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## Child Marriage and Government

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### Abstract :

Child marriage in India has been practiced for centuries, with children married off before their physical and mental maturity. According to the Indian law, is a marriage where either the woman is below age 18 or man below 21. Most child marriages involve underage women. The problem of child marriage in India remains rooted in a complex matrix of religious traditions, social practices, economic factors and deeply rooted prejudices. Regardless of its roots, child marriage constitutes a gross violation of human rights leaving physical, psychological and emotional scars for life. According to 2001 census there are 1.5 millions of girls in India under the age of 15 years already married. Some of the harmful consequences of such child marriage are that child loses opportunities for education and segregation from family and friends, early pregnancy health risks, higher infant mortality rate, low weight babies etc. The prohibition of child marriage Act 2006 came into force on November 2007 in India. In 2016 UNICEF and UNFPA joined forces through the Global programme to Accelerate Action to End child marriage in 12 countries with the highest rates of child brides. In south Asia, it is implemented in Bangladesh, India and Nepal.

### Introduction :

Before the industrial revolution in many parts of the world, including India, China and Eastern Europe women tended to marry immediately after reaching puberty. In their maddens child marriage in India has been practiced for centuries with children married off before their physical and mental maturity the problem of child marriage in India remains rooted in a complex matrix of religious traditions, social practices. Economic factors and deeply rooted prejudices. Regardless of its roots, child marriage constitutes a gross violation of human rights leaving physical psychological and emotional scars for life. The incidence of child marriage has been falling in most parts of the world. Both girls and boys are affected by child marriage but girls are affected in much larger numbers and with greater intensity child marriage can be seen across the country but is far higher in rural than in urban areas girls from poorer families, schedule castes and with lower education levels are more likely to marry at a younger age.

### Objective of Research Article :

1. To study the definition of child marriage.
2. To find out the causes of child marriage.
3. To study the consequences of child marriage.
4. To study laws against child marriage & role of government.

### Hypothesis :

1. Early maternal death is the main consequence of child marriage.
2. India has the largest number of brides in the world.
3. To prevent child marriage Government of India implementing national programmes

### Methodology :

The study is based on secondary data. Data collected from various books, journals, newspapers and websites.

### Definition of child Marriage :

Child marriage is a formal marriage or an informal union entered into by an individual before reaching a certain age, specified by several global organizations such as UNICEF.

The child Marriage Restrain Act in 1929 and it set the minimum age of marriage for men as 18 and women as 15.

**The prohibition of child marriage Act of 2006** defines "Child marriage" Means a Marriage or a marriage about to be solemnized to which either of the contracting parties is a child ; and child for purposes of marriage is defined based on gender of the person if a male it is 21 years of age and if a female 18 years of age.

### Causes of child Marriage :

Child marriage has many causes, cultural, social, economic and religious. In many cases a mixture of these causes results in the imprisonment of children in marriages without their consent.

#### 1) Poverty :

In India poverty has been cited as a cause of early marriages. Child marriages of girls is a way out of desperate economic condition and a way to reduce the expenses of a poor family. Poor families sell their children into marriage either to settle debts or to make some money and escape the cycle of poverty. Child marriage fosters poverty however as it ensures that girls who marry young will not be properly



- educated or take part in the workforce.
- 2) **Dowry :**  
Dowry is a practice in India where the bride's family transfers wealth to the groom; In many cases it is demand and condition of marriage from the groom's family. Dowry is found among all religious faiths in India. And the amount of dowry demanded and given by the brides family has been correlated to the age of girl nagi in 1993 suggested that the practice of dowry creates a fear and pressure to avoid late marriage and encourages early marriage.
  - 3) **Gender discrimination :**  
Child marriage is a product of cultures that devalue women and girls and discriminate against them. The discrimination according to a UNISEF report on " Child marriage and law" often manifests itself in the form of domestic violence marital rape and deprivation of food, lack of access to information education. Health care and general impediments to mobility.
  - 4) **Protecting the girls sexuality :**  
In certain cultures marrying a girl young presumes that girls family's honor will be protected by ensuring that the girl marries as a virgin. The imposition of family honor on a girls individuality, in essence robbing the girl of her honor and dignity undermines the credibility of family honor and instead underscores the presumed protections actual aim to control the girl.
  - 5) **Tradition :**  
Child marriage is a traditional practice that in many places happens simply because it has happened for generations. In some communities when girls start to menstruate they become women in the eyes of the community marriage is therefore the next step towards giving a girl status as a wife and mother.
  - 6) **Inadequate laws :**  
Many communities or countries have not laws against child marriage or the laws are not enforced such as Pakistan or India have laws against child marriage But the laws are not enforced. In Afghanistan a new law was written into the country's code enabling site or Hazara communities to impose their own form of family law – including permitting child marriage

#### Consequences of Child Marriage :

- 1) **Risk For HIV And Other Sexually Transmitted Diseases :**  
A common belief is that child marriage protects girls from promiscuity and therefore, diseases the reality is quite different married girls are more likely than unmarried girls to become infected with STD in particular HIV and human papilloma virus.
- 2) **Early Maternal Death :**  
Girls who marry earlier in life are less to be informed about reproductive issues and because of this pregnancy related deaths are known to be the leading cause of mortality among married girls between 15 & 19 years. Of age these girls are twice more likely to die in childbirth than girls between 20 & 24 years of age.
- 3) **Cervical Cancer :**  
Child marriage and polygamy play an important role in another deadly diseases cervical cancer. Common risks for cervical cancer are child marriage low socioeconomic status, poor access to health care and husbands who had multiple sex partners.
- 4) **Fertility Outcomes :**  
A study conducted in India by the international for institute of population sciences and macro International in 2005 and 2006 showed high fertility, low fertility control and poor fertility outcomes data within child marriages. 90.8% of young married women reported no use of a contraceptive prior to having their first child. Fertility rates are higher in slums than in urban areas.
- 5) **Effect On Offspring :**  
Child marriage affects more than the young girls. The next generation is also at higher risk for illness and death. Infant born to mothers under the age of 18 are 60% more likely to die in their first year than to mothers over age of 19 If the children survive they are more likely to suffer from low birth weight malnutrition and late development.
- 6) **Domestic Violence :**  
Young girls in a child marriage are more likely to experience Domestic Violence in their marriage as opposed to older women. Girls married before 18 years of age are twice as likely to be beaten, slapped or threatened by their husbands and more likely to experience sexual violence.



**Laws Against Child Marriage :**

**The Child Marriage Restraint Act 1929 :**

The child marriage restraint act also called the Sarda Act was a law to restrict the practice of child marriage It was enacted on 1 April 1930 extended across the whole nation. The object is to criminate the special evil which had the potentialities of dangers to the life and health of a female child who could not withstand the stress of married life and to avoid early deaths of such minor mothers. This act defined a male child as 21 years (originally 18) or young a female child as 18 years (originally 14) or younger The punishment for a male between 18 and 21 years marrying a child became imprisonment of to 15 days a fine 1,000 rupees or both the punishment for a parent or guardian of a child taking place in the marriage become imprisonment of up to there months or a possible fine It was amended in 1940 and 1978 to continue raising the ages of male and female children.

**The Prohibition Of Child Marriage Act 2006 :**

The Government of India brought the prohibition of child marriage Act ( PCMA) in 2006 and it came into effect on 1 November 2007 to address and fix the shortcomings of the child marriage restraint Act. This law states that men must be at least 21 years of age to marry

Under the prohibition of child marriage Act ( PCMA) 2006 the marriage between a man above 18 years of age with a woman below 18 years of age is punishable with imprisonment of two years. A fine of up to Rs. 1,00,000 or both.

**Role of Government to Prevent Child Marriage :**

The National ministry of women and child development as the nodal agency for women and children has developed a convergent national strategy and is currently drafting a plan of action on child marriage to guide all states in the implementation of strategies to prevent the problem key components, quality education and other opportunities, changing mindset and social norms, empowering adolescents, producing and sharing knowledge and data and monitoring.

UNICEF is working alongside the Government of India in efforts to prevent child marriage including the implementation of the convenient national strategy which includes

**Laws Enforcement :** Capacity building on laws support mechanisms such as a child marriage telephone hotline.

**Girls Empowerment :** Life skill, protection skills community mobilization – working with influential leaders, oaths and pledges, counseling folk and traditional media

**Promoting convergence :** Of sectors at all levels in particular with education and social protection schemes and programmes.

The Government of India is also implementing national programmes aimed at protecting and promoting the development of children At the same time there is algal framework to prevent child marriage and protect children.

**Conclusion :**

According to the Indian law is a marriage where either the women is below age 18 or the man is below age 21 most child marriage involve underage women. Many of whom are in poor socio – economic conditions child marriage is truly global problem that cuts across countries, religion and ethnicities child brides can be found in every region and ethnicities. Child brides can be found in every region in the world so the children families and communities changing their attitudes and behaviors to control the child marriage. Government should be strictly implemented the prohibition child marriage Act.

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