



Gender And Sex: Identity Issues- With Special Reference To Child Marriage

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	<p style="text-align: center;">Abstract</p> <p>Child marriage is definitely a global issue that cuts across all the countries, religions and ethnicities. According to United Nations International Children's Emergency Fund (UNICEF) report of 2021, 12 million girls marry before the age of 18 every year; 1 in 5 girls in the world are married before the age of 18; over 650 million women alive today were married as children. Marriage before the age of 18 is a fundamental violation of human rights. Child marriage negatively affects the growth of economy and can result in intergenerational cycle of poverty. As this burning problem suppresses the personality development of the younger ones, there is lot of attention needed to be eradicating this problem at the global level. The findings of the present study shows that illiteracy of the parents is the major cause of child marriage with 55%, followed by superstitious beliefs with 25%, economic hardships with 15% and lack of strict laws with 05%. Though there are many laws and several acts which restraint the child marriage, still the problem persists and the present study focuses on the causes of child marriage where the magnitude of the problem persists on a large scale. The present study focuses on the causes of child marriage that lead to personality deterioration of the children and also adverse effects on the health of children especially on girls. Lot of efforts are required from the communities, non-governmental organizations, government, legislature and strict implementation of laws in order to mitigate this problem from the society.</p>
CC License CC-BY-NC-SA 4.0	Keywords- <i>Child Marriage, Economic Hardships, Illiteracy, Implementation of Laws, Superstitious Beliefs</i>

Introduction

Child marriage is a very complex issue and its roots can be owed to gender inequality and the strong belief that girls are inferior to boys as India is predominantly characterized by patriarchal society. It is still made worse by lack of education, poverty, harmful social norms, and superstitious beliefs and so on. Child

marriage definitely results in threatening the lives, well-being, and personality development of the girls around the world.

UNICEF reports that each year, at least 1.5 million girls fewer than 18 get married in India, which contributes to the largest number of child brides in the world. Nearly 16 percent of the adolescent girls aged between 15-19 years are currently married. According to the data from the National Crime Records Bureau (NCRB) of 2020, Karnataka has the highest number of child marriages-185 in 2020 followed by Assam-138, West Bengal-98, Tamil Nadu-77 and Telangana-62.

According to the Karnataka Women and Child Welfare Department 2021, 2074 child marriages were prevented between February and November 2020 when covid-19 pandemic was at its peak. The highest number of child marriages recorded was in Bellary (218), followed by Mysuru (177), Belagavi (131) and Chikkaballapura and Chitradurga (107) each. In all these data it is identified that girls are more prone to child marriage when compared to boys according to the NCRB reports.

Though many legislative Acts have been passed in order to prevent child marriages, still there is lacuna in implementing laws strictly. Recently there was a Bill passed in Lok Sabha on December 21st 2021 by the Prohibition of Child Marriage (Amendment) Bill 2021, which seeks to increase the minimum legal age of marriage of girls from 18 to 21 years in order to curb the gender violence which is taking place in the name of child marriage.

Before looking into the core of the present study, let's understand what the meaning of child marriage is.

Definitions

In general, child marriage is any marriage where at least one of the parties is under 18 years of age.

Nathalie Johansson (2015) in Child Marriage- the Underlying Reasons and Possible Solutions defines child marriage as early form of marriage that leads to marriage between girls and boys who are below 18 years and 21 years respectively. She has also highlighted the causes and consequences of child marriage that results in downward progress in the personality development of the children.

Jennifer Parsons, Jeffrey Edmeades (2015) define child marriage is as any legal or customary union involving a boy or girl below the age of 18. This work also highlights the trauma and other mental disorders that the children undergo when they are forcefully married at a very young age.

Pintu Paul (2019) defines child marriage as the marriage which refers to a female marrying below the age of 18 and a male marrying before the age of 21. Though much legislation have been passed in order to prevent child marriages the problem still persists across the world.

According to United Nations International Children's Emergency Fund (UNICEF), child marriage is defined as a marriage of a girl or boy before the age of 18 and refers to both formal marriages and informal unions in which children under the age of 18 live with a partner as if married.

According to United Nations Organization (UNO), child marriage is any marriage where at least one of the parties is under 18 years of age. Forced marriage is a marriage in which one or both parties have not personally expressed their full and free consent to the union.

The Report titled "Early Marriage: A Harmful Traditional Practice," UNICEF (2022) used the term child marriage to refer to both formal marriages and informal unions in which a girl lives with a partner as if married before the age of 18.

According to National Legal Services Authority (NALSA) 2022, child marriage refers to a marriage in which the child is a minor and who has not completed the age of 18 years in case of female and not completed the age of 21 years in case of men.

The International Centre for Research on women (ICRW) and researchers such as Jensen and Thornton (2022) referred to child marriage as occurring before the age 18 in line with international convention.

According to The Prohibition of Child Marriage (Karnataka Amendment) Act, 2016 child marriage refers to any marriage of a child, i.e., a female aged below 18 years and a male below 21 years is void ab initio in the state of Karnataka. According to Child Rights and You (CRY), "Child marriage denies children, their basic right to good health, nutrition, education and freedom from violence, abuse and exploitation.

Features of Child Marriage

Weinberg (1971), while defining social problems as “behaviour patterns or conditions which arise from social processes and are considered so objectionable or undesirable by many members of a society that they recognize that corrective policies, programmes and services are necessary to cope with them” points to the following features. He also discusses the fact that child marriage is one such social problem and it has following features.

Objectionable Conditions- Social problems are conditions that are collectively defined as objectionable by many members of the community. Even child marriage arises due to certain objectionable conditions which the society never accepts. If not defined as reprehensible, adverse conditions too will not be considered as social problems. For example, until and unless a society recognizes and discusses the problems inherent in child marriage, it will not be regarded as a social problem.

Change with Interpretation- It will change when the concerned behaviour patterns are interpreted differently. Child marriage problem is considered disgraceful and it is seen as a type of deviant behaviour which requires social treatment.

Social in Origin- Child marriage problem is social in origin. It should be analysed in terms of the relationship it has with other social problems such as poverty, illiteracy, poor economic conditions and superstitious beliefs.

Vary historically- Social problems are related to time and space. In the same way child marriage also varies from place to place and time to time. It also depends on the historical background of the problem and it varies in time length also. The severity of the problem varies from region to region.

Factors Responsible For Child Marriage

Many sociologists always concern about the factors that are responsible for various social problems of the society among which even child marriage is one. Ram Ahuja (1992) has listed out certain factors that are responsible for the growth of child marriage which includes poor economic conditions, contradictions in social systems, lack of change in religious systems, interdependence of social problems among few.

T N Madan (2011) has identified how cultural traditions and sociological traditions lead to certain social problems in the society. Certain cultural and superstitious dogmas lead to the problem of child marriage which is the result of lack of awareness and lack of education among people especially among rural folk of India.

Child marriage is a bane in India. It has occurred since ages and is still prevailing due to the following reasons or factors...

Economic Factors- Child marriage is a social evil which hinders the economic growth of the country and it will also lead to intergenerational cycle of poverty. The girls and boys who are married at very young age lack certain skills, knowledge and job prospects which are essential to make their families come out of the vicious cycle of poverty which in turn will contribute for the country's social and economic growth.

Poverty- As the parents suffer from the vicious cycle of poverty they are forced to marry their children at young age in order to lower the burden of raising children especially girl child. Even the pandemic situation contributed for the drastic rise in child marriage in most of the states as many people lost their jobs during this situation and this made them to get rid of the burden of girls.

Insecurity- This is especially a major cause among girl child as it develops insecurity feeling among their parents in order to bear the responsibility of looking after a girl child especially after they attain the puberty stage.

Financial Reasons- As the family is facing lot of financial difficulties it will force them to marry their children at young age itself as they cannot take further responsibility of raising them. When compared to boys, girls are considered as burden to the families in which superstitious beliefs of the people plays an important role.

Lack of Education- This is one of the major factor as illiteracy leads to lack of awareness among parents who will marry their children at very young age. They are unaware of the negative consequences of child marriage. They do not have any knowledge that child marriage will have adverse effects on the health of children especially among girls who have to face both physiological and mental disorders.

Patriarchy and Gender Inequalities- As India is dominated by patriarchal system of society women are more vulnerable and they cannot question the authority of the male folk leading to gender inequalities. This will lead to the problem of child marriage. Due to this reason girls are forced to marry at very young age.

Inadequate implementation of the law- Though there are many legislative laws that have been passed to eradicate child marriage, the problem still continues to exist as the laws of child marriage are not effectively implemented in some districts and some states of India. Most of the child marriages are not registered which is the major drawback in eradicating this problem.

Impact of Pandemic Situation- Syed Hafizulla (2022) an education activist in the report of down to earth who works for the welfare of the children, said kids have become vulnerable to both sexual assault and child marriage following closure of schools for nearly 18 months due to covid. According to him, it is very unfortunate that the government has not taken any special measures to safeguard children, especially in rural areas.

In a nutshell it can be noticed that certain common factors that are responsible for child marriage are poverty, adverse economic conditions, lack of education, interdependence of certain factors that lead to child marriage and superstitious beliefs of the people. It is also noted that pandemic situation has also aggravated the problem of child marriage in many states among which even Karnataka is leading.

Theoretical Explanation of Gender and Sex

There are many theoretical explanations regarding gender violence. Some of the theories revolving gender violence are as follows-

Psychiatric Explanation- It was propounded by scholars such as Kempe(1972), Parke and Collmer(1975), link child abuse factors that will lead to personality defects or individual abnormalities. According to this theory, due to the unmet emotional needs of parents, the abuse on children takes place. The Socio-Cultural Explanation theory has identified several external factors or socio-demographic variables within any society causes child abuse. It may be the level of education, awareness, personality issues, superstitious beliefs and so on.

The Social- Situational Explanation identifies that the factors of stress and cultural norms lead to abuse of a child. Certain social and cultural factors lead to violence on girl child. Gil (1970) says social class, family size are the major factors for violence of women.

The Social Control Explanation theory was propounded by Gelles. According to him (2007), parents use violence against their children because they have no fear of being hit back. Thus violence is used when the cost of being violent is to be less than the rewards, the absence of effective social control over family relations decreases the cost and family structures reduce social control in family relations.

Theory of Change through Ecological Framework says the interdependence of various factors can be easily understood within an ecological framework, where a girl's life impacts and is impacted upon by factors that operate at various levels. There are five important layers that influence on a girl's life. These can be considered as five pillars of the theory of change intended to end child marriage: such as child, family, community, institutions and policies which are depicted in the following diagram. Interdependence among these five pillars can be visually seen in the following diagram which shows how each pillar impacts and is impacted by the other.

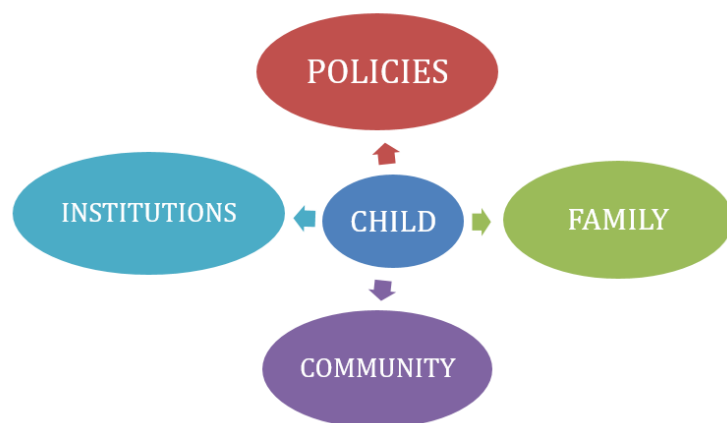


Figure 1: Five Pillars of the Theory of Change

Review of Literature-

Divya Soni (2008) focuses on the discrimination and violence faced by women and how the social and cultural aspects contribute for the child marriage. This book provides a thought provoking analysis of the reasons why such marriages, which effectively deprive children of their childhood, in particular the girl child, are allowed to take place.

Prabhat Singh (2014) highlights that child marriage is a curse on the life of girls as it deprives the right to education and child marriage also results in lot of health complications and it also affects their mental health.. It increases the risk of depression, sexually transmitted infection, cervical cancer, maternal mortality and so on.

Nadaba Sibanda (2015) describes the dangers of child marriage such as illiteracy, dependency, health complications, deterioration of personality and so on. It also highlights the importance of the strict legislations that should be implemented to eliminate this dangerous problem.

K P Yadav (2016) reports that in India 45% of girls are wedded below 18 years. Majority of the girls belong to lower economic groups and they are felt as dependents of the family. They are forced to get marry early as they are considered as major burden in the family.

Obrien de Carvalho Marcos (2016) highlights the lacuna of government policies and legislative policies in order to make any country free from the evil practice of child marriage. Child marriage is a universal problem that hinders the development of any nation.

Kameel Ahmady (2017) discusses on the problems of child marriage. He also identifies the various factors that contribute for the existence of child marriage. Poverty, illiteracy, lack of strict law of action, superstitious beliefs have resulted in increasing the numbers of child brides.

Deepu Krishna (2020) highlight the fact that the practice of child marriage is a violation of human rights.. Though many acts have been implemented towards the eradication of child marriage, the problem is still prevalent in our country. The Child Marriage Restraint Act of 1929 says that marrying before the age of 18 is illegal and it results in economic backwardness of the country.

UNICEF DATA, (October 2021) reports that Marriage before the age of 18 is a fundamental violation of human rights. Many factors interact to place a child at risk of marriage, including poverty, the perception that marriage will provide protection, family honor, and social norms, customary or religious laws that condemn the practice, an inadequate legislative framework and the state of a country's civil registration system. While the practice is more common among girls than boys, it is a violation of rights regardless of sex.

Karnataka Child Development Board report of 2021 reveals that though Karnataka is well placed in the economic indicators of the country, it's still lagging behind in social and cultural developments and India still follows the superstitious beliefs which results in unavoidable problems in the society.

Magnitude of the Problem of Child Marriage

United Nations Population Fund (UNFPA) reports, despite near-universal commitments to end child marriage, 21 percent of the girls are married before the age of 18, and on an average, 5 percent of girls are married before age 15 globally. Child marriage also leads to several health complications among girls. It affects her both physically and mentally. In developing countries, 9 out of 10 births to adolescent girls occur. It will also lead to pregnancy and child birth complications and sometimes causing death between the age group 15-19 year old girls.

The situation is not happier in India. UNICEF reports that every year, at least 1.5 million girls under the age group of 18 get married in India, leading to largest number of child brides in the world. It accounts for one third of the global total statistics. Nearly 16 percent adolescent girls aged 15-19 are married at current situation. Over half of child brides are present in the five states of India according to UNICEF reports. Uttar Pradesh, Bihar, West Bengal, Maharashtra and Madhya Pradesh among which Uttar Pradesh contributes for 36 million child brides according to 2020 UNICEF reports.

Though Karnataka's situation is better in terms of economic parameter, its still lagging behind in social indicator. National Crime Records Bureau (NCRB) in the year 2021 reports that Karnataka stands in number one position in terms of child marriage around 185 in 2020 and its 66 percent more than 111 cases recorded in 2019. In all these studies, it is very much significant to note that girls are the major victims of child marriage when compared to boys due to certain social and cultural environment of the particular region. The present study concentrates on the factors that contribute towards more number of child brides in the entire nation.

Research Gap

1. To understand the importance of Child Marriage Restraint Act of 1929 in order to eradicate the burning problem of child marriage.
2. To study the factors responsible of child marriage.
3. To understand the sex ratio that leads to more number of girls as victims of child marriage when compared to boys...

Research Objectives

1. To study the causes of child marriage.
2. To study factors that will lead to the high occurrence of child marriage among girls
3. To study the gender ratio with reference to child marriage in order to find out the ratio among girls is more when compared to boys.

Hypothesis

1. Poverty, Illiteracy and superstitious beliefs are the major causes of child marriage.
2. Girls are more susceptible to child marriage when compared to boys.

Research Methodology

The present study is based on the non doctrinal methods, relying on the secondary sources of data which includes reports, policy papers, judgements, government, UN agencies, and civil society and so on. The sampling was based on non-probability sampling and the works which are published by various agencies. It is mainly a qualitative study focusing on case study reports and narratives.

Findings

The reports of the various departments of the government show that girls are the major victims of child marriage and the causes of child marriage can be owed to illiteracy of the parents, superstitious beliefs, economic hardships and lack of strict laws. The major causes are reflected in the following table.

Table-1

SI No	Causes Of Child Marriage Among Girls	No	Percentage	Total
1	Illiteracy	55	55%	55%
2	Superstitious Beliefs	25	25%	25%
3	Economic Hardships	15	15%	15%
4	Lack Of Strict Laws	05	05%	05%
				100%

Source: UNICEF, NCRB, Karnataka women and child welfare dept. 2021

Conclusions and Suggestions

Child marriage is indeed an important topic due to several reasons.

1. Girls who are required to enter into marriage at an early age are at risk of domestic violence and abuse.
2. They cannot escape from the vicious cycle of poverty.
3. If they have children at very young age they have high risk of health complications, death in child birth and infant mortality.
4. Child brides are much more likely to drop out of school and complete fewer years of education than others who do not marry at an early marriage.

It is the high time to strictly implement the laws which will facilitate the eradication of child marriage. Children should be given right to education and they should be encouraged to develop their personality. Child marriage should be eradicated completely as it leads to lot of health complications among girls and also hindering their right to education and also to lead an independent life. If all the citizens of the country join hands with the government can definitely give a full stop to this critical and enrooted problem of the Indian society.

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