

CHILD MARRIAGE IN KARNATAKA: UNDERSTANDING CAUSES AND CONSEQUENCES

DR.NAGENDRA N

Department of Development studies, Kannada University, Hampi, Vidyaranya.

Abstract:

Marriage serves as a pivotal social institution, playing a crucial role in establishing families and perpetuating societal norms through symbolic rituals. However, the prevalence of child marriage, particularly in Karnataka, presents a concerning trend. With 418 reported cases in the 2021-22 period alone, marking a staggering 300% increase from 2017-18, experts attribute this surge to pandemic-induced economic uncertainties, notably impacting rural families grappling with job losses. Over the past five years, Karnataka witnessed 1,065 instances of child marriages, accompanied by 10,352 related complaints, highlighting the widespread nature of this issue, especially in districts like Mandya, Hassan, Bengaluru Rural, and Mysuru. Despite concerted prevention efforts, 419 marriages occurred amidst 2,819 complaints in 2021-22, prompting 389 FIRs by law enforcement agencies. Former chairperson of the Karnataka State Commission for Protection of Child Rights, Kripa Alva, links this trend to heightened unemployment and financial insecurity post-COVID-19. This article endeavors to delve into the multifaceted phenomenon of child marriage in Karnataka, aiming to unravel its underlying causes and profound consequences. Through an exploration of the social, cultural, economic, and legal dynamics perpetuating this harmful practice, it seeks to shed light on its detrimental impacts on individuals, families, and communities.

Keywords: Karnataka, Child Marriage, Social factors, Poverty, Constitutional safeguards.

INTRODUCTION

Child marriage persists as a pressing issue within Indian society, despite legal amendments setting the minimum marriage age for females at 18.

Shockingly, a significant proportion of adolescent girls aged 15-19 are still married, with every third girl falling into this category, and every second married

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adolescent having given birth. According to the Registrar General of India (RGI) Report (2001), Rajasthan tops the list with 40.8% of females in the 15-19 age group ever married, followed by Bihar (39.6%), Madhya Pradesh (34.1%), Jharkhand (32.9%), and Andhra Pradesh (32.3%). Bhilwara district in Rajasthan stands out with a staggering 61.9% rate of child marriages among various districts. (Suresh Lal, 2015)

Child marriage, deeply entrenched in Indian society for centuries, reflects a complex interplay of religious traditions, social norms, economic factors, and ingrained biases. Despite its historical roots, child marriage represents a grave violation of human rights, inflicting lasting physical, psychological, and emotional trauma. Early onset of sexual activity following marriage, coupled with early pregnancies and childbirth, significantly heightens risks of maternal and infant mortality. Additionally, women married at a young age are more susceptible to experiencing domestic violence within marital settings.

In terms of prevalence, India has one of the highest rates of child marriage globally, with a significant proportion of marriages occurring before the legal age of 18 for girls and 21 for boys. While there has been progress in reducing child marriage rates over the years, particularly in urban areas and among certain socio-economic groups, disparities persist across regions and communities.

According to UNICEF, approximately 27% of girls in India are married before the age of 18, with 7% marrying before the age of 15. This prevalence varies across regions, with states like Bihar, West Bengal, and Rajasthan reporting higher rates compared to others. Moreover, while both boys and girls are affected, girls bear the brunt of this practice disproportionately. National Family Health Survey (NFHS-4) data indicates that around 26.8% of girls aged 20-24 were married before 18, compared to only 2.3% of boys. Rural areas also experience higher rates of child marriage, with around 29% of rural girls marrying before 18, compared to 19% in urban areas according to NFHS-4.

OBJECTIVES OF THE STUDY

- Identify factors influencing child marriages
- Examine the implications of child marriage
- Analyze constitutional and legal measures against child marriage and their implementation

METHODS OF THE STUDY

The current study conducted an analysis using secondary data, covering various issues like poverty, domestic violence, poor understanding, level of management and their living standard of the wedded girl children.

CHILD MARRIAGE IN KARNATAKA

In 2021, a total of 149,404 crimes against children were reported in India, averaging 409 cases recorded each day

throughout the year. Among these, 1,050 cases were registered under the Prohibition of Child Marriage Act, affecting 1,062 children. Karnataka accounted for approximately 5% of all reported crimes against children in the country, with 7,261 cases recorded, positioning the state as the 7th highest contributor to such crimes nationwide. Comparing these figures to the previous year reveals a concerning trend, with Karnataka witnessing a 33% surge in total crimes against children from 5,471 in 2020. Specifically, the number of victims of child marriage escalated by 49%, rising from 185 in 2020 to 276 in 2021, surpassing the national average increase of 34% during the same period, from 792 victims in 2020 to 1,062 in 2021.

Child marriage (i.e., marriage of girls below the age of 18 and boys below the age of 21) in India is one of the most serious crimes committed against children. It is prevalent in most of the States/UTs despite a law (Prohibition of Child Marriage Act, 2006) to root it out. Child marriage ends childhood and puts children at high risk of violence, exploitation, and abuse. It also adversely impacts their rights to education, health and protection.

Over the past three years, Karnataka has witnessed a concerning rise in the number of child marriage victims, increasing from 111 in 2019 to 276 in 2021, marking a significant surge of 149%. While there has been a slight improvement nationwide, with a 3.5

percentage point decrease in the prevalence of child marriage among women aged 20-24 between 2015-16 and 2019-21 (from 26.8% to 23.3%), Karnataka has only seen a marginal reduction of 0.1 percentage point during the same period, from 21.4% to 21.3%.

According to the 2011 Census, nearly 4.8 lakh children in Karnataka were married before reaching the legal age of marriage, constituting approximately 4% of all married children in the country. However, data from the National Crime Records Bureau (NCRB) indicates that only 572 cases of child marriage were registered in the state under the Prohibition of Child Marriage Act during 2019-21, suggesting significant underreporting of this illegal practice. Court disposal of cases under Prohibition of Child Marriage Act:

In India, the conviction rate for child marriage cases is alarmingly low, standing at a mere 10%, which is the lowest among all types of crimes committed against children. In 2019, 2020, and 2021, only 12 (out of 1,640), 6 (out of 2,092), and 10 (out of 2,865) cases respectively resulted in convictions. As of the end of 2021, an overwhelming 96% of child marriage cases in the country were pending trial, with 2,761 out of 2,865 cases awaiting resolution. This backlog of cases highlights the significant challenges in the legal system's ability to effectively address and prosecute perpetrators of child marriage, further exacerbating the issue's persistence and prevalence.

(Kailash Satyarthi Children's Foundation, 2022)

FACTORS INFLUENCING CHILD MARRIAGES

Several factors contribute to the persistence of child marriage in India. Poverty plays a significant role, with families often marrying off their daughters at a young age due to financial hardship or to reduce the economic burden. Gender inequality and traditional norms that prioritize early marriage for girls further perpetuate the practice. Additionally, lack of access to education, particularly for girls, and limited awareness about the harmful effects of child marriage contribute to its prevalence.

Sociocultural Factors

In Indian societies, marriage is deeply intertwined with cultural traditions and norms that prioritize family honor and gender roles. For example, in some communities, early marriage is seen as a way to preserve family honor and ensure social status. Gender norms that place greater value on boys over girls can also contribute to the acceptance of child marriage, as families may prioritize marrying off their daughters at a young age.

Poverty

Economic insecurity can drive families to resort to child marriage as a coping mechanism. Poverty limits opportunities for education and employment, leading families to view marriage as a way to reduce financial strain. Additionally, the

practice of dowry or bride price in certain cultures may lead families to marry off their daughters at a young age in exchange for financial support.

Lack of Education

Limited access to education, especially for girls, perpetuates the cycle of poverty and reinforces traditional gender roles. Without education, girls may lack the knowledge and resources to challenge the practice of child marriage or pursue alternative opportunities. Families may prioritize marriage over education for their daughters due to societal expectations or economic constraints.

Gender Inequality

Deep-rooted gender inequalities, including discriminatory attitudes towards girls and women, contribute to the prevalence of child marriage. In many communities, girls are considered to be of lesser value than boys and are often denied opportunities for personal development and autonomy. This unequal power dynamic within households and communities leaves girls vulnerable to early marriage and restricts their ability to make decisions about their own lives.

Family Dynamics

Pressures from family members, including parents or relatives, can play a significant role in perpetuating child marriage. Families may believe that marrying off their daughters at a young age will protect them from premarital relationships or provide financial security. Additionally, social pressure to conform

to cultural norms and traditions may compel families to arrange marriages for their children, regardless of the potential harm.

Legal Loopholes

Weak enforcement of existing laws and legal loopholes contribute to the persistence of child marriage. While laws may exist to prohibit child marriage, they are often not effectively enforced or may contain exceptions that allow the practice to continue under certain circumstances. Inadequate access to legal resources and services further exacerbates the problem, leaving girls and their families with limited recourse to challenge child marriage.

IMPLICATIONS OF CHILD MARRIAGE

Health Risks

Child brides, particularly girls, face significant health risks due to early and frequent pregnancies. Their bodies are often not fully developed, increasing the likelihood of complications during pregnancy and childbirth. This can result in maternal mortality, pregnancy-related injuries, and adverse health outcomes for both mother and child.

Educational Disruption

Child marriage often disrupts a girl's education, as she is expected to assume domestic responsibilities and start a family. This deprives girls of the opportunity to complete their schooling and limits their future prospects for employment and economic independence.

Lack of education perpetuates cycles of poverty and reinforces gender inequalities.

Economic Vulnerability

Child brides are often economically dependent on their husbands and families, as they lack the education and skills needed to secure stable employment. This leaves them vulnerable to financial exploitation and limits their ability to support themselves and their children. Economic vulnerability perpetuates cycles of poverty and social marginalization.

Gender Inequality

Child marriage perpetuates gender inequalities by reinforcing traditional gender roles and power dynamics. Girls are often married off to older men who exert control over their lives, limiting their autonomy and agency. This perpetuates the subordinate status of women and girls in society and denies them opportunities for empowerment and self-determination.

Social Isolation

Child brides often experience social isolation and exclusion from their peer groups and communities. They may be forced to leave school, cut ties with friends and family, and assume adult responsibilities at a young age. This isolation can have negative impacts on their mental health and well-being, leading to feelings of loneliness, depression, and anxiety.

Human Rights Violations

Child marriage constitutes a gross violation of human rights, denying

children their right to a safe and healthy childhood, education, and freedom from exploitation. It undermines international human rights standards and perpetuates cycles of gender-based violence and discrimination.

CONSTITUTIONAL AND LEGAL MEASURES AGAINST CHILD MARRIAGE

Constitutional and legal measures against child marriage in India are designed to combat this deeply entrenched practice and safeguard the rights and well-being of children. Let's delve deeper into these measures and their implementation:

Prohibition of Child Marriage Act, 2006

This legislation is the primary legal framework aimed at preventing and prohibiting child marriage. It establishes the legal age of marriage as 18 for females and 21 for males, making it a punishable offense to solemnize, facilitate, or participate in child marriages. The Act also provides for annulment of child marriages and rehabilitation of victims. While the Act provides a strong legal foundation, challenges remain in its implementation, including awareness-raising efforts, enforcement, and accessibility to legal remedies, particularly in rural and marginalized communities.

National Plan of Action for Children, 2016

This government initiative outlines a comprehensive strategy for protecting the rights of children, including measures to prevent and address child marriage. It emphasizes collaboration between

government agencies, civil society organizations, and communities to combat child marriage through awareness-raising campaigns, capacity-building programs, and support services for victims. However, effective implementation requires sustained political will, resource allocation, and coordination among stakeholders at the national, state, and local levels.

Protection of Children from Sexual Offences (POCSO) Act, 2012

While primarily aimed at addressing sexual abuse and exploitation of children, the POCSO Act also recognizes child marriage as a form of sexual abuse. It defines child marriage as a criminal offense and imposes stringent penalties on offenders. However, challenges such as underreporting, social stigma, and delays in legal proceedings may hinder effective enforcement of the Act, highlighting the need for strengthened mechanisms for victim support, legal aid, and access to justice.

Education Initiatives

Government initiatives promote education as a key strategy for preventing child marriage and empowering children, especially girls. These initiatives include schemes to increase school enrollment, provide scholarships, and raise awareness about the importance of education. While education is critical for empowering children and challenging harmful social norms, barriers such as poverty, inadequate infrastructure, and gender discrimination may still hinder access to

quality education, particularly for marginalized groups.

RECOMMENDATIONS FOR ABOLISHING CHILD MARRIAGE

To effectively address the pervasive issue of child marriage, a multifaceted approach is necessary. Firstly, strengthening legal measures is imperative. This involves enhancing the enforcement of existing laws, such as the Prohibition of Child Marriage Act, by imposing stricter penalties for offenders and improving mechanisms for reporting and prosecuting cases of child marriage. Additionally, providing adequate resources and training for law enforcement agencies and legal professionals is essential to ensure the effective implementation of these laws.

Furthermore, raising awareness is crucial in combating child marriage. Comprehensive awareness campaigns targeting communities, parents, and children can educate them about the harmful effects of child marriage. Emphasizing the legal consequences of child marriage and promoting alternative solutions for addressing social and economic challenges without resorting to early marriage are key components of these campaigns.

Empowering girls is also essential in the fight against child marriage. Providing girls with access to education, life skills, and economic opportunities can enable them to make informed decisions about their lives and resist pressures to enter into child marriage. Initiatives such as

vocational training, scholarships, and support services for girls at risk of or affected by child marriage can help them build a better future.

Engaging communities is another critical aspect of abolishing child marriage. Collaborating with community leaders, religious institutions, and civil society organizations can help challenge social norms and traditions that perpetuate child marriage. Dialogue and community-led initiatives aimed at shifting attitudes and behaviors towards valuing girls' rights and delaying marriage until they are physically, mentally, and emotionally ready can make a significant impact.

Additionally, supporting families facing economic hardship or social pressures is crucial. Providing them with support and resources can help prevent them from considering child marriage as a solution. Access to social welfare programs, livelihood opportunities, and counseling services can address underlying issues and promote alternative pathways for improving family well-being.

Finally, strengthening health and education systems is paramount. Improving access to quality healthcare and education services, particularly in rural and marginalized communities, can address underlying factors contributing to child marriage, such as poverty and lack of opportunities. Investments in infrastructure, trained personnel, and outreach programs are necessary to ensure that girls have access to essential services

and information to support their well-being and development.

CONCLUSION

Child marriage remains a pervasive issue in Karnataka, with a significant increase in reported cases in recent years. Despite legal provisions and initiatives aimed at prevention, the practice continues to threaten the well-being of children, particularly girls, in the state. The surge in child marriages is attributed to various factors, including economic hardships exacerbated by the COVID-19 pandemic. Districts like Mandya, Hassan, Bengaluru Rural, and Mysuru have witnessed notable spikes in child marriage cases, highlighting the urgent need for targeted interventions and enforcement measures.

Constitutional and legal measures against child marriage, such as the Prohibition of Child Marriage Act, 2006, and initiatives like the National Plan of Action for Children and the Protection of Children from Sexual Offences Act, provide a framework for prevention and protection. However, challenges remain in the implementation of these measures, including awareness gaps, enforcement issues, and resource constraints. Strengthening collaboration between government agencies, civil society organizations, and communities is essential to effectively combat child marriage and uphold the rights of children in Karnataka.

In conclusion, child marriage in Karnataka persists as a significant social

challenge, posing grave risks to the well-being and rights of children. Addressing this issue requires a comprehensive approach that addresses underlying factors and strengthens legal and institutional mechanisms for prevention and protection. By raising awareness, promoting education, empowering communities, and enforcing existing laws, Karnataka can work towards creating a future where every child can grow up free from the harms of early marriage.

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