



Abolishing Child Marriage In Assam: An Analytical View

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Abstract:

Children's rights are human rights. Children are akin to stars, each shining uniquely. They carry the future within their grasp, and we must nurture and safeguard their aspirations. However, child rights violations persist in society, notably child marriage being a significant social problem driven by socio-economic, cultural, and regional factors. This practice impacts not only specific communities but the entire human civilization. Despite laws in India to curb child marriage, the phenomenon persists, disrupting childhoods and hindering children's development. This paper examines the causes and consequences of child marriage in Assam, as well as government and community initiatives aimed at addressing and eradicating it.

Keywords: Child Marriage, Gender, Inequality, Poverty, Illiteracy, tradition, Assam, etc.

Introduction: Child marriage refers to "early marriage" or "forced marriage,". In developing countries like India, girls rarely experience a carefree adolescence. Instead, they are often compelled to transition directly from childhood to womanhood. Internationally, child marriage is defined as marriage before 18 years of age, which is considered a violation of human rights by UNICEF. The prevalence of child marriage among girls is sixth time greater than that among boys [1]. Many factors contribute to child marriage in Indian society, including social backwardness, cultural practices, and religious traditions. However, the practice leads to various negative effects, such as health risks due to early childbearing, domestic violence, sexual abuse, social isolation, and a lack of access to education for both girls and boys.

In India, child marriage was first defined and addressed by the British in 1860. They set the age of consent at 10 years old, later the Age of Consent Act in 1891, raising the marriage age for girls to 12. Later, in 1929, the age was increased to 14 for girls and 18 for boys due to pressure from social reform movements. After India gained independence, laws were further amended. In 1949, the age for girls was set at 15 under the Child Marriage Restraint Act, also known as the Sharda Act. Then, in 1978, the age was raised to 18 for women and 21 for men. Finally, in 2006, the Prohibition of Child Marriage Act established 18 as the minimum age for marriage for women and 21 for men. The Prohibition of Child Marriage Act of 2006 defines a child as a person who, if male, has not completed twenty-one years of age, and if female, has not completed eighteen years.

In Assam, the prevalence of child marriage is primarily attributed to entrenched patriarchal mindsets and limited access to education, perpetuating gender inequality and resulting in significant effects such as health risks associated with early pregnancy. To tackle this issue, the Assam Government has implemented policies aimed at preventing child marriage and aims to abolish it by 2026.

Objectives: The main objectives of the study are -

1. To identify the causes and consequences of child marriage.
2. To find out the measures taken by the government to combat child marriage in contemporary Assam.
3. To understand the communities' responsibility towards addressing child marriage.

Methodology:

This study adopts a descriptive approach and relies solely on secondary sources of data, including articles, books, journals, government portals, speeches of the current chief minister, newspapers, and internet websites.

Causes of child marriage:

Customs and Traditions: Customs and traditions are another reason for child marriage. Social norms promoted by communities deeply root child marriage in religious beliefs and customs. These traditions often pressure parents to marry their daughters at an early age, sometimes as soon as they reach puberty. Marrying daughters early is seen as a way to reduce dowry costs. Besides, illiterate parents may not go against these social norms due to societal pressure. Therefore, social customs and traditions compel parents to marry off their daughters early.

Illiteracy: Parental illiteracy promotes child marriage as they often don't grasp its adverse effects or their daughters' rights. They adhere to social norms and traditions, lacking awareness or questioning them. Limited educational opportunities for girls, especially in rural areas, heighten their vulnerability to early marriage. In India's patriarchal society, a girl's education is often secondary to her household duties, reducing her ability to resist marriage and pursue other aspirations.

Poverty: In poor and big families, girls often get married early to reduce the family's expenses. This means there are fewer people to feed, clothe, shelter, and take care of. When families don't have much money, they see early marriage as a way to save money and help their daughters escape such poverty.

Control over a girl's sexuality: Child marriage can be seen as a solution to financial problems by passing the responsibility to the husband's family. Child marriage is also driven by patriarchal values and the desire to control female sexuality; for instance, how she should dress, how a girl should behave, who she should be allowed to see, talk, to marry, etc. Families enforce strict control over their daughters' sexuality and virginity to preserve family honor. Girls face shame and dishonor if they engage in relationships or become pregnant outside of marriage.

Gender inequality: Gender inequality drives child marriage in communities where girls are undervalued and seen as financial burdens. Patriarchal norms prioritize boys' education and health, leading families to marry off

girls early to reduce costs. This lack of education perpetuates poverty, depriving girls of opportunities for self-sufficiency.

Dowry: Dowry concerns drive child marriage, especially in regions like India where it's customary. As daughters age, the dowry demand increases, pressuring families to marry them off early to reduce costs. In Assam, though not traditional, demands for dowry are rising post-marriage, leading to mistreatment of brides if not met.

Lack of awareness: Lack of awareness contributes to child marriage, with many victims and parents unaware of legal marriage ages. Although now informed about legal ages, they remain unaware of the health consequences and stigma associated with child marriage. Education, healthcare, and public awareness are crucial to combat this issue.

Effects of Child Marriage:

Domestic Violence: Child marriage fosters domestic violence through physical, psychological, and emotional abuse, along with social isolation. It leads to severe health issues and perpetuates a cycle of violence across generations. Child brides suffer from heightened risks of physical harm, emotional manipulation, restricted social interactions, and adverse health outcomes.

Loss of Education: Child marriage leads to the loss of education for girls, as they are expected to prioritize household responsibilities over schooling. Access to education influences marriage timing more than marriage affects access to education. Once married, girls often cannot return to school, underscoring the importance of quality education in preventing child marriages.

Effects on health: Child marriage is an early marriage that occurs before individuals reach the legal age, and it has mental and physical impacts on both boys and girls. Child marriages result in early pregnancies, leading to various health risks such as obstetric complications, hypertension, higher mortality rates, premature delivery, miscarriages, and stillbirths. Newborns may have lower birth weights. Lack of contraceptive awareness increases the likelihood of sexually transmitted diseases, including HIV/AIDS, among girls.

Initiatives to Combat Child Marriage in Assam:

In Assam, child marriage persists due to entrenched patriarchal mindsets, social norms, cultural practices, and traditions, leading to numerous challenges for both boys and girls, including human rights violations, gender-based violence, teenage pregnancies, and barriers to quality education. Over the years, successive governments, including those led by Tarun Gogoi, Sarbananda Sonowal, and Himanta Biswa Sarma, have initiated legislative reforms and awareness campaigns to address this issue and work towards abolishing child marriage in Assam.

One of the aims of the Tarun Gogoi government was to make Assam a child marriage-free state. The government directed all relevant departments to conduct an extensive study on the prevalence of child marriage in the state in consultation with the Kailash Satyarthi Children's Foundation and UNICEF.

The Assam Government has repealed the Muslim Marriage & Divorce Registration Act of 1935 to combat child marriage and polygamy in Assam. CM Himanta Biswa Sarma said, "As long as I am alive, I will not let child marriage take place in Assam"[Sarma]¹. The Assam cabinet made a significant decision to repeal the age-old

Assam Muslim Marriages & Divorces Registration Act. This act contained provisions allowing marriage registration even if the bride and groom had not reached the legal ages of 18 and 21, as required by law. This move marks another significant step towards prohibiting child marriages in Assam. The State Government stated they are repealing old laws to stop child marriage, especially in Muslim communities. They hope this change will help end the practice of marrying girls under 18 and boys under 21, which is a big step towards social reform.

An awareness campaign against child marriage is also underway. In 20 districts, hundreds of villages are holding awareness programs. Officials and stakeholders have been urged to join the 'Child Marriage Free India' campaign. The aim is to make Assam free of child marriage by 2026. According to the National Family Health Survey, 31.8% of women in Assam were married before 18. The government is taking action, making arrests, allocating funds, and even considering banning polygamy to stop child marriage.

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Role of the communities:

The communities play a crucial role in eradicating child marriage and bear a significant responsibility in this endeavor from social awareness to collaboration with authorities and NGOs.

Social Awareness: Communities raise awareness about the harms of child marriage through campaigns and educational programs, aiming to change perceptions and foster rejection of the practice.

Developing Scientific Temperament: Communities promote critical thinking skills, empowering individuals to question traditional beliefs, including child marriage, through quality education and intellectual curiosity.

Challenging Cultural Norms: Communities foster discussions challenging cultural norms that perpetuate child marriage, promoting dialogue and introspection for long-term social change.

Promoting Gender Equality: Communities advocate for girls' education and equal opportunities, challenging discriminatory practices that fuel child marriage.

Engaging Community Leaders: Community leaders are engaged in educational initiatives and advocacy efforts to address root causes, catalyzing community-wide action.

Informing Authorities: Communities provide valuable information to authorities on child marriage cases, advocating for legal enforcement and protection mechanisms.

Collaboration Among Communities: Communities collaborate with diverse stakeholders, sharing resources and strategies to effectively address child marriage.

Policy Advocacy: Communities pressure policymakers to enact and enforce laws prohibiting child marriage, ensuring responsive policy responses.

NGO Partnerships: Communities collaborate with NGOs to access resources and expertise, enhancing efforts to tackle the root causes and consequences of child marriage.

Conclusion: Child marriage is a pervasive social issue with multiple factors contributing to its prevalence. It is a problem faced by societies, individuals, and communities worldwide, particularly in developing countries like India where child marriage acts as a significant barrier to national development. Assam, too, grapples with this issue. The Assam Government has taken initiatives to combat child marriage through policy actions and welfare schemes. For instance, scholarships for girls aim to provide them with quality education, while provisions like gold assistance upon legal marriage age are in place. Despite these efforts, failures are sometimes observed. Hence, the government should continually strive to implement better initiatives to eradicate child marriage and persist in their efforts to combat this evil practice.

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