Child Marriage in India: A Young Life Sold

Child marriage is a significant problem that has been occurring all around the world for centuries. Young girls are sold off to be a domestic worker for her husband, being faced with a future of poverty, rape, sexual assault, abuse, and lack of education. This problem is most concentrated in India, which is home to the largest number of child brides worldwide (Paul, 2). This practice is a substantial violation of human rights, however, socio-economic and cultural aspects of India such as poverty, lack of education, and religious traditions create the circumstances for child marriage. With such deeply rooted motives in a tradition based country, child marriage is an ongoing problem that desperately needs addressed and reformed.

A study done by Jawaharlal Nehru University in New Delhi, India examined the global demographics of victims of child marriage, revealing how high the scale of this problem reaches. Since 2018, around 650 million women were married under 18 years of age, worldwide (Paul, 1). Child marriage is most popular in lower-middle income countries, such as those found in South Asia and Africa (Paul, 1). The countries in these areas contain multiple regions that are rural and under-developed, which is the prime location for this practice to take place. South Asia represented 44% of the child marriages occurring worldwide, totalling to 285 million children being put into child marriage in the past two years (Paul, 1). Of the countries located in South Asia, India represented 27% of the total child brides (Paul, 1). As a densely populated country, this shows how widespread the injustice of child marriage is, and puts into perspective how many young girls are being stripped of their promising futures for a lifetime of suffering.

Poverty is the most influential source of suffering for most families, which results in child marriage being primarily influenced by it. India contains a population with a narrow range of financial stability, which produces a divided spectrum of wealthy individuals and poor
individuals. Many families will do what is necessary to relieve the financial burden placed upon them, and culturally young girls are often seen as the source of this burden. Traditionally, South Asian countries, such as India, participate in the payment of a dowry, which is a gift of money and other goods of monetary value given to the family of the bridegroom from the bride’s family. It has been found that there is an added financial incentive to the parents for marrying off their daughter early in the girl’s life, so they don’t have to pay such an expensive dowry to the groom’s family (Paul, 2). Marrying off their daughter as young as possible will also relieve the family of the potential cost of education and basic care for her, as they are passing it on to her husband. Poverty regulates the decision making of a family, and early child marriages largely result because of it.

With girls being sold off as wives at such an early age, the possibility for education is annihilated. They are now assuming the life of a domestic worker where no education is necessary, and younger aged girls are more susceptible to this lifestyle when their opinion is not taken into consideration. On average, one-fourth of women in India have no schooling, and only 12% of them were in college or higher level of education (Paul, 4). Girls having a higher level of education are more job aspirants than lower educated girls’, therefore, they tend to marry at later ages (Paul, 2). Education directly correlates to having more freedom, liberty, and power in this culture, and without it women cannot be self-sustainable. They are put at risk for sexual assault, rape, and unwanted pregnancy, which can be dangerous at such a young age. Having autonomy as a woman puts them in a better position to avoid being sold into a marriage, where they may not have the ability to make decisions on their well-being or future.

The lack of value the Indian culture and religion places on women and girls puts them in a situation where they are highly susceptible for child marriage. Hinduism is largely practiced in India, and the strict values influence family life and personal relationships. Hindu law is integrated into Indian law in a process called pluralization, which can be summarized as a set of micro-legal systems, so domestic practices may be legally followed from Hindu traditions (Francavilla, 533). Marriage rules originate from dharmashastra literature, which is a series of doctrinal works stating the dharmic rules. These works include how a girl should be married, requiring her to be married a few months after puberty begins or even before (Francavilla, 533).
Early marriage is considered a duty because it ensures control of female sexuality and limits illicit sexual intercourse outside the institutionalized context of marriage (Francavilla, 534). All of these requirements can be condensed into the ideology of giving the girl away as functional and easier because she will not question it at such a young age. As described before, child marriage largely suffers at the hands of the Indian patriarchy, so unfortunately an older age would still not make any resistance from a girl more prevalent because her value is still significantly low. These religious influences make child marriage inevitable because they are difficult to avoid and are widely accepted.

The human rights of these victims are undoubtedly being violated. The Universal Declaration of Human Rights states, “Marriage shall be entered into only with the free and full consent of the intending spouses… They are entitled to equal rights as to marriage, during marriage, and at its dissolution,” (UDHR, Article 16). Child marriage rids of any possibility for equality or personal freedom of any kind because of the power the husband holds over the girl, which infringes on her rights as an individual and a spouse. Her young age also prevents her from making a consenting decision towards the marriage, which results in the marriage being forced. Because this issue is a clear infringement on the rights of young girls, solutions have been created by the international community to stop this injustice. The Convention on the Rights of the Child was created in 1989 by the UN General Assembly to address the injustices occurring not only in India, but around the world. It designates the meaning of a child to be every human being below the age of eighteen years of age (CRC, Article 1). This document also ensures that state parties shall take all appropriate measures to protect the child from all forms of physical or mental violence, including sexual abuse (CRC, Article 19). While this document states the illegality of child marriage, there were no regulations on the punishment of those involved in permitting the child marriage to occur. India established The Prohibition of Child Marriage Act in 2006 to establish the repercussions one may face for involvement with this crime. In this Act, a male must be twenty-one years of age and a female must be eighteen years of age to legally be married (PCMA, 2). It also states that a male adult above the age of eighteen contracting a child marriage shall be punishable with rigorous imprisonment, and the girl whom was victimized in the marriage will not receive punishment nor imprisonment (PCMA, 10-11). With the
implementation of these regulations and laws, child marriage has declined by 20% in the last 10 years (Paul, 2). However, the remaining percentage of child brides still suffer from this injustice, and solutions still need to be made to abolish this crime for all.

Even with activism and progress being made, child marriage will always be present because of cultural norms in India and around the world. Gray areas in the legislation let this continuously occur because of the influence religion has on the government and law enforcement. Extremely early ages of child marriage has sensitized the state from recognizing the instances where the age is close to eighteen, which still poses a problem and infringement of the girl’s rights regardless of the severity (Francavilla, 530). The powerful hold that Hinduism has on the state’s power creates a barrier that may never be resolved. Because of the pluralism that the government shares with Hindu law, progress can be slow and ineffective. The Universal Declaration of Human Rights was signed by India in 1948, which means that child marriage was still clearly occurring even after their agreement to protecting human rights “without distinction of any kind, such as race, color, sex…” (UDHR, Article 2). The Convention on the Rights of the Child was not established until 1989 either, which then fully initiated the legality of a marriage and the human rights that must be respected as well. This raises the question of when and how will child marriage ever be ended. The answer to that question lies in the hands of Indian legislation and other influences from the international community. Their influence and commitment to addressing this problem will decide the fate of so many. These young girls should no longer be victimized and put into a life they have no choice over, and their human rights should be respected.
Works Cited


*The Prohibition of Child Marriage Act*. 2006,


*Universal Declaration of Human Rights*. 1948,