



# Early Marriage in India with Special Reference to Bihar: An Evidence Review

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## Contents

Introduction .....	2
Global Prevalence of Early Marriage .....	3
The Impact of Demographic Transitions on the Prevalence of Early Marriage in India.....	3
A Snapshot of Existing Programmes: What Works?.....	5
Drivers of Early Marriage: What Does the Existing Evidence Tell Us? .....	7
<i>Conditions at Home</i> .....	7
<i>Factors in the Community</i> .....	8
<i>Policy Constraints</i> .....	13
Conclusions.....	15

# Early Marriage in India with Special Reference to Bihar: An Evidence Review

## Introduction

Early marriage or child marriage is defined as a marriage or union of a child before they reach the minimum legal age at marriage. Although the definition of ‘minimum legal age’ or ‘adult’ varies in accordance with laws and customs in different countries, a widely accepted definition of child marriage is the marriage of girls and boys before they attain age 18 (UNICEF 2014). Not only is child marriage a human rights violation, but it also has a profound impact on communities, economies, and nations.

It is important to point out that child marriage not only occurs among the most vulnerable girls, but it also compromises the health and well-being of this vulnerable population (Raj, 2010). Child marriage has a large impact on fertility and population growth; studies demonstrate that girls marrying as minors are more likely to bear children as minors, and are at increased risk for maternal and child morbidities arising out of delivery complications, fistula, low infant birth weight, malnutrition, and maternal and infant mortality (Raj, 2010). Further, contraceptive use is lowest among adolescent wives as well (Raj, 2010). Child marriage also has a large negative effect on educational attainment for girls, and on the educational prospects of children of child brides. Moreover, while evidence shows that child marriage does not directly affect labour force participation much, it reduces women’s education and thereby lowers their expected earnings and household welfare (Wodon et al. 2017). For this reason, the prevalence of early marriage is a key community and policy concern in many developing countries of sub-Saharan Africa, and South Asia, including India.

Increasing international discourse around the negative impact of early marriage has ensured that ending child marriage is now a target (5.3) of the Sustainable Development Goals (SDGs) (Wodon et al. 2017). Although data confirms that the practice of child marriage has continued to decline around the world, with accelerated progress in the past 10 years or so, the progress is insufficient to meet the ambitious target of elimination, as set forth in the SDGs (UNICEF 2018). Even though 25 million child marriages have been averted in the past decade, the number of child brides remains high and thus, this is an issue that requires comprehensive policy interventions.

With this background, developing a greater understanding of the complex issues concerning early marriage for girls and boys is imperative, particularly in the context of India, and the state of Bihar, which has the highest prevalence in the country. This critical review document aims to bring to the fore some of these issues and has following broad objectives:

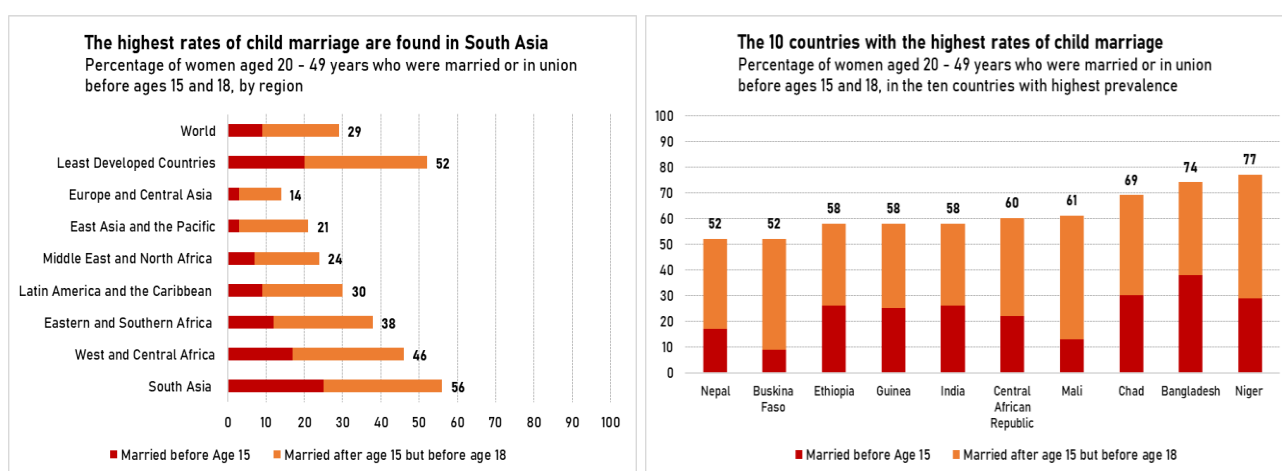
- Present a brief snapshot of existing national and state programming to tackle child marriage
- Identify the different domains of previous studies and research initiatives,
- Critically examine those studies, particularly, those which were carried out in the context of Bihar.

While doing so, a special emphasis is given to the studies carried out by Breakthrough (2013), Centre for Budget and Policy Studies (Jha et al.) in 2016, published reports of UDAYA survey (2017), ICRW and UNICEF (Srinivasan et al. 2015) and India Human Development Survey (2011-12). Other reports and studies, which are available in public domain, have also been consulted.

## Global Prevalence of Early Marriage

Globally, more than 700 million women were married before reaching age 18 years, and more than one in three (about 250 million) entered into nuptial union before completing 15 years of age (UNICEF 2014). While instances of child marriage are reported in Europe and Latin America as well, it has been a customary practice in Sub-Saharan Africa and South Asia, where estimates suggest that about 40 to 70 percent marriages are cases of child marriage (Raj and Boehmer, 2013). Moreover, the 10 countries with the highest rates of child marriages among girls are in South Asia (56 percent) and sub-Saharan Africa (46 percent) (Figure 1). In addition to Bangladesh, other South Asian countries among the top 10 countries are India (stands at 6<sup>th</sup> position with 58 percent) and Nepal (stands at 10<sup>th</sup> position with 52 percent). It is important to highlight that Bangladesh has the highest rate of marriage of the girls below 15 years among all the countries in the world (38 percent) (Figure 2).

Figures 1 and 2 (Source: UNICEF, 2014)



### Early Marriage affects many more girls, But also has a lasting detrimental effect on boys

A striking feature of the global prevalence of early marriage is the fact that it affects girls in far greater numbers than boys. UNICEF (2014) observes that 720 million girls were married before completing 18 years of age, compared to 154 million boys. Even so, early marriage increases vulnerabilities for both girls and boys, and is a violation of their rights. Similar to child brides, child grooms are forced to take on adult responsibilities for which they may not be prepared. The union may bring early fatherhood and result in additional economic pressure in the form of providing for the household; and like girls, it may also constrain boy's access to education and opportunities for career advancement (UNICEF, 2019).

## The Impact of Demographic Transitions on the Prevalence of Early Marriage in India

Demographic analysis shows that typically, Indian women are married before age of 25 years, with a tight clustering of marriages between ages 17 and 19 (Desai and Andrist 2010). Even so, evidence on early marriage in India, finds significant regional disparities in prevalence. On average, southern states show a lower prevalence than states in the northern part of India. Srinivasan et al. (2015) suggest that in all large states, nearly 70-80 percent of young women aged 15-19 years are single; the percentage dips to 30-40 percent at ages 20-24 years, and

slides further to 6-8 percent in 25-29 years. In more developed states in the southern part of India, such as Kerala and Tamil Nadu, 87.3 and 84.9 percent remained single in 15-19 age groups respectively, which declined to 41.6 and 39.6 percent in 20-24 age group for the respective states. For Bihar, a populous, poorer state in the north, these percentages were 83.1 and 36.3 respectively.

A significant convergence of singulate mean age at marriage (SMAM) has also been observed between underdeveloped and better-developed states over the years (Srinivasan and James 2015). For instance, increase of SMAM for Kerala was only 2.6 years from 1961 to 2010; while this increase was 5.1 and 6.2 years for Bihar and Uttar Pradesh, plausibly due to the 'level-effect' (i.e. Bihar and Uttar Pradesh had a very low SMAM initially compared to Kerala). It is also pertinent to point out that southern states of Kerala and Tamil Nadu, have higher percentages of unmarried women in the age groups 30-34, 35-39 and 40-44 (3.9, 1.9, 1.4 percent in Tamil Nadu and 5.0, 3.5 and 3.3 percent in Kerala in the respective age groups), in contrast to Bihar (2.8, 1.2, 0.8 percent in these respective age-groups), indicating a tendency among women to postpone marriage to their early thirties in the southern states in comparison to Bihar (Srinivasan and James 2015).

Such trends are to be expected, since southern states had started demographic transition before the 1960s, and completed demographic transition during the 1990s, while northern states are still at a pre-transitional stage. Enhancement of women's education, employment in various wage-earning sectors, and mass media exposure, combined with the rights-based social movements of marginalized groups, resulted in demographic transition including enhancement of age at marriage in the southern states. However, the effect of entrenched patriarchy, farm-based economy, and lack of women's autonomy and empowerment remain the causes of high fertility and low age at marriage in the central and northern states, like Bihar (Ghosh 2016).

Data from the National Family Health Survey (See Table 1) indicates that between 2005-06 and 2015-16, there has been a significant decline across India in the proportion of women aged 20-24 years who were married before age 18, from 47 percent to 27 percent (IIPS & ICF 2017). Although such a decline is significant, substantial regional variations persist. Seven states, namely, Uttar Pradesh, Bihar, Rajasthan, Madhya Pradesh, Maharashtra and Andhra Pradesh – together account for 70 percent of child marriages in the country. If Gujarat, Tamil Nadu and Karnataka are added to the above list, these 10 states together contribute 82 percent of the child marriages in India (Action Aid 2016).

Given the high prevalence of child marriage in India, the country's history of legal statutes against the practice traces back to 1929, with the colonial government passing the Sarda Act. After various successive amendments, The Child Marriage Restraint Act was replaced by the Prohibition of Child Marriage Act in 2006, which sets the legal age for marriage at 18 for girls, and 21 for boys.

**Table 1: Currently married women aged 20-24 years married before age 18 years (%)**

State	NFHS-4 (2015-16)	Rank in NFHS4	NFHS-3 (2005-06)	Rank in NFHS3
<b>INDIA</b>	27	-	47	-
Bihar	42.5	1	69.0	1
Rajasthan	35.4	5	65.2	2
Jharkhand	37.9	3	63.2	3
Uttar Pradesh	21.1	12	58.6	4
Madhya Pradesh	32.4	6	57.3	5

Chhattisgarh	21.3	10	55.0	6
West Bengal	41.6	2	54	7
Karnataka	21.4	9	41.8	8
Haryana	19.4	13	41.2	9
Maharashtra	26.3	7	39.4	10
Gujarat	24.9	8	38.7	11
Odisha	21.3	11	37.2	12
Telangana	35.8	4	26.2	13
Uttarakhand	13.8	15	23	14
Tamil Nadu	16.3	14	22.3	15
Punjab	7.6	18	19.7	16
Kerala	7.6	17	15.4	17
Himachal Pradesh	8.6	16	12.3	18

Note: Excluding all the UTs, Goa, Jammu & Kashmir and N-E states; Source: Compiled from NFHS 4 state fact-sheets

### Early Marriage in Bihar: Current Landscape

The state of Bihar, a poor performer on human development indicators, is a significant contributor to the high prevalence of early marriage in India. As observed in Table 1, over 42 percent girls who are currently between the ages of 20 and 24 years, were married before attaining the legal age of marriage. As such, 11 percent of early marriages among girls, and 8 percent of early marriages among boys in India are contributed by Bihar alone. **There are 11 districts in the state, where one in two marriages among girls take place before reaching 18 years of age, namely, Sheohar, Sitamarhi, Supaul, Madhepura, Begusarai, Samastipur, Kagaria, Sheikpura, Gaya, Nawada, Jamui.** Worryingly, in four districts, Begusarai, Gaya, Nawada and Jamui, more than 30 percent of marriages among girls, occur before they turn 16 years of age (NFHS 4). Other surveys from Bihar show similar high prevalence. The UDAYA study found that more than 7 percent marriages among girls in rural Bihar occur even before they reach age 15, and more than 45 percent are married before reaching age 18 (Santhya et al. 2017). The survey also found that mean age at marriage, as well as cohabitation, is only 16 years, indicating that not only are girls marrying early, but they are also cohabiting with their partners at an early age in the state.

Deeper analysis of NFHS data finds that non-literate or semi-educated girls, with irregular exposure to print and electronic mass media, belonging to scheduled castes or other backward castes and Hindu religion, and non-rich households are significantly more susceptible to early marriage than their peers are. However, more robust research to identify the other structural and normative drivers of child marriage in Bihar is required.

## A Snapshot of Existing Programmes: What Works?

For decades, national and state governments have launched numerous programs to tackle the issue of early marriage. Most programs aim to improve girls' education through various demand and supply side measures, like ensuring access to safe, affordable and good quality of secondary education for girls by upgrading of existing schools or opening of new schools, setting up residential schools for disadvantaged girls, distribution of bicycle and travel vouchers etc. *Mahila Samakhyas* (MS), which operates through close engagement with women's collectives, is a residential 8-10 months programme for educating women and girls is one such scheme. In many states, it is managed through Kasturba Gandhi Balika Vidyalaya (KGBV). There are other community-based programmes such as SABLA (Rajiv Gandhi Scheme for Empowerment of Adolescent Girls) and *Kishori Shakti Yojana* (KSY) aiming providing life skill



and vocational training, literacy and numeracy skills, health and nutrition awareness through *anganwadi* centres, and, through these postponing marriages.

Conditional Cash Transfers (CCT) to curtail early marriage have also been introduced. Haryana was one of the first states to do so, implementing a scheme called *Apna Beti, Apna Dhan* in 2004, which targeted poor households and disadvantaged caste groups offering transfer of money at two stages to delay girls' marriage up to age 18 years (Gaynair 2011). The Government of India has followed this up with the *Balika Samriddhi Yojna*, under which if a girl's marriage is delayed until the completion of 18 years of age, a sum of money would be payable to the unmarried 18-year-old girl. There are other conditional cash transfer (CCT) programmes in different states such as the New Girl Protection Scheme (NGSP) and *Dhanalakhmi* in Andhra Pradesh, *Kanyashree* in West Bengal, the *Mukhyamantri Kanya Uthan Yojana* in Bihar etc. which are by and large aimed to postpone marriage before completion of 18 years (or 12<sup>th</sup> Grade of education). *Samuhik Vivah Yojana* in Rajasthan addresses the issue of high wedding costs by providing cash incentives to conduct community marriages after attaining adulthood.

Evaluations of these programmes suggests mixed-results in attaining the programme objectives. For instance, the evaluation of the bicycle scheme for girls in Bihar concluded that it increased girls' age-appropriate enrolment in secondary schooling by 30 percent, reduced the gender-gap in age-appropriate secondary school enrolment by 40 percent, and may have generated positive externalities in terms of changing patriarchal social norms that proscribed women's mobility outside village (Prakash and Murlidharan 2014; (Muralidharan and Prakash 2017). However, girls in the state generally tend to marry once they reach 18 years of age. Evaluation of a similar scheme in Gujarat suggested that a bicycle alone does not make much of a difference (UNICEF 2012; cited in Jha et al. 2016). It could be because of the fact that while Bihar's scheme was applicable to all girls enrolling in class 9, Gujarat's scheme was limited to the girls for below poverty line (BPL) families only (Jha et al. 2016).

Assessment of *Mahila Samakhyas* suggests although there was dilution in the approach when extended to KGBVs, it has by and large helped in postponing the age of marriage for girls (GoI 2007; 2013). MHRD (2014) noted that the programme not only has a potential for immediate gains because of the receptive capacity of the adolescent girls but also has high inter-generational returns. Despite limitations, even KGBVs have been successful to a considerable extent in postponing girls' marriage up to attainment of eight grade (Jha et al. 2015; Ramachandran et al. 2004). Review of *KSY* in Rajasthan and Uttar Pradesh concluded that the implementation was weak compared to desired level and therefore the impact was limited, particularly, in Rajasthan (MWCD and FRDS 2006).

Evaluations of the Haryana CCT to delay girls marriage suggests that financial incentives alone cannot trigger effective change without shifting underlying community values or girls aspirations (Nanda et al. 2014; Krishnan et al. 2014). The *Dhanalakhmi* program showed encouraging outcomes, and illustrates that financial incentives can play an enabling role in removing the existing gender barriers and the parental perception of daughter as a 'liability' (Sekher and Ram 2015). Sekher and Ram (2015) have strongly advocated the need for the continuation of CCT schemes for girls by restructuring the incentives, modifying the conditionalities, and targeting the economically weaker sections. Sen and Dutta (2018) have found that positive early evidence of the impact of *Kanyashree Prakalpa* in West Bengal, finding that dropouts and early marriages have both declined because of the cash transfer program. Further, it also hints towards improvement in empowerment of these adolescent girls, who at

least can dare to take decisions about their marriage and its timing. However, the study has limited sample size and is thus non-representative.

With such mixed results across interventions, a deep dive into existing evidence on the drivers of child marriage is essential, in order to design more context specific strategies for Bihar, and India.

## Drivers of Early Marriage: What Does the Existing Evidence Tell Us?

Ample existing evidence on early marriage has identified several factors associated with the practice. These factors can be divided in to following broad domains. Importantly these factors may overlap with each other, and thus should not be compartmentalized. However, for ease of explanation they have been separated here.

**(a) Conditions at Home** like household poverty, dowry, parental illiteracy and ignorance on child rights, attitude towards girls' education are all shown to impact levels of early marriage.

**(b) Factors in the Community** including, limited uptake of educational opportunities, perception regarding women's participation in wage-earning sector activities and gendered labour roles, traditions, customs, beliefs and norms, issues related to controlling girls' sexuality and chastity engulfed with deeply-seated patriarchy, lack of women's agency also emerge as key determinants.

**(c) Policy Constraints** like, lack of knowledge and awareness regarding government promotional schemes, lack of effective legal enforcement of existing laws and absence of safety nets for young girls also contribute to the high prevalence of early marriage.

## Conditions at Home

***Household living standard:*** Previous studies have found that among household-level factors, household's lower standard of living, which is a proxy of household's poor economic status, plays an important role in perpetuating early marriage. A strong and positive association has been established between poverty and low age at marriage, the inability to pay for education, economic insecurity arising out of lack of livelihood options, in general, and for women, in particular. In the UDAYA survey, which is conducted with a state-level representative sample, Santhya et al. (2016) found that in the poorest households in Bihar, percentage of adolescent girls in ages 18-19 years who were married by age 18, was 67.3 percent, which declined by 40 percentage-points for the richest households. Similar findings were echoed in the study conducted by Jha et al. (2016) by using nationally representative secondary data sources. At macro-level, Action Aid (2016) has noted that prevalence of child marriage is positively associated with poverty and negatively associated with Net State Domestic Product (NSDP), which indicates that increase in poverty would likely enhance early marriage, while increase in NSDP would likely to result in a decrease in child marriage. It reinforces the fact that household economic status has been one of the important determinants of early marriage, which not only has influence at the household level but also has an effect at the societal level.

Analysing nationally representative data, Srinivasan et al. (2015) have found that geographically there are two cluster of districts in Bihar where early marriages among women are high. One such cluster comprises of the districts of Madhepura, Saharsha and Araria located in the northern part of the state (mostly in *Koshi* region), while another cluster consists of the districts Gaya, Nawada and Jamui located in the southern parts of the state (mostly in *Magadh* region). It is important to point out that *Koshi* region is characterized by high poverty and low livelihood potential. Social capital, which could serve as development input, is also found to be low in these regions (Ghosh 2007). This region is also poor in terms of per capita



GSDP, and agricultural productivity (Economic Survey, Government of Bihar (GoB), 2018). On the other hand, while *Magadh* region has been considered a high performing area' in Bihar (Ghosh 2007), holistic socio-economic development has not taken place in this region. For instance, in spite of having well-developed agriculture, *Magadh* division performs badly in services sector (Kumari 2014). Possibly for these reasons, it is observed that, although household wealth has a statistically significant positive effect on women's marital age in the northern cluster of districts, it does not have such effect in the southern cluster of districts, indicating that household poverty may affect age at marriage disproportionately within a state. However, such north-south divide needs to be explored further to understand the contextual determinants of early marriage.

Jha et al. (2016) have noted that the inverse relationship between household wealth and high prevalence of child marriage does not always hold true. Empirically, it was observed that although girls from the poorer households are significantly more susceptible to early marriages, in areas where prevalence of early marriage is more than 50 percent or so, girls marry early regardless of wealth. Other work from Jharkhand and Bihar shows that both poverty and affluence drive early marriages in these states (Breakthrough 2013). In this study, it was found that early marriage took place in three-fifths of the poorest families, and two-fifths of the richest families. This was explained by the fact that richer households were able to find 'good' grooms for their daughters faster, compared to their non-rich counterparts, and because they could also afford 'hefty' dowries to get their daughters married into the 'best' families. This study concluded that 'poverty' is not the only motivator for early marriages in the study area; rather, there are numerous other factors that play a role. From these studies, one can argue that although important, poverty is 'not necessarily the most critical driver everywhere' in perpetuating early marriage (Jha et al. 2016).

***Parental Education and Willingness to Challenge Norms:*** Parents' inability to challenge social norms, amplified by their low education levels, are key factors that promote child marriage globally (Action Aid 2016). A study commissioned by the Planning Commission revealed that a significant proportion of parents in India are unaware of that child marriage is illegal (Jha et al. 2015). In this study, parents cited tradition, growing demands for dowry, and pressure from relatives as reasons for marrying girls at their early age. Further, such a situation accentuates when early marriage is an established norm in a community, and thus challenging these traditions becomes difficult for parents who may have low education levels themselves (Gangoli et al. 2009; Nour 2006). Similar arguments have also been made by other studies, as it was found that at the macro level, female literacy has a significant negative association with female marital age (Action Aid 2016). The UDAYA survey found that, in Bihar, the likelihood of early marriage declined by nearly 33 percentage-points if mother's educational attainment increases from no schooling to 10 or more years of schooling. Although parental ability to challenge social norms and its association with education, violation of child rights and early marriages has been hypothesized, much has not been documented empirically in the Indian context.

## Factors in the Community

***Limited Uptake of Girls' Education:*** Apart from parental education, earlier research points out the positive association of education in enhancing marital age for both boys and girls. Generally, education is thought to help prevent, or at least delay early marriage for both girls and boys. It is expected that schooling can delay marriage by bringing about ideational changes,

which include a shift from traditional values to individual-oriented values, secularization, rationality and greater individual autonomy (Dommaraju 2009; Caldwell 2005). Kritz and Garuk (1989) have argued that schooling exposes girls to new ideas, attitudes and aspirations to question traditional norms, customs and values.

In congruence to these studies, Srinivasan et al. (2015) have found that, in Bihar, girls' schooling has positive and significant effect in raising girls' age at marriage in both the cluster of districts with high and low prevalence of child marriage. UDAYA survey of Bihar has also pointed out that the prevalence of early marriage was 74 percent among adolescent girls without any schooling (in ages 18-19 years), which dropped to just 15.8 percent for girls who attended 12 or more years of schooling. The survey also found that among adolescents who have never enrolled in school, 36.2 percent report that their parents do not think that education is necessary, while another 26.5 percent reported that they are required to manage household chores. At the same time, this survey also found that quality of education is far from satisfactory. Jha et al. (2016) have noted that educational attainment – at least completion of secondary classes – seems to have positive impact on the prevalence of child marriage. They further found that girls who pursue higher secondary schooling or above, have a higher likelihood of avoiding child marriage compared to those who have completed only secondary schooling. Similar observations can also be made from last round of National Family Health Survey (NFHS), 2015-16.

Nevertheless, acknowledging the importance of increasing prioritization of and access to girls' education in enhancing marital age, it has been argued that education is not a straightforward solution to early marriage among girls in Bihar (Breakthrough 2013). Based on small-scale qualitative non-representative survey, the study observed that significant barriers to girls' education remains after attaining primary or middle school because high school was seldom available in a village cluster. It was also found that, in some cases, skills and education do not protect girls from early marriage; rather make them more 'marriageable' because 'some' education (in most of the cases it is primary education) was required and desirable for marriage.

Further, the idea that investing significantly in girls' education would reap returns only for the in-laws' family and also may increase the risk of paying even higher dowry, also impacts parents' views regarding their daughters' education. In other words, in societies where early marriage is the norm, the opportunity cost of sending girls to schools would be high. Amin and Huq (2008) have argued that, in such context, schooling for girls is often seen as 'something they do while they are waiting to get married'. These kinds of systems not only discourage girls' education, but also facilitate early marriages (Bhat and Halli 1999; Srinivasan & Lee 2004; Goli et al. 2019). Thus, in this context, higher education, even if it is available and accessible, could not be seen as an alternative to marriage; rather an impediment. It implies, perhaps, that the relationship of girls' education, skills and economics to early marriage is complex, particularly in such scenarios. Further, the role of community-level schooling in delaying girls' marriage remained largely unexplored in the earlier studies. Arguably, in communities where some girls are in school or participate in wage-earning sector activities, their marital behaviour could bring about normative changes and legitimize late marriage even for those not studying or working (Dommaraju 2009).

It seems that the aspiration of young people in Bihar are changing, in rural Bihar, 65-66 percent of adolescent boys and unmarried girls of the age group 15-19 who are currently enrolled in school/college, aspire to complete at least graduation or any professional courses (Santhya et al. 2017). At the same time, reasons for drop out from school, were reported as

lack of interest, failure in examinations, poor quality teaching, the lack of female teachers, or the paucity of amenities. From the foregoing discussion, it may be concluded that more in-depth investigation is required to assess the role of education – parental education, and, education of girls and boys – to bring about the attitudinal and ideational change regarding early marriage in Bihar.

***Perception regarding women's participation in wage-earning sector activities and gendered labour roles:*** Women's employment opportunity in wage-earning sector activities presumably increases girls' age at marriage. Women's labour force participation rate has consistently been low in India compare to any international standard, and has declined substantially during last 15 years or so. Olsen et al. (2006), Chowdhury (2011), and Neff et al. (2012) have claimed that social and cultural barriers in a predominantly patriarchal society like India can explain women's work choices. A common interpretation is that higher rural incomes have gradually allowed more rural women to stay at home, a preferred household choice in a predominantly patriarchal society. According to Chatterjee et al. (2015), a salient trait of this period is the collapse in the number of farming jobs without a parallel emergence of other employment opportunities considered suitable for women. The study also found the place of residence along the rural-urban gradation loses relevance as an explanation of female labour force participation once local job opportunities are taken into account.

Ranking of Bihar in terms of women's labour force participation rate has been the lowest in India since long. It has dropped to abysmally low labour force participation rate of 4.4 percent (PLFS 2017-18) from 8.6 percent (Government of India, NSSO, 2011). Rodgers (2012), in a study of 36 villages in Bihar, also found that women's activities have remained rooted in agriculture and allied activities in the villages and employment opportunities for women outside agriculture are extremely limited in rural Bihar, though the study arrived at a different labour force participation rate.

In Bihar, contrary to expectation, a girl's ability to earn livelihood does not necessarily delay the age of marriage (Breakthrough 2013). As mentioned earlier, in a deeply rooted patriarchy, education of girls may not have any relationship with economic sustainability of the household. Moreover, the study found that a sizeable proportion of young men while wanting 'somewhat' educated wives, do not want working wives because of protectiveness, concerns for physical safety and apprehension regarding neglect of household chores, childrearing etc. A clear gender-stratification of household work was reported by UDAYA survey among adolescents (Santhya et al. 2017). It was found that in rural Bihar, girls are more likely to engaged in household chores compared to boys and do not violate norms regarding restricted mobility. The burden of traditional gender roles thus remains significant.

Such findings bring about a complex and paradoxical relationship among education, work, financial stability and independence, and, marriage. For Bihar, it seems that while basic education is prerequisite for marriage, higher education and associated wage-earning sector activities are seen as a liability. In other words, utility of education for girls is often measured in terms of matchmaking, and not in terms of possible livelihood generation and financial stability.

Nonetheless, such attitudes seems to be gradually changing. UDAYA found that about 17 percent of adolescent unmarried girls and 11 percent married girls, and, 26 percent of boys (of age 15-19 years) were engaged in paid work in the 12 months preceding the survey (Santhya et al. 2017). It was also observed that about 24 percent boys, 10-11 percent married and unmarried girls of said age-group actively seek employment. Those who seek employment,

majority of them would like to join any job in government sector primarily because of job security. 48 percent of the young surveyed unmarried girls and 56 percent of the surveyed unmarried boys in the age group 15-19 years have reported that they have some plans for livelihood generation, though 35-49 percent of girls and 30-35 percent boys are not sure about profession or vocation they want to pursue in future.

At the same time, the survey also pointed out that participation of vocational courses is not only abysmally low, but also stereotyped. For example, more than six out of ten boys and seven out of ten girls attended vocational training programme on computer and tailoring respectively. However, it is important to note that nearly 36 percent of girls and 10 percent of boys have had unmet need for vocational training in rural Bihar, either because of cost of training course or clashes with studies/no time/needed for housework, or lack of training institution in the vicinity. Further, although a sizeable proportion of young boys and girls are aware of schemes like MGNREGA or self-help group (SHG) activities, only 21 percent and 15 percent unmarried and married girls respectively and 17 percent boys heard of Bihar Skill Development Mission. Thus, it seems that there is a need to understand the intricacies of early marriage, education, and changing attitude regarding wage-earning sector activities in the context of rural Bihar.

***Traditions, norms and customs:*** Early marriage for girls as well as boys is ‘deeply-entrenched’ and ‘widely practised age-old social custom’ in India. Such customary practices, which enjoy social sanction is plausibly the major, often most critical, driving factor of high prevalence of early marriage (Jha et al. 2016). Breakthrough’s study (2013) noted that, in Bihar, early marriage was a typical practice across intersectionality of space, socio-religious categories and class in varying degrees. The study found a repeated expression like ‘*karna padta hai*’ (We have to do it) in justification of early marriage – indicating the traditional acceptability of such customs. It was also noted that deviation from this norm, often invites gossip and critique of parents as they have failed to perform their sublime duty. Likewise, unmarried boys are also subject to ridicule through the expression like ‘*awara/ujand*’ (vagabond/wild).

However, in a positive finding, it was noted that there is ‘clear evidence that while adults tended to accept and endorse early marriage, young people were more inclined to question it’...(Breakthrough 2013; p-14), possibly indicating a slow but steady change in attitude towards early marriage. UDAYA (2016) has also reported that more than half of the girls and boys of aged 15-19, in both rural and urban areas, have not even given any thought about the age at which they should marry. Moreover, 28 percent of rural boys and 13 percent of rural girls of the same age group stated their preferred age at marriage as more than 25 years and 20 years, respectively. This also indicates changes in the attitude towards early marriage has been underway among youth in rural Bihar.

***Controlling girls’ sexuality and protecting family ‘honour’:*** In a deeply patriarchal society, early marriage for girls is highly valued as desirable and honourable, while losing virginity is strongly denounced as a disgrace and considered as a religious sin (Mikhali 2002; Lee-Rife et al. 2012). In other words, early marriage is seen as a way to control girls’ sexuality and protect them from a perceived threat of sexual violence, which can potentially damage a family’s status, pride and honour.

In accordance with patriarchal culture, it is believed that the younger the bride, the higher her value, because a child bride is a virgin and ‘sexually pure’, with a long reproductive life (Lee-Rife et al. 2012; Action Aid 2016). Further, the fear of sexual harassment or assault is also a

clear trigger for early marriages i.e. daughters would be safer with a male guardian (Breakthrough 2013). As the marriage of a girl is viewed as a means of protection, from both economic instability and rape due to perceptions of sexual availability of unmarried girls and women, poverty and conflict can exacerbate parents' desire to have their girl married at a younger age (Raj, 2010; Raj et al., 2011). Growing tendency of young girls and boys eloping to escape caste-driven dictum of marriage is also found to be another important reason for early marriage. Stigma and ostracism caused by inter-caste marriages are often severe for poor households and, of course, for girls. Thus, while it may seem a 'simple' tradition or a customary norm to some, a careful assessment of early marriage suggests that it is actually embedded in patriarchal control of, and concerns with puberty, chastity, family honour, son preference, arranged marriage, caste endogamy and looking at girls as '*paraya dhan*' (somebody else's property) and perpetuating the ideal that woman's primary responsibility is to bear children (Jha et al. 2016).

In a predominantly rural society like Bihar, where even intermingling between young girls and boys is not a socially acceptable norm, early marriage is seen as the only tolerable form for sexes to mix (Breakthrough 2013). The study also found that if there is no place to explore aspects of sexuality between young boys and girl, it is extremely difficult to develop mutual respect, communication, and understanding; thus, facilitating arising issues related to consent, harassment and so on. This, in turn, further leads to stricter controls and ultimately perpetuate into a vicious cycle of perpetuation of traditional gender roles. UDAYA survey has also underscored the lack of social spaces in which adolescent girls can network with their peers (Santhya et al. 2017). Most adolescents, irrespective of age and sex, reported that they typically met their friends either in school or in each other homes. Just 4-15 percent of girls compared with 17-49 percent of boys typically met their friends in social spaces such as a playground, a garden, or adolescents' groups or clubs. Further, a tiny proportion of adolescents (3-6 percent boys and 1-8 percent girls) were member of any social group. Perhaps, due to these reasons, sexual and reproductive health knowledge among adolescent girls and boys are extremely poor in Bihar as per the survey. For instance, 27-28 percent of adolescent boys and unmarried adolescent girls were aware that a woman can get pregnant in their first sexual encounter, and hardly any (4-5 percent) knew that a woman is most likely to become pregnant in a sexual relation that occurs mid-cycle.

**Women's agency:** The term *agency* denotes the ways in which women can attain some control over their lives. According to Kabeer (2005) "Agency represents the processes by which choices are made and put into effect. It is hence central to the concept of empowerment. Resources are the medium through which agency is exercised; and achievements refer to the outcomes of agency" (p-14).

Breakthrough's study in Bihar (2013) found that, in cases of early marriage, young brides almost never had a say in decision making, and, mothers of the young brides always tend to endorse their husbands' decision. In addition, mothers feel that they do have a say, but their agency is also limited. Although parents, particularly mothers, claim that they take their children's consent, in reality the consent of nuptial union has been made others on their behalf (UNICEF 2001; Breakthrough 2013). It was also observed that not only girls, but boys also have little say in the timing of marriage, and the decision on union is taken by elders in the family. Further, it was found that likelihood of early marriage accentuates if there are higher number of girls in a household, as each requires the process of collecting dowry (Breakthrough 2013). It seems that agency in the study area is determined only by men's age and not by any other

factor. In poor families, a newly married girl's labour potential is bartered, with her taking over household responsibilities from older women in the family, who then work as wage labour. Unable to earn an income and financially dependent on others, the young bride is pushed further into a position of no power of negotiation or bargaining (Nirantar, 2015).

Even at the national level, in a majority of cases, families continue to shape marriage decisions, where few women have an opportunity to get to know their husbands before wedding. Research has found that although women that are more educated have greater participation in marriage decisions, they rarely initiate partner selection, and rarely get a chance to meet their husbands in private before marriage (IHDS, 2011-12). Jha et al. (2016) have argued that 'even seemingly poverty-driven act of marrying off girls in lieu of debt has its roots in prevalent gender norms that privilege men in every respect and do not give any voice to girls' (Jha et al. 2016, p-23). In Bihar, UDAYA survey found that more than three-fifth of the marriages was fixed by the parents without seeking respondent's approval. Further, more than three-fourth of the respondents met their partner for the first time on the wedding day (Santhya et al. 2017).

The limited agency of adolescents and a striking gender divide in all the dimensions of adolescents' agency is also a striking feature in rural Bihar (Santhya et al. 2017). Boys are more likely than girls to have some say in decisions such as choice of friends, level of schooling they want, whether to work or not etc.; 31 percent of boys, 23 percent of unmarried girls, and, 30 percent of married girls of aged 15-19 reported participation in decision-making on aforesaid aspects. Participation in decision-making improves with increase in mother's education, household wealth and for those belong to upper caste Hindu households.

It is important to note that married adolescent girls have more say in decision-making compared to their unmarried counterparts – plausibly indicating married young women have more choice compared to the unmarried girls, potentially making early marriage aspirational for girls. However, married girls' mobility and control over financial resources (proxy of own savings bank account) are lower compared to their unmarried counterparts.

Positively, it seems that gender egalitarian attitudes have started improving. As much as 74 percent of surveyed boys, 66 percent of unmarried and 74 percent of married girls have reported gender egalitarian attitudes on most of the issues investigated in the survey. It may also be noted that adherence to egalitarian attitudes was positively associated with years of schooling, household affluence, and mother's education.

Importantly, women's agency (for instance, in decision-making power) is likely to change in the face of out-migration of male family member in nuclear households (Breakthrough 2013). In such households, although women made decisions, albeit in discussion with her husband. Arguably, until economic valuation of women is established at the community at large, the likelihood of enhancement of women's decision-making would not be at that expected level.

## Policy Constraints

**Awareness regarding government promotional schemes:** There are a number of on-going central- and state-sponsored programmes that not only aim to reduce the cost of education and enhance school retention but also delay early marriage (Jejeebhoy 2017). These schemes provide conditional and unconditional cash transfers, in addition to various provisions like free tuition, books, school uniform and other stationaries, scholarships etc.

Apart from centrally sponsored schemes such as *Mahila Samakhyia* or *SABLA* and *Kishori Shakti Yojana*; Government of Bihar has introduced a number of schemes, namely,



*Mukhya Mantri Kanya Suraksha Yojana, Mukhya Mantri Balika Cycle Yojana, Mukhyamanti Kanya Vivah Yojana, Mukhyamantri Balika Poshan Yojana, Baal Vivah Evam Dahej Mukh Hamara Bihar* etc. to incentivize girls' educational attainment in the high schools and delaying early marriage.

Findings from the UDAYA survey suggests that although almost all the students irrespective of sex are aware of various entitlements such as mid-day meals, uniforms, textbooks, and scholarships, and, benefitted from these entitlements, economic pressures had prevented them from completing secondary education, particularly if they are from economically marginalized and socially excluded communities. The survey also found that although coverage of bicycle scheme is widespread, adolescents from socio-economically disadvantaged sections are less likely to be benefitted, compared to the privileged section of the rural society in Bihar. Further, reach of *Kishori Shakti Yojana/SABLA* group membership programme is appalling – only 1.1-1.4 percent of rural unmarried and married adolescent girls are members of such groups.

Attitudes of the parents towards these entitlements, group membership etc. are remained unknown because of informational constraint. Findings from the survey also emphasize the need for further research to understand what sort of incentive would likely to work and in which circumstances, particularly for the girls belonging to vulnerable communities.

***Effective legal enforcement of existing laws and safety of girls:*** In India, legal definition of the term child varies from one law to another. For instances, according to the Juvenile Justice Act, 2000, a child is defined as below 18 years irrespective of sex, while according to Child Labour Prohibition and Regulation Act, 1986, suggests boy or girl below 14 years is a child. However, the Prohibition of Child Marriage Act (PCMA), 2006, defined the minimum age for marriage for girls is 18 years and for boys it is 21 years. Such varying definitions not only cause laxity in vigilance, but also have a potential to create confusion, particularly among the non-literate, semi-educated and poor because the concept of age itself is fluid and correlated with physical maturity and not a legal entity (Breakthrough 2013). One can also note that Prohibition of Child Labour Act prevents employment of children below 14 years of age in certain hazardous industries and occupations; it does not prevent, but only regulates, their employment in other occupations. Jha et al. (2016) have noted that this act contradicts the Right for Children to Free and Compulsory Education Act, 2009, which makes eight years of compulsory education up to 14 years of age. Additionally, the legal enforcement of these statutes, particularly PCMA, is quite weak. Action Aid (2016) has pointed out that the monitoring mechanisms of the implementing agencies are not only inefficient, but also affected by poor accountability.

There are no publicly available studies regarding the effectiveness of legal enforcement of child marriage laws in Bihar, however studies conducted in other states like Andhra Pradesh, Gujarat, West Bengal, and Rajasthan have found that law enforcement agencies struggle to implement PCMA because of political patronage, and influence of organized vested interest groups and networks. Wide social acceptance and prevalence of child marriage, translate into political patronage as politicians find it difficult to oppose the practice as they may lose votes and support (Jha et al. 2016). Further, there are issues like caste panchayats and other similar bodies, which draw their strength from political connections and are often hostile towards local-level implementing officers and frontline workers that are trying to prevent child marriage. Plausibly for these reasons, in many instances, officials often express their reluctance to tackle the issue of child marriage, as they face community pressure and are unwilling to go

against community sanction (Action Aid 2016). The non-availability of birth certificates also poses a serious hindrance to legal action, since the age of girls and boys is often unverifiable. Child marriage and marriage migration can also be used to traffic girls from poor and tribal families for either sex trade or cheap labour. This implies that although poverty has a role to play, it is the presence of organized network of vested interest groups which act as one of the main drivers of high prevalence of child marriage (Jha et al. 2016). The study by Breakthrough (2013) has also found the practice of 'marriage migration' is in vogue in Bihar, where grooms from other states such as Uttar Pradesh, Punjab and Haryana marrying girls from Bihar. It was observed that in these marriages groom not only paid for wedding but also to the brides' family a 'bride-price', which triggers chances of being trafficked. It is important to mention here, that according to National Crime Record Bureau (NCRB) 51 percent of total crime against women in Bihar are cases of kidnapping and abduction. Crucially, 77 percent of the total kidnapped girls/women are compelled to marry their kidnapper and 86 percent of them are minors. This highlights the lack of safety nets for young brides.

Any practice driven by social support can be effectively mitigated only by building an alternative agenda and social opposition from the community itself (Jha et al. 2016). In Bihar, the initiative to reduce child marriage and eliminate dowry came from the highest level of the Government of Bihar. Thus, in principle, the law enforcement agencies and local-level implementing officers should act imperiously to curb the prevalence of child marriage. However, in a state where early marriage is an age-old tradition, deeply rooted in the social customs and beliefs, with domination of castes, local-level implementation officers and frontline workers would likely face enormous difficulties. To what extent various stakeholders of the community have internalized the negative effect of such evil practice and taken up the issue aggressively remained largely unknown. The issue of marriage migration and lack of safety nets for brides in prevalence of child marriage also need to be probed further. This necessitates understanding their problems in greater detail. This also calls for understanding the role of marriage brokers, local priests and other groups which may have their own vested interest.

## Conclusions

This critical review has attempted to highlight different factors associated with early marriages in India, particularly in Bihar, after consulting publicly available literature. This review also revealed certain gaps in evidence, which require further exploration. Questions around the availability and accessibility of secondary and higher secondary schools and colleges, as well as the perceived quality and utility of education and other vocations among adolescents, and how they may be associated with early marriage require further assessment. Examining gatekeeper attitudes towards girl's physical safety, mobility, and perceptions regarding girls' sexuality and assertion of choices is also required. The intersectionality of gender birth order and early marriage should also be explored. Further, it is also important to understand whether good practices or positive outliers of low prevalence districts in the state can be replicated in the high prevalence districts.

In terms of determining factors, the plausible drivers have been divided into three levels – Conditions at Home, Factors in the Community, and, Policy Constraints, all of which have significant association with early marriage. This review has thrown up some interesting facts, contrary to general understanding. For instance, the prevalence of early marriage is higher not only among poor and disadvantaged castes, but also among rich and forward castes, however, for very different reasons. Further, higher education for girls is likely to fetch higher

dowry demand, and that strengthening marketable skills among girls is not a straightforward solution to curb the prevalence of early marriage. Moreover, not only young girls but also young boys lack agency, and are unable to influence their parents regarding marriage. On the other extreme, traditions, norms and beliefs regarding early marriage and protection of girls' chastity and sexuality, and, the desire to preserve family honour seem to have legitimized the legacy of early marriage. However, attitudes towards early marriage have been changing slowly, especially among young people, offering avenues for hope and change.



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