



Child Marriage as Perceived by Pandit Iswar Chandra Vidyasagar

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Abstract

COVID -19 pandemic has effected recently 191 countries in the world .In this period Grils have been facing the problem of early marriage, child abuse and unintended pregnancy. In this year 2020 we are celebrating the bicentenary birth year anniversary of Pandit Iswar Chandra Vidyasagar. In this study child marriage as perceived by Pandit Iswar Chandra Vidyasagar will be critically analysed with reference to present covid-19 situation . As per reports of UNICEF child marriage rates among women in India is 7% (married by 15years) and 27% (married by 18years) in the year 2017.This is very alarming. Study is a survey type, analytical in nature. Objective of the study are 1) To examine the present situation of child mage in our society.2) To Analysis the Child Marriage Act and Rules.3) To study the idea of Pandit Iswar Chandra Vidyasagar on Child marriage. Data is collected various secondary sources. Writing of Vidyasagar, online sources, journal. then analysing the data conclusion is reached. First child marriage Act was came in to force in 1891 after the long social reforms movement of Vidyasagar. After that age of girl's child has been increased in Various Act but till there is the incident of child marriage in India. There are many causes behind this child marriage yet to build a self reliant and Atmanirbhar Bharat we have to educate our girls and child marriage before the age of 18 years is a fundamental violation of human rights. The practices are more common among the girls than boys. It is a violation of rights of sex.

Key Words: COVID-19,RTE ACT -2009, Child Marriage, UNICEF.

Introduction:

COVID -19 pandemic has effected recently 191 countries in the world .In India 1.3 billion people are locked to their homes. In this situation stay home and safe home is the best. But it is ironically to women and girls. Report of National Crime Records Bauru and National Commission for Women has reflected that at this COVID -19 period crime against women has been increased. UNICEF already remarked that women and girls will be victimized in Education, Health and Gender based violence on the post Covid -19 period. Adolescent girls are the most venerable. They have to face the problem of early marriage, child abuse and unintended pregnancy. In this year 2020 we are celebrating the bicentenary birth year anniversary of Pandit Iswar Chandra Vidyasagar. In this study child marriage as perceived by Pandit Iswar Chandra Vidyasagar will be critically analysed with reference to present covid-19 situation. As per reports of UNICEF child marriage rates among women in India is 7% (married by 15years) and 27% (married by 18years) in the year 2017. Union Finance Minister Nirmala Sitharaman on his Budget session speech on 29 feb2020 said to frame a task force to considering the uprising the upper age limit of marriage of boys and girls for three year i.e. 18 to 21 years.

History of Child Marriage in India:

Child marriage was stated after the Muslim invasions Khalgi attacked India. They raped unmarried Hindu Girls. Hindu communities suggested child Marriage due to protect their daughter. Manusmrities told a father could not give his daughter married until she reached puberty. In South India They observed puberty ceremony before marriage from seven to nine years old. Magathinish wrote this in his Book "Indiaka". Child marriage has occurred due to poor economical condition of the family. Dowry is still practicing in India. In Karala Personal Law of Muslims has been challenged where 82% child marriage happened between the age group 13-18.

Raja Rammohon Roy was the first man who wanted to introduce the western education to reform the society of Bengal. Atmiya Sabha that was he founded was a open forum to discussion furious social problem like Idolatry, Castism, Polygamy, Sati and child marriage. later Radhakanta Dev supported the child marriage through Brahmo movements. Young Bengal came forwarded to discuss the matter of widow remarriage and child marriage issues. The Hindu Pioneer in 1835 published a article named "On women" regarding the social rights of women for their full fledged development. They wrote ' if education be spread among the women of this country, they will be like men, freed to do anything they please. Thronging of the shackles of superstition which now blind them.'

Much great personality was done child marriage. Such as

Sl No.	Name of Personality	Age of Marriage	Wife age
1.	Debendra Nath Takur	14	6
2.	Kashab Chandra Sen	18	9
3.	Bamkim Chandra Chatterjee	11	5
4.	Jotiridranath Thakur	19	8
5.	Bhudev Mukapadhay	16	11
6.	Satradranath Thakur	17	7
7.	Nabin Chandra Sen	19	10
8.	Iswar Chandra Vidyasagar	14	8
9.	Amitralal Basu	15	9

REVIEW OF LITERATURE:

Child marriage is a Global threat. As per **World Bank** report " Child marriage is also a critical challenge. Child brides are much more likely to drop out of school and complete fewer years of education than their peers who marry later. This affects the education and health of there children.as well as their ability to earn a living ." World Bank said" more than 41000 girls under the age of 18 marry every day and putting an end to the practice would increase women's expected education attainment .and with it their potential earnings. According to estimates ending child marriage could generate more than £500 billion in benefits annually each year."

Jasodhara Bagchi (1998) on Socialising the Girls child in Colonial Bengal .said the social reform movements that characterised the first half of the 19th century addressed itself predominantly to the "women question". If one looks as the major items listed under such social practices one realises why the girls child as the chief victim. Female infanticide, child marriage and the consequential suffering of the child widows and to cap it all."

As per report of **UNICEF** at least 1.5 million girls under 18 get married in India, 1/3 of total global child marriage. Total child brides in India is 16%adolescedgirls aged 15-19 are currently married. .

Year	Married before their 18 th birthday(Indian women)
2005-2006	47%
2015-2016	27%

- 1) Active gender equality and empower all women and girls.
- 2) Eliminate all harmful practice such as child early and forced marriage and female genital mutilation.

- 3) Indian Human Development Survey 2004 -05 remarked that 95% of Indian women are married by age of 25.

Year	Mean Age of Marriage of women
1961	16.1
1991	19.3
1998-99	19.7

Source: Survey DLHS 2007-2008

Zafar (2014) During his lifetime ,Vidyasagar campaigned against Kunil Brahim polygamy, Child marriage and prostitution. He also argued strongly in favour of women's education.

Hatcher (2013) in his paper remarks that “Vidyasagar perhaps inadvertently also created for Bengali women an identically predicated on pre –existing patriarchal norms ,norms that supported an ethos of female powerlessness ,if this is so one might well ask whether the Shakuntala Paradim, ever with its central message of recognition ,could ensure for Bengali women a new kind of agency. He was truly “friends of the Powerless”.

Mitra,Chandra,Subal (1902) remarked “Vidyasagar's maturely gentle and compassionate heart was moved at the sight of the tender –agent ,young widows suffering rigorous hardships, and he was firmly resolved to devote his life to the cause of the remarriage of Hindu widows ,as in days past.”

Definition of Important Terms:

COVID -19: Noval Coronavirus is termed as COVID 19 as it caused the epidemic all over the country at present 5.5 lacks people are died in this virus. An outbreak of Noval corona virus is on going in China and it exported cases have been reported from other countries internationally. Coronavirus illness ranging from common cold to more sever diseases such as Middle East Respiratory Syndrome (MERS) Cov and severe Acute Respiratory Syndrome (SARS-COV).

RTE ACT 2009: The Right to children to free and compulsory education Act 2009..It came into the force 1st April 2010 in India. In chapter V section 29 it is endorsed “ making the child free of fear trauma and anxiety and helping the child to express views freely. It is applicable up to elementary level education.

UNICEF: United Nations International Children's Emargency Fund. The main aim of the organisation are to aiding national efforts to improve the health, nutrition ,education and general welfare. of the children. They issues many advisory to the girls and children in the Covid -19 period.

Hindu Marriage: A marriage may be solemnized between any two Hindus if they fulfill all the condition as laid down in the Hindu Marriage Act. From the patriarchal society of Rig Vedic Hindus, marriage was considered as a sacramental union. Whether such rites and ceremonies include the Saptpadi (The taking of seven steps by the bridegroom and the bride jointly before the sacred fire) the marriage becomes complete and binding when the seventh step is taken.

Child Marriage: A Marriage is consider the child marriage if the age of persons concerned do not attend the stipulated minimum age as defined in the Hindu Marriage Act 2006.The minimum age of bride and bridegroom should be 18years and 21 years respectively.

Objectives of the study:

- 1) To examine the present situation of child mage in our society.
- 2) To Analysis the Child Marriage Act and Rules.
- 3) To study the idea of Pandit Iswar Chandra Vidyasagar on Child marriage.

Population and Sample: Population of the study is all the girls who have been married below the age of eighteen. Sample is taking from West Bengal state.

Data and Sources Data: Secondary data is collected from writing Vidyasagar, journal and online sources.

Methodology: This paper is a analytical survey type. Findings are reached from analyzing the data.

Analysis and Findings:

The present situation of child mage in our society:

Covid 19 pandemic has affected the world economy .At present 89% of total population of students enrolled in education institution are out of schools nearly 4/5 months. There are total 743 million girls, over 111 million of these girls are belongs to developing and least developing country's (as per report UNICEF, June, 2020.)In this contexts all girls are suffering poverty, economic vulnerability and gender disparities in education and social sector. Most families have no capacity to provide food to their children during pandemic. So child labour, early marriage, child abuse and human trafficking will be increased in post Covid -19 period. Child marriage negatively affects the Indian economy and can lead to an intergenerational cycle of poverty.

In our society there many causes behind the child marriage, such as :

Sl No.	Causes of child Marriage
1.	Traditional System
2.	Poverty and low economic income of the family
3.	Large family members
4.	Demand of Dowry
5.	Level of education
6.	Loss of Household Labour and Migrant Labour due to COVID-19
7.	Out of School due to long day lockdown
8.	Pre Marital Sex
9.	Violence against women
10.	Safety and security problem of Girls

Percentage of women married before the age of 18 is given below:

State	women married before the age of 18	State	women married before the age of 18
Bihar	68.2	Rajasthan	57.6
Jharkhand	55.7	Uttar Pradesh	54.9
West Bengal	54.8	Madhya Pradesh	5.38
Chattrishgarh	45.2	Orissa	37.5

Analysis the Child Marriage Act and Rules:

Indian Penal code enacted in 1860 criminalised any sexual intercourse with a girl below the age of 10.

The Child Marriage Restraint Act, 1929(came force 1st April 1930)

Section	Punishment
Section 3	Punishment for male adult below twenty one year of age marrying a child. Simple imprisonment 15 days + fine one thousand rupees
Section 4	Simple imprisonment 90 days + fine one thousand rupees
Section 5	Punishment for solemnising a Child Marriage Simple imprisonment 15 days + fine
Section 6	Punishment for parent or guardian concerned in a child marriage. Simple imprisonment 15 days + fine
Section 7	Offences to be cognizable for certain purpose.

Section 11:-replaced by the child marriage restraint (Amendment) Act 1949

Main points of Prohibition of Child marriage Act, 2006 as follows:

Section	Punishment
Section 9	Punishment for male adult marrying a child. Rigorous imprisonment which may extend to 2 years + fine one lakh both.
Section 10	Punishment for solemnising a child marriage. Rigorous imprisonment which may extend to 2 years + fine one lakh both.
Section 11	Punishment for promoting or permitting solemnisation of child Marriage. Rigorous imprisonment which may extend to 2 years + fine one lakh both.
Section 12	Marriage of minor child to be void in certain circumstances.

Role of Pandit Iswarchandra Vidyasagar on Child Marriage:

Adhikari remarked Vidyasagar as Women's Liberation in his writings "Vidyasagar was determined to liberate Hindu women from the chains of evil customs and cruel clutch of so called moralities." As in the Hindu religious text Smriti, marrying a daughter at the age of eight makes a man holy and marrying her at the age nine makes a man as sacred as one becomes if a plot of land is denoted to a landless man. while marrying the daughter at the age of ten makes a manas holy as to live in haven after death. Vidyasagar wrote his first tract against child marriage in the title 'Balyavivaher Dosh' in Sarvashubhakarit Patrika (1850). He pointed two basic points against-

- 1) Child marriage will adversely affect on the health of the bride. And it reduces the education among the girls.
- 2) The child bride faces the
- 3) Danger in early widowhood.
- 4) Both husband and wife mind are not mature so the marriage did not fulfil the marital love.

It was perhaps the most difficult task in the 19th century in Bengal. First Widow Remarriage took place on 7th Dec 1856. The bride was Smt Kalimati 10 years widow girls. She had become a widow at the age of 6 years old.

Vidyasagar dabbled the scriptural precepts on institutions as illusory and rubbish /gibberish/ nonsensical and refuted the scriptural arguments by the scriptures themselves. To uplift the status of female Vidyasagar understood the necessity for the reformation of Bengali Marriage Act

Vidyasagar made a declaration for the Guardians of the female child. It was reflected the Vidyasagar Vision and mission about the social reforms in 19th century in Bengal. Perhaps it was the first time in world. In this Declaration form 127 his follower made signs. There was written that-

- i) I shall give the education to my female child.
- ii) I does not marry my daughter below 11 years old.
- iii) I give my daughter to the good bride without considering Kuniln & cast etc.
- iv) I give remarriage my daughter if she became widow.
- v) I shall not give marry my son within 18 years old.

Age Consent Act 1891 was passed after the long movement of 19th century by Vidyasagar and others. This Act endorsed the age of consent for sexual intercourse for all girls married or unmarried for 10-12 years in all jurisdictions. If it violates It was treated as criminal prosecution as rape.

Conclusion:

We have passed 200 hundred years after Vidyasagar .After that marriage age of the girls has been increased through various Act but till there is the incident of child marriage in India. There are many causes behind this child marriage yet to build a self reliant and Atmanirbhar Bharat we have to educate our girls as per RTE Act 2009 guidelines and child marriage before the age of 18 years is a fundamental violation of human rights. The practices are more common among the girls than boys. It is a violation of rights of sex. Some Muslim Indian organisation are seeking no minimum age and the age matter be left to their personal law in the case of child marriage. Roll of NGO ,Child Line ,Police and BDO should be prompt on child marriage .there are many Government scheme like Bati Bacho Bati Parao and kanayashree are very effective to reduce the child marriage. But post COVID situation there is a tendency to initiate the child marriage due to economic breakdown of the society . Girls children from migrant labour and families of socially disadvantage groups are very mesarable. We should always remember the idea of Vidyasagar on the Child marriage.

References:

- Adhikari, K,S.(1980) *Vidyasagar and the Regeneration of Bengal*, Subarnarekha ,Calcutta 9 pp-47.
- Mitra,C,S. (1902) *Iswar Chandra Vidyasagar :A story of his life and work*. Ashis Publication New Delhi.pp-260.
- Hatcher, A, Brian (2013) The Shakuntala paradigm : Vidyasagar ,Widow marriage , and the morality of Recognition, *The Journal of Hindu Studies Advance Access Published* Sep 2013 pp-13.
- Zafar ,M (2014) social reform in Colonial Bengal : Revisiting Vidyasagar , Philosophy and Progress :Vols LV-LVI January –June ,July –Dec , pp-111
- Aggarwal, J. C., & Gupta, S. (2010). *Right to Education and Revitalizing Education* .Shipra Pub. Delhi.
- Bandyopadhyaya , Chandicharan (1929),*Vidyasaar (in Bengali)* .S.K. Lahiri and Co.Calcutta.
- Bagchi,Jasodhara.(1993) Socialising the Girls child in Colonial Bengal. *Economic and Political Weekly* , New Delhi .8 ,OCT,1993.
- Bhattacharia,Ramkrishana . (2011) . *Vidyasagar Nana Pasangha* .Chirayata Prakasani.p-113.
- Government of India.(2000). *The Right of children to Free and Compulsory Education for Children* .New Delhi; GOI
- Government of India.(1883-84) Indian Education Commission .Report and Appendices . Calcutta.
- Halder,G. (1972) *Vidyasagar A Reassessment* ,West Bengal Public Library Network.R
- Hatcher,B.A, (2013) .the Shakuntala Paradigm: Vidyasagar ,Widow Marriage, and The Morality of Recognition , *The Journal of Hindu Studies* .New Delhi.Vol-5.
- Mitra,Indra (September 2001) , *Karunasagar Vidyasagar* ,Ananda Pulishers .Calcutta.

Roy ,K.A. Ishwar Chandra Vidyasagar : The Champion Educator of Bengal .*The Research*

Journal of Social Sciences ,November 2018 ,Vol. 9 No-11.

Shrivavastava S,R.,Shrivastava, P,S,. and Ramasamy, J. (2016) Ending Child Marriage

:Battling for a Girls’ Right to chose. *Primary Health Care* (2016) Vol-6,Issue -1.

Sen,Asok . (2016) *Iswar Chandra Vidyasagar and His Elusive Milestones* ,Ashoka University.New Delhi.

Zafar ,manmay . Social Reform in Colonial Bengal Revisiting Vidyasagar. *Philosophy and*

Progress .Vol –LV-LVI 2014, Jan-June ,July-Dec.

Impact of COVID-19 on Violence against women and Girls and service provision Retrieved

July 12 from <http://www.unwomen.org> 2020/04

Gender and COVID 18 (Coronavirious) World Bank Group. Retrieved July 12 from <http://www.worldbank.org>.

