early as possible. Thus, poverty induced economic reasons often underpin a family's decision to get a girl married. Girls from households with a poor socio-economic background are more likely to be married off as minors because marriage is considered as a solution to reduce the family size and, thus, the cost of living. Child marriage is also considered as a way to avoid the cost of a girl's education and ease the financial load of caring for the female child (Badgett & Folbre, 1999). In some communities of India, daughters are sold in marriage for a bride price. In such communities, girls are the commodities to be traded in return for money or they are used to settle family debts (Raza, 2014). In the states of Rajasthan, Madhya Pradesh and Gujarat, a unique custom is followed (called 'Nata' in local language) where a man can sold his wife to other men for a bride price, and they use that money to buy a new wife for themselves and most often the new wife is a child bride from economically weaker section families (Parihar, 1999; 2006). Our empirical analysis supports this argument. Thus, household economic status is an important determinant of child marriage (Lee-Rife et al., 2012; Raj, 2010). The empirical analysis also supports our argument. For instance, in Figure 3.1, the prevalence of child marriage is positively associated with poverty and negatively associated with per capita Net State Domestic Product (NSDP), which means that increase in poverty will increase the prevalence of child marriage while increase in per capita NSDP will result in a decrease in child marriage.

3.1.2 Social factors

Globally, parental illiteracy and lack of awareness are the major causes that promote child marriage. In general, parents with no or low levels of education fail to understand the negative implications (poor health, less education and social deprivation) of child marriage upon their young daughters. Most often, illiterate parents do not understand that marrying off a minor daughter is an act of violation of the child's basic human rights. Parents are also bound to follow the cultural norms of the community and they often get their daughters married early as an obligation to the community. Illiterate parents have usually limited authority to go against the traditions and to uphold their own rational decisions

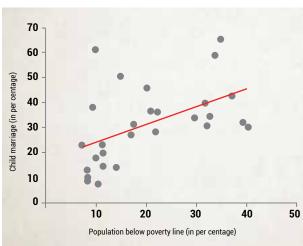
(Gangoli et al., 2009; Nour, 2006). This is also supported by our empirical analysis, which shows a negative correlation between female literacy and child marriage, meaning that with increase in female literacy, child marriage tends to decline (*Figure 3.2*).

The sex ratio imbalance is also a significant factor contributing to the occurrence of child marriage. The skewed sex ratio and the shortage of girls of marriageable age increase the demand for child brides (The Economist, 2011). The sex ratio imbalance in India is mainly due to female foeticide, which is still widely practised despite the ban on sex determination and sex selection. If a girl child is fortunate enough to be born, after the birth she is more likely to be neglected, especially in families who already have daughters and have a preference

for sons; this results in lower spending on girls' nutrition and healthcare, followed by the increase in female child mortality and a skewed sex ratio in the population. This further gives rise to a situation called 'marriage squeeze'—an asymmetry in the availability of potential spouses; this situation, in which potential bridegrooms outnumber potential brides often leads to a reduction in female age at marriage (Dalmia and Lawrence, 2005; Guilmoto, 2012). In the situation of bride shortage, poor parents often tend to marry off a young daughter for attractive offers or concessions from older bridegrooms. *Figure 3.3* shows the association between sex ratio and child marriage.

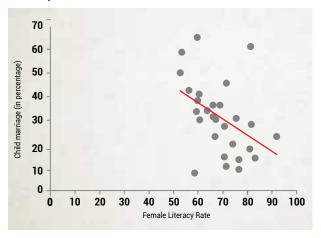
As in some other parts of the world, in India too religious and cultural beliefs support child marriage.

Figure 3.1. Economic Factors and Child Marriage in India, 2011–12

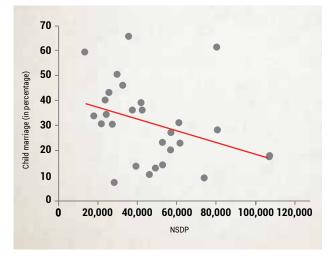


Source: Estimated by the author based on the information from IHDS II and (2011-12) and The Economic Survey of India (2011-12).

Figure 3.2. Socio-economic Factors and Child Marriage in India, 2011–12

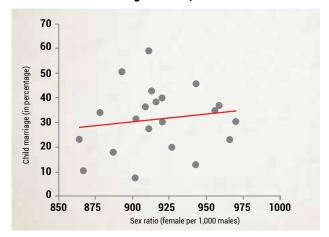


Source: Estimated by the author based on the information from IHDS II and (2011-12) and Census of India.



Source: Estimated by author based on the information from Census (2011) and using population below poverty line figures from Planning Commission (2011)

Figure 3.3. Sex Ratio of Population Age Group 15–35 Years and Child Marriage in India, 2011–12



Source: Estimated by the author based on the information from IHDS II and (2011-12) and Census of India (2011).

For a large number of families in India, child marriage remains a strong social norm that parents comply with for fear of being ostracized. In most regions of India, child marriage is embedded in religious belief and custom. Religious and customary norms enjoin that a female child must be married off upon reaching maturity and this conservative interpretation of women's role forces the communities to get the girl child married at an early age. One of the contradictions posed by such beliefs and customs is that child marriage is respected and highly valued as desirable and honourable, while losing virginity is strongly denounced as a disgrace and considered as a religious sin (Mikhail, 2002). There is also a belief that girls must be married off early and must reproduce early as they have a shorter reproductive span as compared to men (Ackerson et al., 2008; Boyle et al., 2009).

The custom of dowry also complicates the situation. Despite the Dowry Prohibition Act of 1961, dowry is still in practice in many communities, where the girl's parents give huge gifts to the groom or to his family either in cash or kind. Parents from poor households get their daughters married early in order to avoid the high dowry demands that would be usual if the girl is older in age (http://unicef.in/Whatwedo/30/ Child-Marriage). Further, an educated bride would prefer an educated groom, but a groom with higher education would demand an exorbitant dowry as compared to a less educated groom. These kinds of system not only discourage girls' education, but also promote early marriages (Bhat and Halli, 1999; Rao, 1993; Srinivasan and Lee, 2004; Goli and Apollo, 2014).

3.1.3 Other factors

There is a belief that younger the bride, the higher her value, because a child bride is a virgin and 'sexually pure', and with a long reproductive life. Thus, the concern about girls' safety, which forces families to safeguard the pre-marital virginity of young girls, is one of the main reasons behind child marriage in most communities. In many rural communities of India, fearing a threat of physical or sexual violence to the girl, parents get their daughters married off at the very young age of four or five and arrange for their *gauna*¹ around the age of 13 or 14. Thus, child marriage in these communities is seen as a safety measure for a girl; otherwise if a girl were to

unfortunately become a victim of physical or sexual harassment, the girl's family would suffer disgrace and be made to feel outcast. Further, the girl would be branded 'impure' and 'unchaste' and in most cases would have to remain unmarried, as it is considered a sin for a girl to lose her chastity before marriage, and an 'unchaste' girl can hardly hope to find a groom (ICRW, 2013).

The widespread belief in the notion of 'family honour' is the reason why there is family and community pressure to marry off girls early and so preserve pre-marital virginity to prevent any risk to family honour. A girl is married off as close to puberty as possible and often to an older man who it is believed will act as her guardian and protect her from immoral behaviour, abduction or sexual violence and also provide better social and economic support. Obedience is given in exchange for receiving protection from the husband. Delaying daughter's marriage is seen as a failure in terms of parental responsibilities, particular in communities where a family with unmarried young girls is held in shame and disrespect. Thus, marrying off daughters as early as possible ensures parents' honourable discharge of duties (Alam, 2007; Kabeer, 1988).

The legal enforcement of the Prohibition of Child Marriage Act (2006) is quite weak in India. The monitoring mechanisms are deficient and there is poor accountability of the implementing agencies. Further, parents themselves have limited awareness of the law against child marriage.

Despite national legislation against this practice, the country continues to experience a high prevalence of child marriage, producing adverse outcomes among young girls and boys as well. Law enforcement agencies are reluctant to counter child marriage by the effective implementation of laws. In the Indian context, where, in accordance with customary or religious laws, child marriage is a widely accepted practice in many communities, child marriages are rarely reported as a crime and this then makes it difficult to punish the culprits.

In many instances, officials responsible for the implementation of the laws against child marriage are often themselves reluctant to report the cases for legal action. Officials themselves

^{1.} *Gauna* is a ceremony that is performed after marriage in which the bride leaves her paternal home to start living in her marital home with her husband, after which the marriage is consummated.

face community pressure and are unwilling to go against the community sanction for child marriage. Another serious hindrance to legal action against child marriage is the non-availability of birth certificates. Even when a case against child marriage is registered, victims are unable to prove that their marriage is a form of child marriage.

3.2 Consequences of Child Marriage

Although India ratified in 2000 the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) and in 1992 the Convention on the Rights of the Child (CRC), the continued prevalence of child marriage in many parts of the country is a violation of the human rights of children, especially that of girl children, which often takes the form of physical and sexual slavery. Child marriage is also a threat to social development and it hampers the prosperity and stability of any country where it is prevalent. It is harmful to the child as well as to families, communities, society and the nation as a whole. It is a grave public concern rather than a private matter between families. Child marriage has several micro- and macro-level repercussions, with implications for gender equity, socio-economic, development and the rights of the girl child (UNICEF, 2001).

3.2.1 Intergenerational cycle of poverty

Child marriage is considered a means to escape the cycle of poverty; however, in fact, it promotes poverty across the generations, which has multiple consequences in the form of basic human rights violation as reflected in poor health (maternal and child), educational denial, limited autonomy, genderbased violence, limited economic participation, social exclusion and other negative implications. Child brides, who come from poor families, are likely to remain poor and pass on the poverty in the form of deprived health, education and economic participation to succeeding generations.

3.2.2 Poor maternal/child health and fertility outcomes

Child marriage, followed by early pregnancy, is a serious public health concern due to its potential implications on maternal and child health. Studies suggest that a girl under 15 is five times more likely to die during childbirth than a grown woman (Bartlett et al. 2005, Gibbs et al. 2012, Ronsmans

& Graham, 2006, Nour, 2006). Thus, child marriage also contributes to the rise of maternal and child mortality rates. This proposition is also supported by our empirical assessment, which shows a positive association between child marriage and maternal and child mortality (*Figure 3.4*). Apart from this, there are several health risks of early pregnancy and childbearing, such as premature labour, complications during pregnancy, low birth weight and still birth, spontaneous abortions, etc. (Jensen and Thornton, 2003; Mensch et al., 1998; Walker, 2012; Westoff, 2003).

Child marriage is also associated with high fertility and poor maternal and child health outcomes, including high rates of unwanted pregnancy and pregnancy termination, early childbearing (teenage pregnancy) and bigger family size (Adhikari, 2003; Godha et al., 2013; Raj et al., 2009). It also increases the risks of depression, sexually transmitted infections, cervical cancer, malaria, obstetric fistula, and maternal mortality (Fisher et al., 2011; Goli, et al., 2015; Nour, 2009; Santhya, 2011). Our empirical assessment shows a strong positive association between child marriages and fertility, meaning higher the child marriages greater the fertility rate (*Figure 3.5*).

Studies have also indicated that children of adolescent mothers have poorer birth outcomes, including low birth weight, and high rates of morbidity and stunting, as compared to children of older mothers (Chen et al. 2007, Gilbert et al. 2009). Children of adolescent mothers start their lives with deprivations and disadvantages, thus continuing the cycle of poverty and relative deprivation. The children of very young mothers are prone to health risks, are underweight (Goli et al., 2015), educationally disadvantaged (McCleary-Sills et al., 2015), experience restricted public participation and have poor social skill development (Alam, 2007).

3.2.3 Undernutrition

Although the issue of undernutrition vis-à-vis child marriage has not been much studied in the literature, early marriage and early childbearing do significantly contribute to under-nutrition among young brides and their children. Adolescents gain 30 per cent of their adult weight and more than 20 per cent of their adult height between 10 and 19 years. In women, physiological conditions such as pregnancy and lactation increase the likelihood of nutritional risks. Childbearing during adolescence

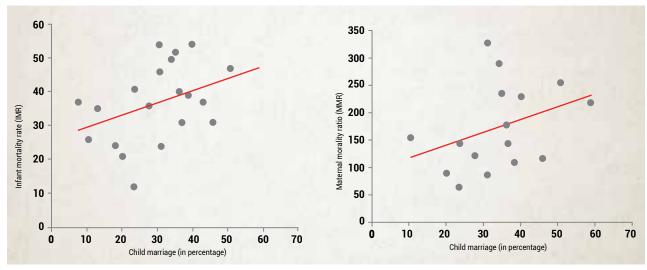
is found to hamper the post-menarcheal linear and ponderal growth of young girls during the potential window of opportunity for catch-up growth in an undernourished population (Rah et al., 2008; Goli et al., 2015). In addition, young girls have poor knowledge of nutrition due to lack of awareness and education, which makes them more vulnerable to undernutrition. The empirical assessment of the association between child marriage and women's underweight is presented in *Figure 3.6*.

3.2.4 Curtailment of education, autonomy and economic participation

Child marriage affects the education and autonomy

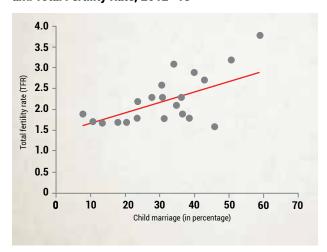
of girls, which further affect their employment opportunities. Denial of educational opportunities is a major consequence of child marriage, which later affects reproductive health, gender equality and financial independence. In a study by the International Centre for Research on Women (ICRW, 2006), it is reported that in 18 out of 20 countries with the highest prevalence of child marriage, girl children with no education were up to six times more likely to be married off than girls with secondary education. Child marriage significantly reduces the chance of girls' completing secondary education (Nguyen & Wodon, 2015; McCleary-Sills et al., 2015). According to the

Figure 3.4. Association Between Child Marriage and Infant/Maternal Mortality Rate



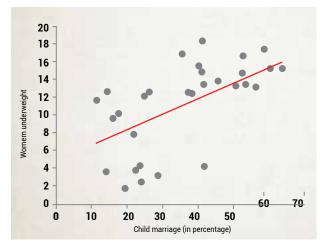
Source: Estimated by the author based on the information from IHDS II and (2011-12) and Sample Registration System, Office of RGI (2012-13).

Figure 3.5. Association Between Child Marriage and Total Fertility Rate, 2012–13



Source: Estimated by the author based on the information from IHDS II and (2011-12) and Sample Registration System, Office of RGI (2012-13).

Figure 3.6. Association Between Child Marriage and Women's Underweight



Source: Estimated by the author based on the information from NFHS III, IIPS and Macro Internationals (2005-06).

Global Out-of-School Children Initiative (OOSCI) Report² (UNICEF, 2015), there are 36 million out-of-school children, out of which 9.8 million young children of primary school age and 26.5 million adolescents of lower secondary age are out of school in South Asia. About 14.5 million children dropped out before reaching the last grade of primary education and about 57 per cent of children have never attended school. India has the highest dropout rate of children, especially at the elementary level. In South Asia, India had the largest share (49 per cent) of primary and lower secondary school age children who remained out of school in the year 2012. Despite the increase in overall literacy rate in the country, the dropout rate among adolescent girls remains high at 63.5 per cent. Adolescent girls who have been victims of the malpractice of child marriage are less likely to complete their elementary education and transition to secondary education.

3.2.5 Gender-based violence and intimate partner violence (IPV)

In addition to losing educational opportunities, young brides are exposed to unhealthy and unsafe family environments, and often have to endure alcoholism in their partners, domestic violence and IPV. IPV is a global public health problem that increases the risk for a number of unfavourable health outcomes, including chronic pain, depression and other mental health problems, and adverse birth outcomes and death (Erulkar, 2013; Heise et al., 2002; Saltzman et al., 2003; Speizer & Pearson, 2011; Watts & Zimmerman, 2002). In South Asia, women suffer high levels of lifetime IPV (Nasrullah et al., 2014; Devries et al., 2013; WHO, 2012). Their plight remains unknown and hidden behind closed doors. Women who are married at an illegal age have a higher risk of IPV than women who are married at the legal age (Rahman et al., 2013; Zakar et al., 2015).

In child marriage, a young bride becomes subordinate to the men and senior women in the family, and the members in the marital home start controlling her decisions and behaviour. Violence perpetrated by the husband towards a young child bride may take a serious form because the child has too little strength to negotiate the demands of married life. This may include acts of physical

violence (slapping, hitting, beating, strangulation, burning, threats with knife or weapon), psychological violence (humiliation, yelling, shouting intimidation), and sexual violence (non-consensual or forced sex). Sexual violence is inherent within child marriage (Gracia-Moreno et al., 2005; Singh & Samara, 1996). Sex, or any form of sexual behaviour, with a child under the minimum legal age with or without consent is a gross violation of child rights, whether or not it takes place within the context of marriage. Moreover, consensual sex with a minor girl, as per the Criminal Law (Amendment) Act, 2013 constitutes statutory rape; but when it occurs within the context of child marriage, it remains unreported as rape. Sex within marriage is considered a priori consensual and, thus, rape is considered as impossible within marriage. Notwithstanding the Criminal Law (Amendment) Act, 2013, marital rape in India is not considered as a crime when the wife and husband live together.

3.2.6 Psychological abuse

Psychological abuse is also a critical consequence of child marriage at the individual level. The loss of childhood/adolescence, forced sexual relations, and denial of freedom and personal development can lead to depression, lack of self-esteem, and even suicide. Young brides face isolation, confinement and inadequate socialization. This isolation, in turn, limits the girls' access to sexual and reproductive health. The consequences can be highly damaging, even fatal. Child marriage involves the risk of becoming a widow at a very young age, which leads to further marginalization, discrimination, loss of dignity, denial of property rights and risk of abuse from others. In many instances, young brides are abandoned by their in-laws and by their own families, and become destitute.

3.2.7 Human trafficking

Child marriage has a complex relationship with human trafficking. Trafficking and child marriage intersect when marriage is solemnized through force, fraud, coercion, or abuse and as a means to subject wives to conditions of slavery in form of domestic or sexual servitude (Aptel, 2016). In certain circumstances, girls are sold off for the purpose of marriage, face abuse by their buyers and further sold off or trafficked. Human trafficking has forced countless child brides into prostitution

^{2.} The Global Out-of-School Children Initiative was launched by UNICEF and the UNESCO Institute of Statistics (UIS) in 2010. The goal of the initiative is to make significant and sustained reduction in the number of out-of-school children around the world.

Figure 3.7. Demographic and Socio-economic Consequences of Child Marriage DEMOGRAPHIC CONSEQUENCES » Lack of reproductive choices, early childbearing, large family size » Poor nutritional status » Poor maternal and child health. DEVELOPMENTAL CONSEQUENCES » Low socio-economic outcomes » Low human development CHILD MARRIAGE outcomes » Increased human trafficking, prostitution, child labour, dowry. SOCIO-ECONOMIC CONSEQUENCES » Human rights violation, especially of girl children » Loss of childhood » Low educational attainment for girls » Limited autonomy » Social isolation of girls and limited community participation » Intergenerational cycle of poverty.

or exploitative labour. Young brides who face extreme violence in their marital home fall prey to trafficking when they attempt to run away from the perpetrators of violence at home (OCHCR, 2013).

3.2.8 HIV/AIDS and sexually transmitted diseases (STDs)

Child marriage may increase the risks of HIV and other STDs among young girls. Evidence shows that young adolescent brides are often forced to have unprotected sex. They have little information about protected sex, no awareness or freedom to use or insist on protection, and practically no access to information about HIV and STDs (Bruce, 2007; Bruce and Clark, 2004; Clark et al., 2006).

Establishing empirical evidence for all the aforementioned consequences of child marriage is beyond the scope of this report. However, Figure 3.7 presents the demographic, socio-economic and developmental consequences of child marriage.



TASKS AND PRIORITIES

4.1 Overview of Findings

The present study brings to light some critical issues with respect to child marriage, which must gain the attention of stakeholders so as to inform the dialogue for policy formulation. The findings suggest that the average age at marriage in India has improved, but the rate of improvement is not at the desired level. Currently, about 103 million persons are married before reaching the legal age; out of this, 85 million, or 83 per cent, are girls. A significant proportion (14 per cent) of girls are married by the age of 15 years. Out of 28 child marriages happening in the world every minute, more than two occur in India.

Although, urban areas account for a significant percentage of child marriage, a major proportion (around 75 per cent) comes from rural areas among those who married by March 1, 2011. Data from Census 2011 for the recent period (i.e. among those who married by 2007-11) shows that the prevalence of child marriage has risen to 82 per cent. Findings by state and district show that despite moderate to good progress, a significant proportion of girls in particular have got married as children. Also, there are huge state-level variations in the occurrence of child marriage: Seven states (Uttar Pradesh, Andhra Pradesh, West Bengal, Bihar, Rajasthan, Maharashtra and Madhya Pradesh) together account for 70 per cent of child marriages in the country. If Tamil Nadu, Karnataka and Gujarat are added to this list, the ten states together account for 82 per cent of child marriages in the country. However, we cannot straight away attribute the reason for the high prevalence of child marriage in these states to poor socio-economic status as six out of these 10 states (namely, Andhra Pradesh, West Bengal, Maharashtra, Tamil Nadu, Karnataka and Gujarat) are socio-economically better-off states. Some of the other socio-economically better-off states (namely, Kerala and Himachal Pradesh) also show a slight increase in the percentage of child marriage in the recent period, 2011-2012 compared to previous time point, 2005-06. The reasons for the rising trend of child marriage for the period 2005-06 to 2012 need to be explored more through qualitative research.

Research must provide a basis for effective advocacy, and stakeholders must collaborate in proactive measures to end child marriage.

Practices proven effective against child marriage must be publicized among the public.

Further, similar variations are observed across the districts. The age at marriage in 153 districts is more than the national average (17.2 years). In terms of prevalence of child marriages, in 90 districts more than 30 per cent of girls are married below 18 years. In two districts overall from India (Bhilwara and Chittaurgarh) and five districts from rural India (Bhilwara, Chittaurgarh, Tonk, Lalitpur, and Ajmer), more than 50 per cent of all marriages are child marriages. Except for Lalitpur, which is in Uttar Pradesh, the other four districts are in Rajasthan. These districts are the 'hot spots' for the problem of child marriage in the country.

The analyses by socio-economic group suggest that although the prevalence of child marriage is high among the lower socio-economic groups, a disturbing factor is the occurrence of a significant proportion of child marriage even in the higher socio-economic groups. For example, in around 30 per cent of the 'richer' and 'richest' households, daughters are married off below 18 years. It is difficult, then, to completely attribute child marriage to only lower socio-economic status, Therefore, our correlation plots do not support a strong association between child marriage and socio-economic indicators, including female literacy rate, poverty and urbanization, which are traditionally believed to be the critical channels for the efforts to eradicate child marriage in India and across the world (Jones, 2001).

This study presents some robust and intriguing findings in the Indian context, which can help to inform prospective action in the 'hot spot' regions of child marriage. Although, this report has not accounted for cultural factors specific to state, region and community in its statistical analyses, in the light of the review of existing evidence from micro-level studies (Bhat & Halli, 1999, Birech, 2013, Desai & Andrist, 2010, Kishor, 1993, Santhya et al., 2006); one can speculate that cultural factors might play a greater role in the practice of child marriage in India, while socio-economic factors have a complementary role in governing the age and timing of marriage.

An assessment of the effectiveness of legal efforts to eradicate child marriage is beyond the scope of this study. However, one can infer from the pattern and prevalence of child marriage, that legal efforts in India have failed to prevent child marriage. Legal and policy instruments have failed due to the lack of a gender-sensitive interpretation of laws (Lundberg & Rose, 2003, Thompson, 1993). The enforcement of the legal mechanism is limited by the inability of law to counter the multiple disadvantages faced by the girl child on account of the vulnerabilities of being both a 'child' and a 'female'. Even when a gender-sensitive approach is followed during law formulation, its interpretation during enforcement remains largely missing, causing legal dysfunction. It is important to examine this contradiction as this has a huge impact on the lives of girl children. One of the main reasons behind the poor

implementation of child marriage laws is that child marriage is still considered a cultural and traditional affair rather than a serious crime against the girl child. Therefore, law implementers are not much bothered to curb this malpractice with stringent law enforcement. It is necessary to address the issue of child marriage in an integrated manner in connection with other related legislations such as the Protection of Children from Sexual Offences Act, 2012 and Juvenile Justice (Care and Protection of Children) Amendment Act, 2006.

4.2 Existing Efforts and Future Focus Areas

It is quite clear that preventing child marriage and its eradication from Indian society is a huge task ahead for the government, particularly given the sheer number of child marriages still taking place in India. Despite the policy attention given to the grave problem of child marriage in the country, the implementation has remained ineffective in curbing the root causes of child marriage and has failed to produce a substantial impact on its eradication. The legal efforts have failed to break the stranglehold of tradition and culture that continues to support child marriage.

The present study carries important policy implications to effectively counter the practice of child marriage in the country. However, before proposing policy implications from the findings of this study and setting priorities for the future course of action, it is worthwhile to discuss some of the existing efforts and initiatives of the Government of India and other allied partners to eradicate child marriage.

A review of the existing policies and programmes to eradicate child marriage reveals that at the national level legal provisions and social policies against child marriage do exist. From the legal perspective, the first legislation against child marriage, the Child Marriage Restraint Act, 1929, continued until 2006, when the Prohibition of Child Marriage Act, 2006 came into force (GOI, 2007). Being a signatory to the UN Convention on the Rights of the Child (CRC) in 1992 and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in 1993, India has expressed its commitment to the rights of the child, and particularly the girl child, through the Prohibition of Child Marriage Act, 2006.

In addition to the Prohibition of Child Marriage Act (2006), there are measures to help vulnerable girls under the National Population Policy 2000 (GOI, 2000) and National Youth Policy 2014 (GOI, 2014). Some of the measures include the provision of informal education and vocational training, and raising awareness of sexual and reproductive health. These strategies have been incorporated and extended in subsequent policies. There are also a number of non-governmental organizationsfor example, International Centre for Research on Women (ICRW), Tata Steel Rural Development Society (TSRDS), Mamta-Health Institute for Mother and Child (HIMC), ActionAid-working independently and with the government in the direction of eradication of child marriage through various intervention programmes.

In an attempt to identify solutions to the problem of child marriage in India, the ICRW initiated a study in 2011 to assess the 'Apni Beti, Apna Dhan' (Our Daughter, Our Wealth) programme, a 'conditional cash transfer' programme that was implemented by the Indian government first in the state of Haryana in 1994 specifically to delay girls' marriages (Gaynair, 2011). The government invests ₹2, 500 in a longterm bond in a girl child's name, to be cashed for Rs 25, 000 upon the age of majority, but only if the girl is unmarried at that age. The Government of India has followed this up with the 'Balika Samriddhi Yojna', another cash transfer scheme, under which if a girl's marriage is delayed until the attainment of majority, a sum of money would be payable to the unmarried 18-year-old (Red Elephant Foundation, 2013).

Despite these legal and social efforts, though, there has not been an intensive mass campaign through mass media and community education programmes on the issue of banning child marriage. Child

marriage has always been considered as a subcomponent of educational, health and women's empowerment programmes and, therefore, the message against child marriage has failed to reach the masses.

There is a need to design a programme that will specifically address the problem of child marriage as a primary objective rather than as a complementary or subsidiary goal. There is also a need for large-scale mass media campaign to inform about the adverse consequences (social, economic and health) of child marriage and about legal provisions for the protection of children and their rights. In order to revive the legal enforcement, the violation of child marriage laws by parents, community members or other offenders should be strictly dealt with punitive actions. As part of the important tasks for the government and the various legal and non-legal institutions working to address the problem, this report suggests the following:

- Working on the top seven priority states

 As mentioned earlier, seven states in India (*Table 4.1*) account for 70 per cent of child marriages; in each of these states more than 20 per cent of the total marriages are child marriages. Also, identifying priority states by region (that is, rural and urban areas separately) would help to more effectively target priority areas as some of the states, which are not included in the seven priority states when overall population is considered, emerge as a top priority state with regard to urban areas.
- Working on the top 20 high priority districts
 Our assessment of the regional pattern of the prevalence of child marriage within states suggests great intra-state variation. As all

Table 4.1. Percentage of Girls Married Before 18 Years in 2011: The Seven High Focus States

OVERALL (%)	RURAL (%)	URBAN (%)
Rajasthan (31.6)	Rajasthan (35.9)	Tripura (18.8)
West Bengal (29.2)	West Bengal (33.8)	West Bengal (18.2)
Jharkhand (27.9)	Jharkhand (31.0)	Rajasthan (18.0)
Bihar (23.0)	Madhya Pradesh (26.5)	Bihar (17.9)
Madhya Pradesh (22.5)	Andhra Pradesh (23.8)	Jharkhand (17.5)
Tripura (21.5)	Bihar (23.6)	Andhra Pradesh (13.2)
Andhra Pradesh (20.2)	Tripura (22.4)	Arunachal Pradesh (12.3)

Source: Estimated from Census 2011 data.

the districts are not equally affected by the problem, meticulously targeting districts with high prevalence (Table 4.2) will help in the easy tracing of the problem and in effective interventions to eliminate the problem; this does not mean avoiding focus on the other districts, but rather addressing the 'hot spots' of the problem more rigorously. In general, the 'hot spots' region is a cluster of districts with cultural contiguity of communities rather than being state-specific. Therefore, strategies should be pursued within the framework of the cultural contiguity of communities rather than state/district specific boundaries. The same suggestions were also reported in other studies (Srinivasan et al., 2015).

For instance, similar to the high focus states or the Empowered Action Group (EAG) states under the National Rural Health Mission (currently called National Health Mission for enhancing public health programmes (GOI, 2011), these seven states could be targeted for programmes aiming at the elimination of child marriage. However, India needs to implement the existing policies with a concerted effort to break the deep-rooted practice born out of centuries-old custom and tradition. Thus, changing this practice needs sustained integrated and coordinated efforts by multi-sectoral partners.

The study provides an appraisal of child marriage trends across India. From the analysis, it is apparent that child marriage is still a widespread practice in the country and prevails in many areas in great extent and intensity. It is evident from the findings that the prevalence of child marriage is not uniform across states, districts and socio-economic groups in the country.

The study has noted the reversing pattern of decline in some states, which are traditionally known as better-off in terms of child marriages. However, the

Table 4.2. Percentage of Girls Married Before 18 Years as on 1 March 2011: The 20 High Focus Districts

OVERALL (%)		RURAL (%)		URBAN (%)	
States	Districts	States	Districts	States	Districts
Rajasthan	Bhilwara (54.1)	Rajasthan	Bhilwara (60.7)	Arunachal Pradesh	Kurung Kumey (35.2)
Rajasthan	Chittaurgarh (52.2)	Rajasthan	Chittaurgarh (58.9)	Bihar	Arwal (32.9)
Uttar Pradesh	Lalitpur (49.3)	Rajasthan	Tonk (54.3)	West Bengal	Murshidabad (32.9)
Rajasthan	Tonk (48.4)	Uttar Pradesh	Lalitpur (53.2)	West Bengal	Maldah (30.7)
Jharkhand	Giridih (46.5)	Rajasthan	Ajmer (52.7)	Jharkhand	Pakaur (28.3)
Rajasthan	Rajsamand (45.7)	Rajasthan	Jhalawar (50.0)	West Bengal	Birbhum (28.2)
Rajasthan	Jhalawar (45.6)	Rajasthan	Rajsamand (48.8)	Jharkhand	Kodarma (28.1)
Rajasthan	Bundi (43.1)	Jharkhand	Giridih (48.1)	Bihar	Lakhisarai (27.8)
Madhya Pradesh	Shajapur (42.6)	Rajasthan	Bundi (48.0)	Haryana	Mewat (27.3)
West Bengal	Murshidabad (41.6)	Madhya Pradesh	Shajapur (47.0)	Rajasthan	Bhilwara (27.1)
Uttar Pradesh	Shrawasti (41.3)	Rajasthan	Jaipur (46.2)	Bihar	Sheikhpura (27.0)
Jharkhand	Deoghar (41.2)	Madhya Pradesh	Ujjain (45.8)	Bihar	Jehanabad (26.8)
Jharkhand	Kodarma (39.5)	Jharkhand	Deoghar (43.9)	Jharkhand	Giridih (26.6)
Madhya Pradesh	Tikamgarh (39.4)	West Bengal	Murshidabad (43.6)	Bihar	Nawada (26.1)
Rajasthan	Ajmer (39.1)	Rajasthan	Bikaner (43.2)	West Bengal	Purba Medinipur (26.1)
Rajasthan	Dausa (38.3)	Madhya Pradesh	Mandsaur (42.8)	Rajasthan	Rajsamand (25.8)
Bihar	Nawada (38.1)	Madhya Pradesh	Tikamgarh (42.2)	Jharkhand	Deoghar (25.6)
Madhya Pradesh	Mandsaur (38.1)	Madhya Pradesh	Neemuch (42.1)	Madhya Pradesh	Tikamgarh (25.5)
Haryana	Mewat (37.9)	Jharkhand	Kodarma (42.1)	Bihar	Jamui (25.4)
Rajasthan	Karauli (37.7)	Uttar Pradesh	Shrawasti (42.0)	Rajasthan	Churu (24.9)

Source: Estimated from Census 2011 data.

reasons behind this increase in some states are state-specific. The lack of strong correlation between the proportion of child marriage and socio-economic factors across the states suggests that regional variations in the prevalence of child marriage cannot be explained through socio-economic factors alone. The significant occurrence of child marriage in the socio-economically better-off states strengthens the assumption that marriage in general and child marriage in particular are, to a considerable extent, governed by the prevailing patriarchal social norms, religious traditions and regressive customs and practices. The study dismisses the existing myth that child marriage is only a 'rural and lower socioeconomic' phenomenon and emphasizes that a significant number of child marriages occur in urban areas and among the higher socio-economic groups.

4.3 Empowering the Girl Child

One of the best measures to prevent child marriages within communities marked by gender inequalities is to empower the girl child. However, a girl child's well-being doesn't exist in isolation. Her life is guided by the culture followed in her community and society. Therefore, in order to empower girls, it is necessary to empower families, communities and society as a whole. Child marriage reflects the poor agency of women and children in the country. It violates a person's basic right to 'free and full consent', to marry at 'full age', as enshrined in Article 16 of the Universal Declaration of Human Rights (Article 16)¹ It perpetuates gender-based violence, leads to deaths from violence and increases the risk of maternal mortality.

Women's empowerment is crucial for providing them with 'agency, autonomy, self-direction, self-determination, liberation, participation, mobilization, and self-confidence' (Narayan, 2005, p.3). Promoting women's agency is a definite way to end forced marriage, including child marriage. Agency is 'what a person is free to do and achieve in pursuit of whatever goals or values he or she regards as important' (Sen, 1985, p. 205). Education is a vital tool to achieve this agency, and it has an important role in increasing human capability and choice. Ensuring the education of the girl child is considered an important strategy to safeguard the

rights of children and women, which would not only automatically delay the age of marriage but also help women to 'find a voice', allow them 'to have a say' in the matters of their life, and 'to speak and be listened to' (World Bank, 2008, p. 40). An educated woman opting for marriage at a legal age is more likely to have acquired other resources for empowerment, such as self-esteem, self-efficacy, and a sense of her rights and responsibilities.

Although child marriage is deeply rooted in ageold customs and traditions, a transformation in the lives of women and children is possible by providing a range of options to individuals and families to negotiate with the culture of child marriage. In the present context, many families may want to delay the age at marriage of their daughters but they lack positive options and solutions. To successfully address the problem of child marriage calls for solutions that are feasible in the local cultural context.

At present, there is a dearth of data on several important aspects of child marriage. Existing demographic data may be disaggregated and used in ways that can inform us more about the prevalence of child marriage. But in-depth studies are also needed to examine the trends, extent, causes, consequences and effective response strategies. For instance, there is a growing concern that lack of security for girls is leading to child marriage both in urban and rural areas. Also, there are grounds for believing that the practice is under-reported in areas where it is known to occur, especially in the case of children under 14, who are virtually invisible in standard data recording. New methodologies may also be needed to enable advocacy groups to conduct qualitative research, in which local people, including families, community leaders, neighbours, and adolescent children, must be involved. Comprehensive case studies of situations where early marriages are increasing instead of declining will help to identify the social, cultural and demographic factors influencing the age of marriage, particularly those that cause it to rise.

There is an absence of data on the social and psychosocial impact of early marriage on children, as well its wider political and economic consequences. To broaden the perspective, there is a need for a

^{1.} Adopted by the United Nations on 10 December 1948, in Paris.

national-level assessment of the impact of child marriage on economic and social development and gender equality. Research must inform policies and programmes and provide a basis for effective advocacy, and stakeholders must collaborate in proactive measures (policy formulation and implementation) to end child marriage. Practices that prove to be effective against child marriage must be documented and disseminated among the public to help publicize ways to end child marriage.



CONCLUSIONS AND RECOMMENDATIONS

The present study has found that a high level of socio-economic development of a state is not necessarily a check on the prevalence of child marriage and it can be concluded that tradition and culture still play a dominant role in the operation of the practice of child marriage in India.

However, although not all socio-economic factors at the state level are strongly associated with child marriage, factors like female literacy and poverty have shown a moderate to good association. Therefore, strengthening the existing multi-sectoral interventions aimed at the economic and social empowerment of women and girls, improving livelihood opportunities and providing incentives and information on awareness on consequences to families at risk will be critical in reducing the financial pressures that contribute to the increased occurrence of child marriage among vulnerable households.

Improving girls' access to and participation in education through the removal of economic and other barriers (through initiatives such as scholarships and transport to school) is likely to reduce the occurrence of child marriage. Although, some of the initiatives to counter child marriages are under way, the state needs to focus on strengthening the current programmes to a greater extent and also take additional measures. This study advances the following suggestions for action to eradicate child marriage:

» Roles and responsibilities must be properly assigned to different stakeholders at the national, state and community levels for effective policy and legal enforcement so as to underscore the criminal nature of child marriage in accordance with international human rights standards. The police and legal machinery must be on the alert for cases of oppression, such as marital rape, domestic violence, child slavery, child trafficking, dowry, intimate partner violence, etc., which may be linked to child marriage. Any individual who authorizes or facilitates child marriage, whether parent, guardian, influential community leader or government official, must be held accountable and punished.

The intersectionality of gender, economic status, caste, region, religion, etc. must be considered for developing context-specific approaches to counter the problem of child marriage. Voices of women and girls must be included in planning the intersectional mechanisms to end child marriage.

- » Families and communities must be sensitized about the harmful impact of child marriage on children, especially girls. Awareness must be increased on relevant legislations and policies on girls' education, health, human rights, child rights, and gender equality. This should be done through developing and widely disseminating print, audiovisual, and other forms of awarenessraising content.
- » State and voluntary organizations must take efforts to change the perception of child marriage from a traditional practice to an intense form of violence. Customary and religious laws that violate the minimum age of marriage must be challenged through strong advocacy by religious

leaders, who should themselves be adequately sensitized on this issue. It is necessary to challenge traditional social norms to end child marriage. Community-level initiatives and actions to curb the practice of child marriage can bring about greater awareness and build social pressure against child marriage. This calls for capacity building of community, religious and cultural institutions to provide a platform for open discussion and public denouncement of the practice of child marriage.

- Strategies must be planned to promote the active engagement of boys and men in bringing about structural change to end the culturallydriven violence that is child marriage. Families must be sensitized to change the expectations, attitudes and practices towards the girl child. Gender rights awareness must be a necessary part of secondary school education. School teachers can play a crucial role in sensitizing the parents, children and communities about the negative consequences and legal implications of child marriage. Under the emergency conditions, Government school teachers can be given the legal sanction to rescue the children under threat of child marriage with help of the police and local government officials.
- » Women's empowerment is an active tool to challenge and change the norms that perpetuate child marriage. Young girls and women must be enlightened about the importance of education as a way to secure economic independence. Children, particularly girls, must have access to information on negative consequences of child marriages and adolescent health services

- at the secondary and above level of schooling. Notices, pamphlets and posters at the school must display such information.
- » Children who are already married must not be overlooked. Special programmes to improve reproductive health, family planning, maternal and child healthcare, literacy and awareness must be planned to mitigate the negative effects of child marriage on married children. Public awareness on consequences and legal implications of child marriage can be spread especially in the 'hotspot' regions of child marriage through enhanced social media intervention (Facebook, Twitter, WhatsApp, etc.). Increased media exposure to masses would prove as powerful and costeffective to government for sensitizing the people against child marriage.
- » Factors contributing to the demand and supply of child brides—such as poverty, poor educational opportunities, women's subordinate status and unemployment—must be adequately addressed through state-level interventions, as well as the interventions of civil society.

State mechanisms to eradicate child marriage must be in an integrated form and adopt an intersectional approach. The intersectionality of gender, economic status, caste, region, religion, etc. must be considered for developing context-specific approaches to counter the problem of child marriage. Most importantly, the voices of women and girls must be included in planning this intersectional mechanism to end child marriage.

Appendix A

NOTE ON DATA

Data Sources

This study has used data from the Census 2010 and Census 2011 and the India Human Development Survey II (IHDS II) for the detailed analyses. Apart from this, we have used secondary information from the previous censuses dating back to 1961 and household surveys such as National Family Health Survey (NFHS I-III, 1992–2006) for trend analyses.

The censuses collected information on current age, age at marriage and current marital status by age and sex of all members of households at state and district levels, which has been used to calculate the singulate mean age at marriage (SMAM) and the percentage of those married before specified ages: by age 15 and below 18 years. The sample surveys such as the NFHS and IHDS collected more detailed information regarding marital status, date of marriage (first marriage), age at first marriage and age of respondents. Unit-level information from the IHDS survey allowed for directly estimating the level of child marriage rates and their socioeconomic differentials. The questions from the different census and survey rounds that we used to measure the prevalence of child marriage and related indicators are given in Table A.

Design and Quality of Data Used

» Census of India: Census of India is a complete and authentic enumeration of households and individuals, including their socio-economic and demographic information. Information about age at marriage and marital status are presented in 'C' series of Census 2001 and Census 2011. We have used information from two blocks in 'C' series: C-04- 'Ever Married and Currently Married Population by Age at Marriage and Duration of Marriage' and C-2-'Marital Status by Age and Sex'.

- India Human Development Survey (IHDS II): The IHDS is a nationally representative, multi-topic survey of 41,554 households in 1,503 villages and 971 urban neighbourhoods across India. The first round of interviews was completed in 2004–05; the data is publicly available through the Interuniversity Consortium for Political and Social Research (ICPSR). The second round of IHDS re-interviewed most of these households in 2011–12. The IHDS was jointly organized by researchers from the University of Maryland and the National Council of Applied Economic Research (NCAER), New Delhi. The survey design is robust and representative.
- National Family Health Survey (NFHS): NFHS is a large-scale, multi-round survey conducted in a representative sample of households in 29 states of India. Three rounds of the survey have been conducted so far since the first survey in 1992–93, followed by two more rounds in 1998– 99 and 2005-06, respectively. The fourth round of the survey is under way. The survey provides national and state information for India on family and health issues, along with age at marriage and marital status. The last round covered all women in the age group 15-49 years and men in the age group 15-54 years. It was conducted by the International Institute for Population Sciences, under the stewardship of the Ministry of Health and Family Welfare, India.

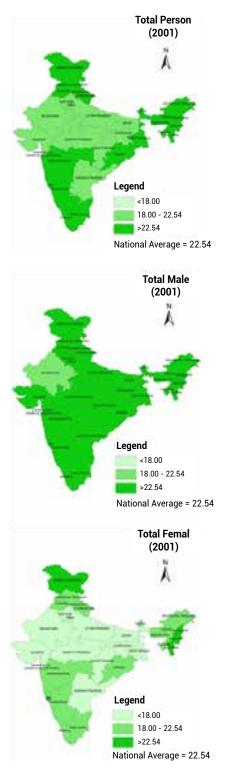
Table A. Questions Relating to Child Marriage from Census and Survey Data in India, 1991–2011

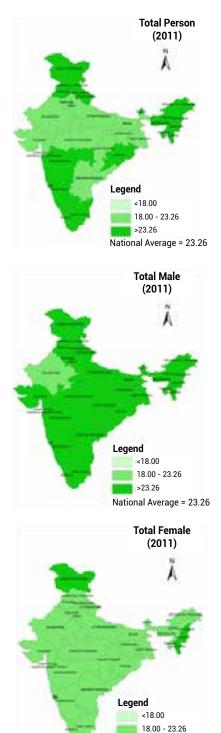
CENSUS/ SURVEY	YEAR	WHAT IS YOUR Current age?	WHAT WAS YOUR AGE AT Marriage?	CURRENT MARITAL Status	DURATION FROM DATE of Marriage
Census	1991	✓	✓	✓	✓
Census	2001	✓	✓	✓	✓
Census	2011	✓	✓	✓	✓
NFHS I	1992-93	✓	✓	✓	✓
NFHS II	1998-99	✓	✓	✓	✓
NFHS III	2005-06	1	✓	✓	✓
IHDS II	2011-12	✓	✓	✓	✓

Appendix B

MEAN AGE OF MARRIAGE IN INDIA

Figure 1: Mean Age at Marriage in the States of India by Male and Female During 2001 and 2011

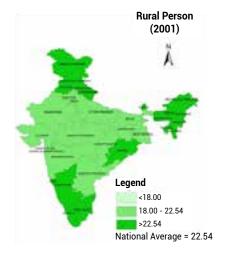


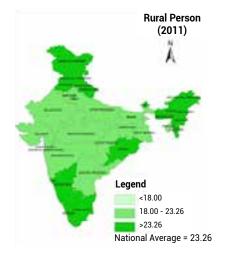


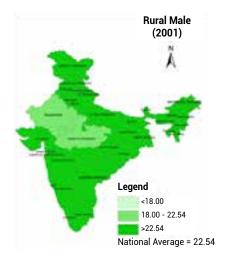
>23.26

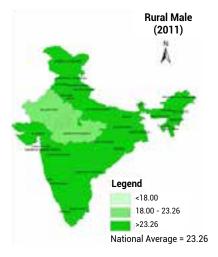
National Average = 23.26

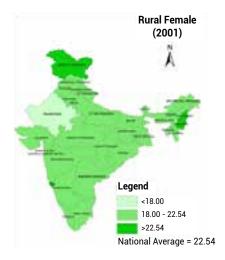
Figure 2: Mean Age at Marriage in the States of India by Male and Female in Rural Areas During 2001 and 2011











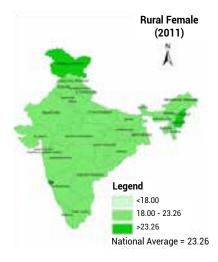
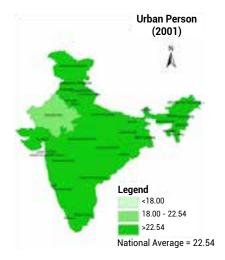
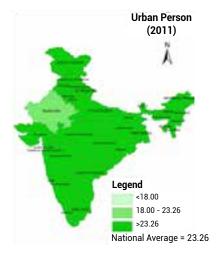
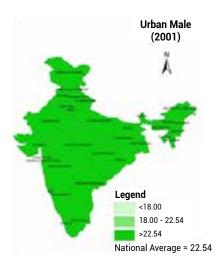
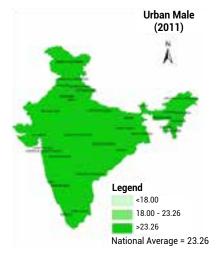


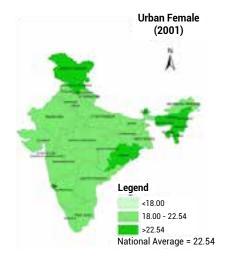
Figure 3: Mean Age at Marriage in the States of India by Male and Female in Urban Areas During 2001 and 2011











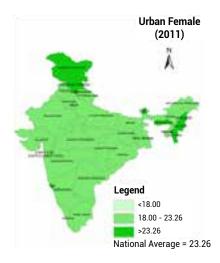
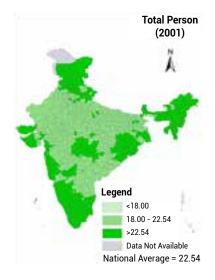
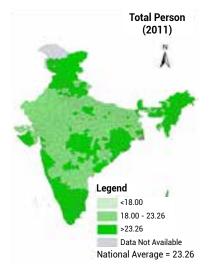
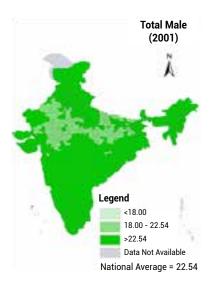
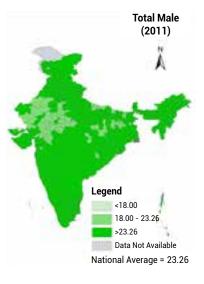


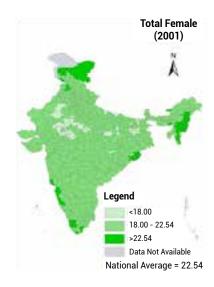
Figure 4: Mean Age at Marriage in the Districts of India by Male and Female During 2001 and 2011











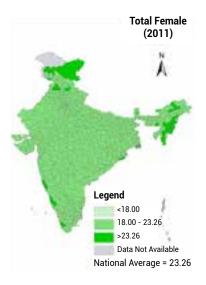
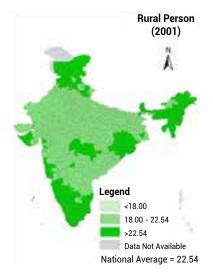
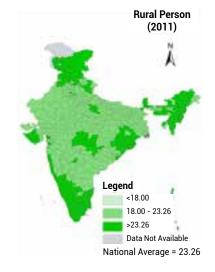
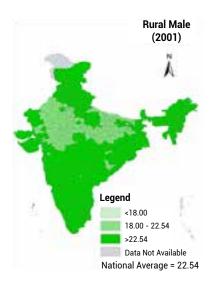
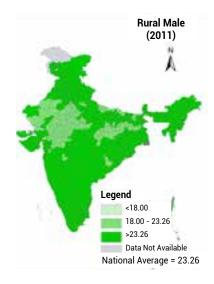


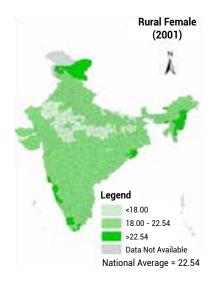
Figure 5: Mean Age at Marriage in the Districts of India by Male and Female in Rural Areas During 2001 and 2011











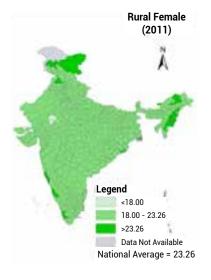
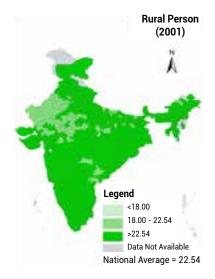
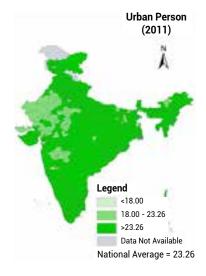
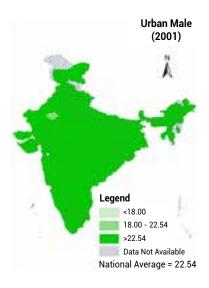
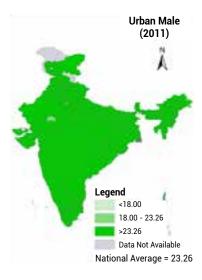


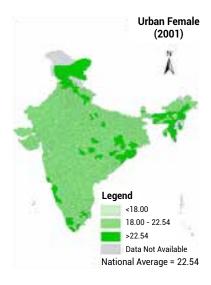
Figure 6: Mean Age at Marriage in the Districts of India by Male and Female in Urban Areas During 2001 and 2011

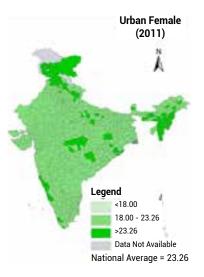








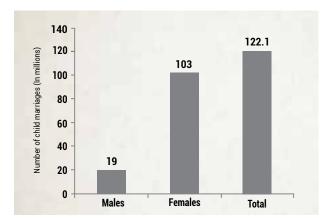




Appendix C

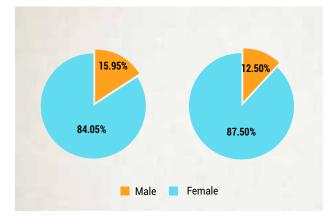
MORE DATA ON PREVALENCE OF CHILD MARRIAGE IN INDIA

Figure C.1. Absolute Number of Surviving Persons (in millions) Married Before 18 Years as on 1 March 2011, by Sex (To be read with Figure 2.1.on page 7)



Source: Estimated from Ever Married Persons of Census of India (2011) data.

Figure C.2. Percentage Contribution of Males and Females in Child Marriages in India, by 1 March 2011 and During 2007-11 (To be read with Figure 2.3. on page 8)



Source: Estimated from Ever Married Persons of Census of India (2011) data.

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