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From Playgrounds to Weddings: The Harsh Journey of Child Marriage

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ABSTRACT :

Child marriage, defined as a formal or informal union involving at least one person below the age of 18, remains a critical global issue affecting millions of children, particularly girls. Despite substantial legal prohibitions and awareness initiatives, the practice persists due to entrenched socio-cultural norms, economic pressures, and systemic gender inequality. This research examines child marriage through both global and Indian lenses, exploring its causes, consequences, and the legal mechanisms established to address it. Utilizing recent statistics, case studies, and policy reviews, the paper provides a multidimensional analysis. The study concludes with strategic recommendations aimed at prevention, legal enforcement, education access, and community-based interventions. Ending child marriage is essential to achieving gender equity, improving public health, and protecting the rights of the child.

Keywords: Child marriage, adolescent rights, gender inequality, early marriage, Indian law, child protection, social policy

Chapter 1: Introduction

1.1 Background of the Study

Child marriage, characterized by the formal or informal union of an individual below the age of 18, represents a pervasive form of gender-based violence and a violation of children's rights. This deeply rooted social practice disproportionately affects girls, cutting across religion, caste, class, and geography. According to UNICEF (2023), approximately **12 million girls** are married each year before they turn 18. While global trends indicate a slow decline, the rate of reduction is insufficient to meet the Sustainable Development Goal (SDG) target of eliminating child marriage by 2030.

In India, despite the enactment of the *Prohibition of Child Marriage Act (PCMA), 2006*, the practice continues, particularly in rural areas. As per data from the National Family Health Survey-5 (2019–21), **23.3% of women aged 20–24** were married before reaching the legal minimum age. This figure, though lower than in previous decades, still represents millions of lives affected by a tradition that compromises health, education, and autonomy.

Child marriage is not simply a personal or familial decision—it is the outcome of entrenched social norms, economic deprivation, and institutional gaps. It is a symptom of broader societal inequalities, particularly those related to gender and education. Addressing it, therefore, requires more than legal prohibition; it demands a transformation in societal values, access to quality education, economic empowerment, and the political will to enforce laws and support victims.

1.2 Significance of the Study

The issue of child marriage has far-reaching implications for the physical and psychological well-being of children, especially girls. Early marriage curtails education, increases exposure to domestic violence, and heightens the risk of early and frequent childbirth—often under unsafe conditions. This study is significant for several reasons:

- It brings attention to a continuing practice that violates the rights of children and obstructs development.
- It evaluates the effectiveness of existing laws and policies in curbing child marriage in India and globally.
- It contributes to academic and policy discussions by offering fresh analysis supported by data and case studies.
- It informs stakeholders—policy makers, educators, NGOs, and the general public—on the underlying drivers and possible solutions.

1.3 Research Objectives

The key objectives of this research are:

1. To analyze the socio-cultural, economic, and political factors contributing to child marriage.
2. To assess the impact of child marriage on health, education, and personal development.
3. To evaluate the effectiveness of national and international laws aimed at preventing child marriage.
4. To propose sustainable and context-specific strategies for eradicating child marriage, with a focus on India.

1.4 Research Questions

This study aims to answer the following questions:

- What are the primary causes of child marriage in India and globally?
- What are the short-term and long-term consequences of child marriage, especially for girls?
- How effective have laws and policies been in addressing this issue?
- What innovative or community-based solutions can be adopted to eliminate child marriage?

1.5 Scope and Limitations

The paper primarily focuses on India while also drawing parallels with global trends to provide comparative context. The study uses secondary data from reports by UNICEF, NFHS, government publications, and scholarly articles. While it incorporates case studies and statistical analysis, it does not include fieldwork or primary interviews due to time and resource constraints.

1.6 Methodology

This research is primarily qualitative, supported by quantitative data and graphical representation. The following methods have been used:

- **Literature Review:** Existing academic and legal texts were analyzed to understand historical and legal contexts.
- **Data Analysis:** Statistical data from NFHS-5, UNICEF, WHO, and other reliable sources were compiled to reveal trends.
- **Case Studies:** Real-world examples illustrate how child marriage manifests in different communities.
- **Legal Review:** National and international legal frameworks were assessed to determine their scope and enforcement challenges.

1.7 Structure of the Paper

The paper is divided into seven chapters:

1. **Introduction:** Overview, objectives, significance, and methodology.
2. **Causes of Child Marriage:** In-depth exploration of cultural, economic, and educational factors.
3. **Consequences:** Examines the impact on health, education, and rights.
4. **Legal Framework:** Discusses relevant laws, international conventions, and policy measures.
5. **Case Studies and Statistics:** Includes data visualizations such as pie charts and bar graphs.
6. **Recommendations:** Suggests ways forward including legal, social, and educational interventions.
7. **Conclusion:** Summarizes the findings and reflects on the future path.

Chapter 2: Causes of Child Marriage

2.1 Introduction

Child marriage is a manifestation of deep-rooted social structures, often perpetuated through culture, religion, and economics. The causes vary significantly depending on geographical, economic, and educational contexts. However, common patterns emerge that help explain its persistence despite laws and awareness campaigns. This chapter unpacks these causes, with a focus on India, supported by global parallels.

2.2 Socio-Cultural Norms and Traditions

In many communities, marriage is perceived not just as a personal decision but as a social contract involving entire families or castes. Cultural expectations often dictate that girls be married off as soon as they reach puberty, particularly in rural areas.

- In parts of **Rajasthan and Uttar Pradesh**, community-held beliefs continue to support child marriage, associating it with "family honor."
- The belief that early marriage protects girls from premarital sexual relations or sexual violence leads parents to marry daughters young, fearing social stigma otherwise.

In societies where women's roles are narrowly defined within domestic spheres, delaying marriage for education or employment may be viewed with suspicion.

2.3 Economic Factors and Poverty

Poverty is a critical driver of child marriage. For low-income families, marrying a daughter early reduces the financial burden—one less mouth to feed and often fewer dowry expectations.

- In **Bihar and Jharkhand**, families living below the poverty line are more likely to arrange early marriages for daughters.
- A World Bank study (2021) estimated that child marriage costs economies billions annually due to lost productivity and increased health burdens.

Moreover, in agrarian or informal sectors, girls may be seen as economic dependents rather than future earners, reducing incentives for education and delaying marriage.

2.4 Gender Inequality

At its core, child marriage is a gendered issue. Girls, more than boys, are subjected to early marriage because of their perceived lesser value.

- In patriarchal communities, a girl's primary identity is tied to her role as a wife and mother. Her autonomy and agency are systematically undermined.
- NFHS-5 (2021) data shows that child marriage among girls is **nearly six times higher** than among boys in India.

This disparity is not just legal but cultural—boys are seen as future breadwinners, while girls are expected to "belong" to another family post-marriage.

2.5 Lack of Education and Awareness

Education has an inverse relationship with child marriage. Girls who complete secondary education are **six times less likely** to be married before 18 than those with no education (UNICEF, 2022).

- States with higher female literacy rates—like Kerala and Himachal Pradesh—report significantly lower instances of child marriage.
- In contrast, states like **West Bengal (41.6%)** and **Bihar (40.8%)**, where dropout rates among girls are high, show elevated prevalence.

Moreover, awareness of laws such as the PCMA remains limited. Parents may not even realize that marrying their daughter before 18 is a legal offense.

2.6 Influence of Religion and Customary Practices

In some communities, early marriage is perceived as religiously sanctioned. While most religious texts do not explicitly mandate child marriage, customary interpretations often promote the practice.

- In some Muslim and Hindu communities, marriage is seen as a moral safeguard, reinforced through religious ceremonies.
- Tribal and nomadic groups across India also follow distinct customary laws, sometimes exempting them from formal legal structures, leading to early unions without legal registration.

2.7 Inadequate Law Enforcement

Despite laws like the PCMA (2006), enforcement remains weak.

- Law enforcement officials are often reluctant to intervene in "private matters."
- Child marriage is frequently carried out in secrecy, often during mass wedding events or community festivals.
- Many marriages are not registered, making legal action difficult.

A study by the Ministry of Women and Child Development (2020) found that **less than 10%** of reported cases of child marriage lead to prosecution.

2.8 Peer and Family Pressure

In rural communities, parents often face pressure from relatives or neighbors to marry their daughters early. The fear of social ostracism or being labeled as "irresponsible" drives families toward early unions.

Even adolescent girls themselves may internalize these societal expectations, seeing marriage as their only path to adulthood and security.

Chapter 3: Consequences of Child Marriage

3.1 Introduction

Child marriage is not just a violation of human rights—it is a trigger for a chain reaction of lifelong disadvantages, especially for girls. From health and education to psychological well-being and economic independence, the consequences are far-reaching and intergenerational. This chapter explores the key impacts of child marriage, drawing from real-world data and human development indicators.

3.2 Health Consequences

3.2.1 Maternal and Child Health Risks

Child brides are often thrust into motherhood before their bodies are fully developed, which increases the risk of complications during pregnancy and childbirth.

- According to WHO, girls aged 10–14 are **five times more likely to die** in pregnancy or childbirth than women aged 20–24.
- In India, teenage pregnancy is still alarmingly high in states with high child marriage rates. For example, **West Bengal and Jharkhand** report teenage pregnancy rates above 15%.

Early childbirth is also linked to low birth weight, premature birth, and higher infant mortality. Girls under 18 are less likely to access prenatal and postnatal care due to mobility restrictions and lack of autonomy.

3.2.2 Increased Risk of STIs and HIV

Early marriage often leads to unprotected sex with older, more sexually experienced husbands, increasing the risk of sexually transmitted infections, including HIV. Girls are less likely to negotiate safe sex or access reproductive healthcare.

3.3 Educational Consequences

Child marriage usually ends a girl's education prematurely. Once married, girls are expected to prioritize household duties and child-rearing, making it nearly impossible to attend school.

- According to the UNESCO Global Education Monitoring Report (2022), every year of secondary education reduces the likelihood of child marriage by **6%**.
- In India, the school dropout rate among girls spikes after puberty—especially in states like **Bihar, West Bengal, and Rajasthan**, which also have high rates of child marriage.

Even when education resumes later, the stigma, lost time, and financial burden make it extremely difficult for child brides to regain academic ground.

3.4 Economic and Employment Impact

Child marriage perpetuates cycles of poverty. Girls who marry early are often unable to complete their education, which limits their employment prospects.

- According to the World Bank (2021), child marriage leads to an estimated **loss of trillions in potential earnings** globally.
- A study in India estimated that eliminating child marriage could add **\$56 billion annually** to the economy through higher female participation in the workforce.

Furthermore, early marriage makes girls financially dependent on their husbands and in-laws, limiting their bargaining power and decision-making capacity within the household.

3.5 Psychological and Social Effects

Early marriage is strongly linked with increased rates of:

- **Depression, anxiety, and PTSD** due to early sexual activity and loss of childhood.
- **Domestic violence**, including emotional, physical, and sexual abuse. Girls married before 18 are more likely to report spousal violence compared to those married later (NFHS-5).
- **Social isolation** as child brides are often cut off from peers, support networks, and even natal families.

A qualitative study by Save the Children (2019) in India revealed that **over 60% of child brides** expressed feelings of regret, shame, and emotional trauma due to their marriages.

3.6 Violation of Rights

Child marriage directly violates multiple fundamental human rights, including:

- **Right to education**
- **Right to health**
- **Right to protection from abuse and exploitation**
- **Right to choose one's partner freely**

International conventions like **CEDAW (Convention on the Elimination of All Forms of Discrimination Against Women)** and **CRC (Convention on the Rights of the Child)** classify child marriage as a human rights violation.

3.7 Intergenerational Impact

The effects of child marriage extend to the next generation. Children born to adolescent mothers are more likely to suffer from:

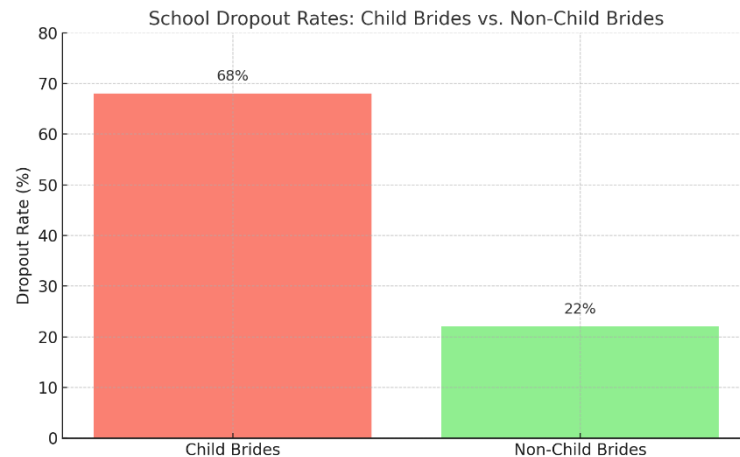
- Poor health and nutrition
- Inadequate education
- Increased likelihood of being married early themselves

Thus, child marriage not only harms individuals but also reproduces inequality across generations.

Summary Table: Major Consequences of Child Marriage

Area	Consequence
Health	Maternal mortality, STIs, high infant mortality
Education	School dropout, limited higher education
Economy	Reduced earning potential, poverty cycle
Psychology	Depression, domestic violence, social isolation
Human Rights	Violations of bodily autonomy, freedom, and childhood rights

Future Generations	Poor health and educational outcomes in children
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4.1 Introduction

While child marriage is deeply rooted in social customs, it is also explicitly addressed by national laws and international human rights instruments. This chapter explores the legal frameworks established to prevent and penalize child marriage, focusing on their scope, strengths, and challenges in implementation.

4.2 National Legal Framework in India

4.2.1 The Prohibition of Child Marriage Act (PCMA), 2006

The **PCMA, 2006** is the primary legislation in India prohibiting child marriage. Key provisions include:

- Defines a child as a **male under 21** and a **female under 18**.
- Declares marriages involving minors as voidable at the option of the child.
- Prescribes penalties:
 - **Up to 2 years imprisonment** or a **fine of ₹1,00,000**, or both, for those involved in organizing or promoting child marriage.
- Allows for the appointment of **Child Marriage Prohibition Officers (CMPOs)**.

Despite its clear intent, the law suffers from implementation gaps due to socio-political reluctance, lack of awareness, and weak monitoring.

4.2.2 Other Relevant Laws

- **The Indian Penal Code (IPC), 1860:** Addresses rape in child marriages (Section 375, Exception 2 – recently struck down in cases involving minor wives).
- **The Protection of Children from Sexual Offences (POCSO) Act, 2012:** Criminalizes sexual activity with minors, even within marriage.
- **The Right of Children to Free and Compulsory Education Act, 2009:** Promotes universal education, indirectly impacting child marriage rates.

4.3 Constitutional Provisions

The Indian Constitution lays down several provisions relevant to child marriage:

- **Article 21A** – Right to free and compulsory education.
- **Article 15(3)** – Allows the state to make special provisions for children.
- **Article 39(e) and (f)** – Directs the state to protect children from exploitation and ensure they grow up with dignity.

4.4 International Legal Framework

India is a signatory to several international conventions that mandate the prohibition of child marriage:

- **Convention on the Rights of the Child (CRC), 1989** – Recognizes 18 as the minimum age for marriage.
- **Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), 1979** – Urges nations to take measures to eliminate child marriage.
- **Universal Declaration of Human Rights (UDHR), 1948** – Asserts that marriage shall be entered into only with the **free and full consent** of both parties.

Despite these commitments, enforcement remains uneven due to cultural resistance and legal loopholes.

4.5 Recent Developments and Debates

4.5.1 Proposal to Raise the Legal Age of Marriage for Women

In 2021, the Indian government proposed raising the minimum legal age for marriage for women from **18 to 21 years**, aligning it with that of men. The rationale includes:

- Promoting gender equality.
- Reducing maternal mortality.
- Improving educational and economic outcomes for women.

However, critics argue that the move may criminalize consensual unions among young adults and overlook underlying structural issues like poverty and patriarchy.

4.5.2 Supreme Court Judgments

- In **Independent Thought v. Union of India (2017)**, the Supreme Court held that marital rape with a minor wife is punishable under POCSO, striking down the exception in IPC Section 375.

4.6 Implementation Challenges

Despite the presence of laws, actual enforcement is weak due to:

- **Low awareness** among communities and local authorities.
- **Social pressure** to maintain family honor.
- **Limited powers** and presence of CMPOs in rural regions.
- **Non-registration** of marriages, making monitoring difficult.
- **Religious and customary exemptions** that override national laws in some cases.

Data from the Ministry of Women and Child Development (2020) shows that out of thousands of reported cases, **less than 5%** led to legal action.

4.7 Role of Judiciary and Civil Society

The Indian judiciary has progressively taken steps to expand protection for minors in marriage. Civil society organizations, especially in states like Rajasthan, Bihar, and West Bengal, play a key role by:

- Raising awareness through community engagement.
- Rescuing girls at risk.
- Assisting in legal proceedings.
- Running adolescent empowerment and education programs.

Examples include **Breakthrough India**, **Childline India**, and **Kailash Satyarthi Children's Foundation**.

Legal Impact Analysis Table

Instrument	Scope	Effectiveness	Challenges
PCMA, 2006	National law prohibiting child marriage	Moderate	Weak enforcement, social resistance
POCSO, 2012	Criminalizes sexual activity with minors	High	Misuse concerns, overlap with IPC
CRC and CEDAW	International conventions	Strong moral pressure	Non-binding, slow integration
Proposed Age Amendment (2021)	Raise women's marriage age to 21	Mixed reception	Legal vs. social readiness

Chapter 5: Case Studies and Statistical Analysis

5.1 National Statistics on Child Marriage (India)

Recent data from the National Family Health Survey-5 (NFHS-5) reveal that child marriage among girls in India stands at **23.3%**, showing progress from **26.8%** in NFHS-4. While this indicates improvement, child marriage remains a pressing concern, especially in rural regions and among underprivileged communities.

The incidence varies significantly across Indian states. For example:

- **Bihar** (40.8%), **West Bengal** (41.6%), and **Jharkhand** (36.9%) record the highest rates.
- **Kerala** (6.3%), **Himachal Pradesh** (8.6%), and **Punjab** (8.9%) show the lowest prevalence.

5.2 Global Comparative Perspective

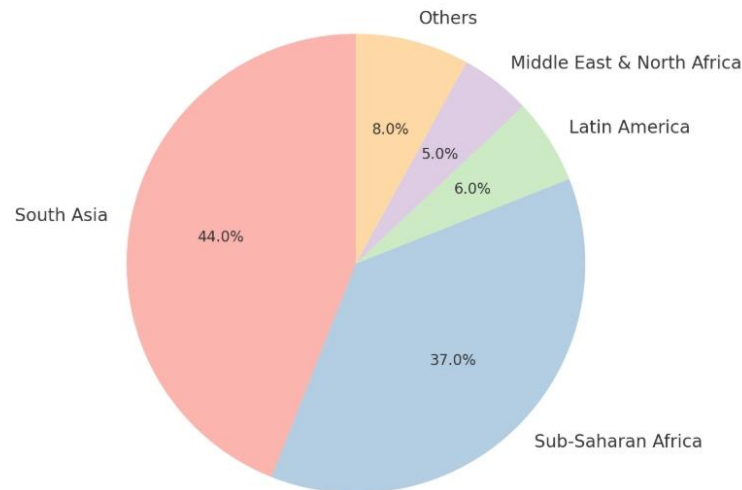
Child marriage is a global issue, most prevalent in **South Asia** and **Sub-Saharan Africa**.

According to UNICEF:

- **South Asia** accounts for **44%** of global child brides.

- **Sub-Saharan Africa** contributes **37%**.
- **Latin America and the Caribbean**: **6%**
- **Middle East and North Africa**: **5%**
- **Others**: **8%**

Global Distribution of Child Marriage Cases



5.3 Case Study: Rajasthan, India

Rajasthan, with a rich cultural heritage, also faces deep-rooted social practices like child marriage. A 2020 report by Girls Not Brides noted that nearly **35%** of girls were married before age 18.

An illustrative case from Bhilwara District:

"Pooja, aged 16, was married under the guise of a 'Gauna' ceremony. With support from a local NGO and police intervention, she returned to school and now works as a community advocate."

The state's child marriage prohibition units, set up under the PCMA, have helped prevent over **2,000 marriages** in five years, but underreporting remains a challenge.

5.4 Case Study: Niger (Global Context)

Niger has the highest global rate of child marriage. **76%** of girls are married before 18. A 2022 UNICEF study attributes this to:

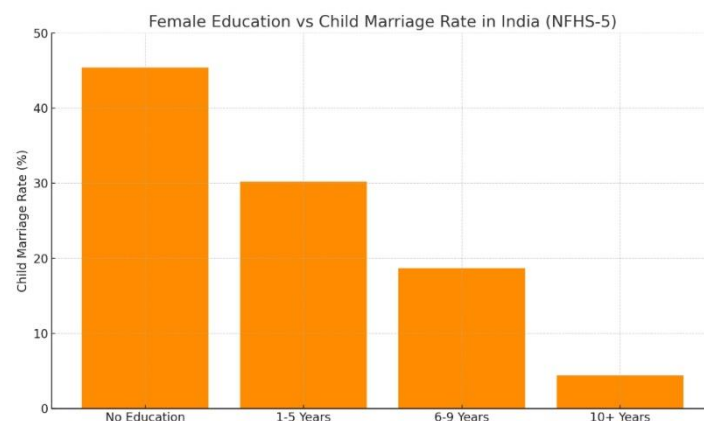
- Extreme poverty,
- Gender inequality,
- Weak legal enforcement.

International programs like **UNICEF-UNFPA Global Programme to End Child Marriage** have shown limited success due to lack of political will and logistical barriers.

5.5 Statistical Correlations: Child Marriage and Education

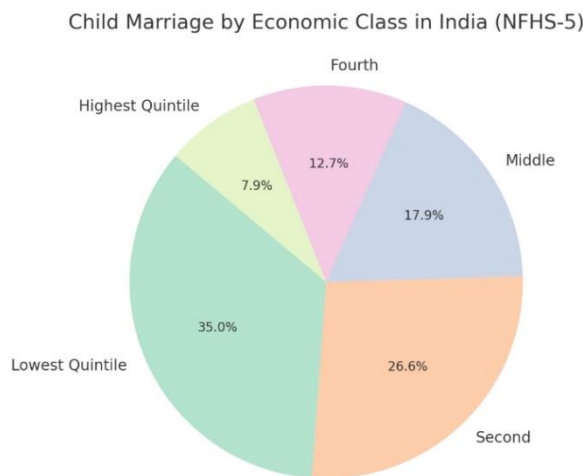
There exists a strong inverse correlation between **education levels and child marriage**. NFHS-5 data shows:

- Girls with no education: **45.4%** were married before 18.
- Girls with 10+ years of education: only **4.4%** were married early.



5.6 Child Marriage and Economic Status

Economic deprivation is a key driver. Households in the lowest wealth quintile show a child marriage rate of **39.5%**, whereas it drops to **8.9%** in the highest quintile.



Chapter 6: Recommendations and Solutions

Ending child marriage requires a holistic, multi-sectoral approach that addresses the underlying social, economic, legal, and cultural drivers. Based on global best practices, legal evaluations, and statistical analysis, the following key strategies are proposed:

6.1 Legal and Policy Interventions

- **Uniformity in Law:** Harmonize the legal age of marriage across all personal laws (e.g., Hindu, Muslim, Christian) with the secular standard of 18 years.
- **Stricter Enforcement:** Strengthen the implementation of the Prohibition of Child Marriage Act (PCMA), 2006, with clearer mechanisms for reporting, investigation, and prosecution.
- **Mandatory Marriage Registration:** Enforce compulsory registration of all marriages with digitized systems to flag underage unions.
- **Judicial Monitoring:** Set up child marriage monitoring units under district legal services authorities (DLSA) to oversee compliance and protection mechanisms.

6.2 Educational Reforms

- **Free Secondary Education:** Ensure access to quality education for girls up to higher secondary level through incentives like scholarships, free books, and midday meals.
- **Safe School Infrastructure:** Invest in girls' toilets, menstrual hygiene facilities, and transport to retain girls in school.
- **Vocational Training:** Incorporate life skills and job-oriented training for adolescents, especially in high-prevalence areas.

6.3 Community Engagement

- **Grassroots Campaigns:** Use local influencers—religious leaders, teachers, community elders—to spread awareness against child marriage.
- **Adolescent Empowerment:** Promote adolescent clubs and peer education models that educate youth about their rights and reproductive health.
- **Changing Social Norms:** Address harmful traditions and patriarchal attitudes through targeted behavior change communication (BCC) campaigns.

6.4 Economic Empowerment

- **Conditional Cash Transfers (CCTs):** Provide financial incentives to families who delay their daughters' marriages beyond age 18.
- **Self-Help Groups (SHGs):** Link young girls and their mothers to SHGs for micro-credit access and entrepreneurship training.
- **Livelihood Support:** Support income-generation schemes in vulnerable households to reduce financial dependence on early marriages.

6.5 Role of Civil Society and Technology

- **NGO Partnerships:** Strengthen government-NGO collaborations for last-mile delivery of services and rescue interventions.

- **Digital Tools:** Develop mobile apps and hotlines for anonymous reporting of child marriage attempts.
- **Real-Time Monitoring:** Use data analytics and GIS mapping to identify high-risk regions and track interventions.

6.6 International Collaboration

- **Adopt Global Models:** Learn from programs like Tostan (West Africa) and the Berhane Hewan project (Ethiopia), which successfully delayed marriage by combining education, community dialogue, and economic support.
- **Funding and Accountability:** Mobilize international funds with transparent monitoring systems and regular impact audits.

These recommendations form a multi-tiered strategy that not only prevents child marriage but also promotes gender equity and child welfare on a long-term basis.

Chapter 7: Conclusion

Child marriage remains a critical barrier to achieving gender equality, universal education, and the protection of children's rights. Despite the presence of legal safeguards and policy commitments, the persistence of this practice—particularly in economically and socially vulnerable regions—highlights a significant gap between law and lived reality.

This research has explored the deep-rooted causes of child marriage, ranging from poverty and lack of education to cultural norms and gender-based discrimination. It has also examined the multi-dimensional consequences of early marriage, including its negative impact on health, education, and intergenerational poverty. While the legal and policy framework in India and globally provides a foundation for addressing the issue, challenges such as inconsistent implementation, lack of public awareness, and limited access to justice for victims continue to hinder progress.

However, the study also reveals a positive shift driven by judicial interventions, civil society activism, and community-based programs that aim to change societal perceptions and empower girls. The statistical evidence presented in this paper—supported by real-life case studies—confirms that with targeted interventions, it is possible to reduce and ultimately eliminate child marriage.

Moving forward, a collaborative approach is essential. Governments must prioritize the enforcement of existing laws while investing in girls' education and community engagement. At the same time, international cooperation, data-driven strategies, and grassroots mobilization will play a decisive role in sustaining progress. Ending child marriage is not merely a legal obligation; it is a moral imperative that speaks to the collective conscience of a just and equitable society.

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