

The Land of Child Marriages

Even as summer's long, dusty fingers rake the landscape of Rajasthan and swirls of sand and leafless, desolate Kejri trees heralds the onset of the gruelling heat season of this desert state in western India, it is Akha Teej and time for marriages and rejoicing.

Akha Teej, the harvest festival, comes according to the Indian calendar sometime between the end of April and the middle of May. Synchronising with it is the season of weddings.

Work virtually comes to a standstill in fields, factories and offices as everyone takes leave to participate in the celebrations. The jingling of bullock cart bells and the phut phut of tractors can be heard on every conceivable road and dirt track as gaily dressed wedding parties, proudly bearing young grooms and brides set off for the festivities.

Child marriages take place all over the country but particularly in the backward, illiterate areas of the country and those close to the border with other countries. But nowhere is child marriage as common as in Rajasthan or the couples so young and innocent. They are the youngest anywhere in the world. Some of them no more than a few months may still be wrapped in swaddling clothes or as the Rajasthani would say in "pelli pothri", yellow napkins of the new born.

Matches are struck in India even before the birth of a young one. Pregnant women have been known to work out an alliance even when the child is ⁱⁿ the womb. If the young ones are of opposite sex, the commitment is honoured. The 'pheras', seven circles around the sacred fire that symbolise a marriage, are often ^{to} taken by the parents with the young bride and groom fast asleep in their mothers arms. Babies are even made to sit or sleep in huge brass plates which are given with the little girl as a marriage gift. Such instances, however, are getting to be the exception instead of the rule.

Most girls in rural areas which are still custom and tradition bound, get married between the ages of five and 15. The

boys may be slightly older because the gap between the ages of the bride and groom varies from 2 to 6 years normally.

Though the law clearly forbids child marriages and the legal age is 18 for girls and 21 for boys this is overlooked and the centuries old tradition of child marriage persists.

In Rajasthan alone several thousand marriages take place at Akha Teej. The crop has just been harvested, the farmer's pockets are jingling with money and there is no work in the fields till the next season of sowing. In most parts of India the date and time of the wedding is fixed by priests in consultation with astrologers after studying the horoscopes of the bride and groom. But at Akha Teej there is no need to consult anyone. It is a time that the Gods have chosen or so local custom would have us believe.

But an early marriage does not mean that the girl is packed off to her in-laws house or starts living with her husband. She continues to live with her parents till she attains puberty than after a ritual called "muklava" which can be very simple or elaborate depending on the financial status of the family she enters her new home. The period of celibacy is normally over at 13 to 16 years of age.

No one seems to know when and how this practise of child marriages began. In the Vedic period, however, couples were married at a mature age. India's ancient scriptures show that there was courting and couples sought the consent and blessings of their elders. There are also references to Swayamvaras or court marriages where the princess by garlanding one of a turnout of suitors selected her partner for life.

The practise of child marriages seems to coincide with the foreign invasions that began from the north west frontiers of India around 300 B.C. The invaders had no respect for India's religion, her traditions or her women folk. Young, attractive girls were abducted and molested. Both Hindus and Muslims placed high value on the chastity of the woman. It therefore became more convenient to get daughters married, even if it was in childhood

to taking the risk of her ^{being} abducted or her purity sullied. It also eased parents the responsibility of their daughters at a comparatively young age and ensured the security of the girl.

In Rajasthan where there is a high degree of poverty and sex ratio is balanced in favour of the males (there are 919 women to every 1000 men in Rajasthan) there are economic and social compulsions too for an early marriage...but more about that later. The dominant feeling in rural Rajasthan is still that if a girl does not get married by 15 years she may not get married at all or find only a widower.

According to Hindu religion marriage is obligatory. It is a "sanskara" (religious rite) that is prescribed for every Hindu. The Hindu marriage is also a contract between two families and the girl is gifted not just to the groom but to his family to honour and cherish. "Kanyadam," the gift of a young girl, preferably pre-puberty and a virgin is considered the best gift. The prevalence of child marriage among Hindus was probably due to this fact that the scriptures sanctioned them.

But for well over a century now social reformers have been trying to set right this obscurantist practise of child marriage. Child marriages, they argued, virtually destroyed the joys of childhood. Young girls were forced into adult responsibilities when they should be studying and going to school. The literacy rate for girls in Rajasthan is barely 7 per cent. The early marriage and frequent pregnancies tell on her physical health and leave her weak and emaciated.

Worse many of the young brides become child widows before their marriage is consummated and are shorn of jewellery, colourful clothes and are ostracised from social and religious functions. Even their shadow is believed to be unlucky. Even today in western Rajasthan widows wear only blue and black veils or 'odnis' or white chaddars. These colours are therefore never worn by orthodox, married girls. In South India and West Bengal tradition-

ally the hair was shorn off the heads of widows irrespective of whether they are six years or 60. Many of these young widows ended up working as servants in the house of their in-laws. Others were ill-treated and their lives were as barren, bleak and joyless as a desert landscape.

It is for this reason that in the 19th century itself social reformers sought to make life a little easier for young girls by raising the age of marriage. Raja Ram Mohan Roy initiated the reform movement on child marriages. Ishwar Chandra Vidyasagar fought for post-puberty marriages. The Indian Penal Code of 1860 declared consummation of a marriage as rape if the girl was below 10 years of age and severe punishment was prescribed. In the princely states of Baroda, Mysore, Kotah, Rajkot, Indore and Kashmir various Acts penalising child marriages were enacted even before the Sarda Act of 1929 came into force and the age of marriage for girls was raised to 14 and for boys to 18. The Act was amended in 1949 to raise the minimum age for girls to 15. In 1978 it was further amended and the age of marriage for girls was raised to 18 and for boys to 21.

But the Act has failed to curb let alone dampen the fervour of those who believe in child marriages. But despite the failure on the legal front the age of marriage has been steadily rising according to government statistics. For girls it has shot up from 12.8 years in 1891-1901 to 14.9 in 1931-1941 and 15.4 in 1951-1961. It is believed to have gone up further to 16.2. For boys too it has risen but not in matching proportion. In 1891-1901 it was 20 years and in 1951-61 it was 21.7. This is due to the heightened awareness of the pitfalls of early marriage and the spread of education.

The maximum punishment for breaking the law on the child marriages is simple imprisonment of 15 days or a fine of Rs. 1000 (\$65) or both for the bridegroom who is over 18 years but below 21 years. For a male over 21 years the maximum punishment is three months. The punishment is too mild to be a deterrent.

And in India where even births are not properly registered leave alone marriages it is difficult to build up a case and collect evidence.

Women are exempt from any punishment . Non-compliance with the age requirement does not invalidate the marriage. The offence is non-cognisable and the courts have no jurisdiction to take action if the marriage is a year old.

Mr. Sunderlal Sarada, a retired district magistrate and the grandson of Har Bilas Sarada in whose name the first child marriage restraint act came into force, says the police don't catch thieves and murders. How do you expect them to arrest child brides and grooms even if the marriage takes place in their presence, especially if the whole community is participating in the celebrations. The Sarada Act is a dead Act. It has never been enforced, he says.

1990 has been declared by the United Nations as the year of the girl child. In Rajasthan it is to be observed as the year against child marriages. Social workers, working at the grass root level, in the villages of Rajasthan find that the deep rooted custom of child marriages is based on social and economic needs and circumstances and cannot be scoffed at. They do not favour child marriages. Nor do they dismiss them as outdated and evil customs of an illiterate mass.

Dr. Sharda Jain, Institute of Development Studies, Jaipur, says the problem of child marriages should be seen in the context of the poverty of the people of the area. The urban intellectuals are obsessed by child marriages but they are agonised by their poverty. She is confident that if their economic status is raised the number of child marriages would be reduced. Education, economic independence and raising the status of women are considered to be the three vital ingredients for phasing out child marriages.

In the lower castes in Rajasthan it is not as savage or ^{cruel} ~~cases~~ a custom as in some other parts. It is only in the lower

castes, which are also economically deprived, like the Regars, Gujjars, Meenas, Berwas, Khatiks, that very early marriages take place. Even if a girl is married early she is not sent to her husband's house till she attains puberty. It is poverty too and the fact that girls are in short supply that makes them demand a bride price. It may just a lot of silver jewellery --for the Rajasthani women love ornaments or it may include some cash.

In the communities in which child marriage takes place there is also the custom of 'nata', a kind of re-marriage for the girl without the formalities of a legal wedding with property rights thrown in. A child widow or a woman abandoned by her husband because she is sterile or a woman who opts to walk out of a marriage can have this 'nata' or arrangement. Society accepts it. She can adorn herself and her physical and social needs are met even though her status is lower than that of a married woman.

Very often the man who takes a 'nata' has to pay the girl's parents and may be even her ex-husband. The 'nata' ritual is distinctively different from that of a marriage. At times after getting her parents permission, the girl enters the man's house from the back door and starts living with him. In some castes the girl has to carry a pot of water on her head from the well to the house of the man she chooses to live with.

At the ~~soci-~~ social work research centre at Tilonia, near Ajmer, I met 50 women from the neighbouring villages who had come to the centre for a women's development programme. It was late in the evening and under the cloak of night they talked from the heart about their lives and relationships. "A woman who is a nata is treated like a used goat but it is better than widowhood, one of them said. Another woman who is contemplating a similar arrangement, said she had been set aside by her husband for she could not have any babies. "If I go as a nata it will be to cook and work for another man," she said.

Teeja, who comes from a weaver's family, said her sister was married very young and when she came of age and went to her

husband's home he abandoned her as an illiterate. At the insistence of the village she was sent as nata when she was 25. But the second husband is on drugs and she feels she has jumped from the frying pan into the fire.

In those villages where modernisation and city life has cast its shadows, the boys are getting educated and sophisticated and do not accept an illiterate wife. They want someone who is more compatible.

In the upper castes like the Brahmins, Rajputs and Banias girls get married later, dowry has to be given, there is no practise of remarriage if the husband dies. The widowed girl has a miserable existence in these castes. Instead of a bride price it is the groom's parents who demand a dowry--cash, jewellery, household articles have to be given. The well to do may even have to give cows, buffaloes and goats. These rich, upper caste weddings do not take place en masse as in the lower castes. ^aEach marriage is celebrated separately and is a grand affair depending on the wealth of the family.

The mass marriages in the lower caste are seen as an economic necessity. Since each individual wedding would cost Rs 15,000 to Rs. 20,000 (\$1000 to 1300), when the eldest girl in the family turns 12 or 13, the girl and all the younger children in the family are married off. In the case of joint families two or three brothers ^ymay jointly celebrate the wedding of not only their progeny but also of all unmarried younger sisters and brothers.

Kistni is a widow of Karampura village. It would have been extremely difficult for her to arrange the marriage of her little girl. She is grateful to her in-laws for celebrating the marriage of her two-year-old daughter along with that of their 11 sons. Only two of the 11 were old enough to bring their brides home.

Norti says her in-laws got her two and a half year old daughter, Sampathi, married without consulting her some 20 years ago

Today Sampathi is 23. She went to her husband when she was 17. She has three children and confesses she has not enjoyed her marriage. Northi has a younger daughter who is just eight. Times and circumstances have changed. I will get my daughter married when she is 18, she says.

Mangni belongs to community of shoe makers. She was just 18 months when she got married and was given in "Kanyadan" in a brass plate while she was fast asleep. When she was seven or eight she went with her family to a fair where she was told that the boy on the giant wheel was her husband. When 17 she went with her two sisters to her husband's home. All three girls wore veils and the husband could not make out who he had married, she recalls giggling.

Mangni's in-laws would not allow her to study. Now they too have changed and Mangni has attended an adult literacy centre and can read and write.

Rasmibai of Panwar village belongs to a community which takes a bride price. I got Rs. 2000 when I married my girl at the age of 13, she admits. Rasmibai needed the money.

At the mass marriage the cost of feeding the guests is reduced. Instead of Rs. 20,000 each family spends just Rs. 3000 to Rs. 4000. Since marriages take place all over Rajasthan on that day, the number of guests is automatically reduced.

Marriages are also performed when an elderly member of the who may have lived to a ripe old age dies. On this occasion, called "mauser", it is important to give a feast to all relative and villagers who gather for the last rites. Purely as an economic measure marriages are quickly arranged and solemnised. One grand meal suffices for the mauser as well as the half a dozen weddings.

The wailing for the dead stops at sunset and the death of an old man is a matter for celebrating. So the villagers don't see a contradiction in having a death ceremony and a marriage simultaneously. At such deaths cash and clothes are given to the

widow or the oldest surviving member of the family. Sometimes 15 to 16 sets of clothes are given and these are used to marry off the young, unwed girls. So though it may seem crude to have a marriage and a mauser simultaneously, it is a necessity for the poor who cannot do without ceremonies and rituals and are willing to compromise to cut costs.

Early marriages also give security to the girls of the lower caste who may be out the whole day grazing cattle. Even if a girl is raped once a girl is married she is accepted by her in-laws. An unmarried girl in rural India would not be accepted if sexually assaulted. The parents therefore feel relieved of responsibility when the girl is married. The marriage of a young girls also costs less because her wrists and anklets are smaller and much less silver or gold would have to be invested.

Among Jats and Gujjars who have agricultural land or several heads of cattle to care for, parents tend to keep their girls with them for as long as they can to do help in the fields. If a Jat or Gujjar boy does not get married early he finds it extremely difficult to get a wife later. The village thinks there is something wrong with the man who stays single and he ceases to get proposals. Finally he may end up having a nata for whom he has to pay a generous bride price as well as give in exchange as nata his sister or niece. Explaining the intricacies and complications of these fragile relationships, a village woman said "see what happens if the girl and boy don't marry early-- three families suffer.

In Rajasthan where there are fewer girls than boys, the boy's parents hesitate to refuse a proposal for fear of not getting another.

Ram Lal, the driver of the SWRC at Tilonia belongs to a community that has traditionally grown and sold vegetables. His father was blind from the age of seven and because of this handicap remained poor. No one was willing to marry their daughter

handicap he stayed poor and no one was willing to give their daughter in marriage into his family. His four brothers too married late. Finally a relative found an equally poor family in a neighbouring village desperately trying to find a match for his six sisters and two daughters. It was only because Ram Lal was independent and had a respectable job as a driver that they ultimately agreed to give a girl in marriage. Then the girl's mother died and they labelled Ram Lal as unlucky and almost cancelled the marriage. But some villagers elders prevailed on the family not to go back on its promise. Ram Lal was 32 when he got married to 15-year-old Dhapu.

Today Ram Lal has four daughters--7.5 years to 18 months. He is determined to marry them all off when the eldest is 13. "I will not take bride price for them but I do expect their in-law to provide them with sufficient jewellery," he says.

The concept of a single woman is totally alien to the rural areas of Rajasthan, says Aruna Roy, who works among the rural poor in Devdungri, near Udaipur. Even the hunchbacked woman gets a husband. The only single woman is a widow and her status is exceedingly low.

There is a learned saying in Rajasthan which is applicable to all castes. It says "till a girl can grind five kilograms of wheat every day and carry two pots of water she is not old enough to go to her in-laws. This means the girl would be about 15 or 16 before she has the strength to perform these chores and is old enough for her married life.

In villages where there are modern, powered grinding machines these traditional measures that determine the girl's maturity do not have any relevance. But in villages where there is no electricity and the groom's family is fussy about having chappatis (Indian bread made out of wheat flour), these wise sayings are still relevant. In many villages of Rajasthan women have still to carry water on their heads from long distances.

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Rajasthan has some excellent programmes for women's development. Without antagonising the villagers attempts are made to raise their awareness about various issues including child marriages. Last year 13 child marriages could be stopped by informing the police and seeking their intervention. In two cases though police was sought the marriages could not be stopped. The district women's development agency (DWDA) does not stop the marriage of older girls of 16 and 17 but it tries to intercede in the case of marriages of younger children. They encourage families to put in a fixed deposit the Rs.2000 (\$135) that they would spend on the wedding so that it gathers interest and can be used two to four years later for the same girl's wedding.

It is easier to influence families of the lower caste who are poor than those of the Banias or Jats who are affluent. As far as possible DWDA avoids bringing in the police. But in Rajpura basti of Jaipur police help was sought in stopping the marriage of a five-year-old last year. Because the custom of child marriage is wide spread and accepted by the community at large, the police too, it has been found, intervene only in cases where families are poor and have no clout to resist them.

In village Booj, Ramghar panchayat samiti of Jaipur district despite the support of the village community and the local police, the DWDA was unable to stop the marriage of a six-year-old girl, Thanedharni, to a man of 40 years, Bodh Ram, who had stayed single so long because he was having an affair with his brother's wife. It was the most pernicious kind of marriage for Rewar Ram, the girl's alcoholic father, literally sold her for Rs.16,000.

Teeja, a village social worker of Manuli village, adjacent to Booj, came to know quite by accident that an alliance was being worked out between Bodha Ram and Thanedharni in May last year. When she could confirm this news she informed Shanti, her colleague working in Booj. A 'jhajam' or a meeting of grass root

level social workers was held and five workers approached the girl's parents to dissuade them from the disastrous alliance.

The girl's mother and seven sisters complained about Rewar Ram, an ex-policeman and forest guard. He had broken his wife's teeth after drinking too much and had sold off all seven daughters for sums varying from Rs.5000 to Rs.8000. If a girl protested she was beaten up.

On June 5, Rewar Ram was summoned before the panchayat samiti the local administrative head of the village. To ensure that Rewar Ram appeared before them sober, the village liquor shop was kept closed. Rewar Ram was warned against going ahead with the marriage. But he stormed out in defiance. There was even a social boycott of the alcohol who sold his daughters to the highest bidders. Rewar Ram then took to carrying an axe with him and the villagers stopped talking to him.

A stay order against the marriage was also obtained and social workers and the police kept guard in the village to stop the marriage. But late at night, Rewar Ram sneaked out of the village with Thanedharni and got her married in the adjoining Alwar district. Since the marriage is not registered the social workers are finding it difficult to get evidence of the marriage. Annulment of the marriage is also being considered but it seems too drastic a step to take in the tradition-bound village. And even if it is annulled would the social worker or the state take the responsibility for her upbringing?

Thanedharni, with her broken milk teeth, is back in the ^{village.} She is out the whole day with her mother grazing cattle. She loves climbing trees and playing with the goats but after the hullabaloo about her marriage she tend to keep away from public eye. Though I saw the young bride from some distance, I could not speak to her for she was zealously guarded by her mother, and her axe wielding father was never too far away.

At Vatika village of Sanganer panchayat samiti, also in Jaipur district, the women's groups were unable to stop the

wedding of a 14-year-old with a married of 45, with a wife and four children. The man's wife and the girl's mother even appealed to the police station at Sanganer to stop the marriage. With tears rolling down her cheeks the first wife wailed that she and her four children would be orphaned if the sole bread winner of the family took on a young wife but her pleading fell on deaf ears.

The villain of the story was the girl's uncle who had given shelter to the girl and her mother since his brother's death. He is believed to have received Rs30,000 (almost \$ 2000) to give the niece to the middle-aged married man. A stay order was even got from a Jaipur court but the Sanganer police would not accept it. The uncle and the groom are believed to have bribed the local police and the women's groups could do nothing about it.

The women's department has no objection to a woman living with any man of her choice but it disapproves of the sale of young brides in the pretext of custom and tradition as in the case of Thanedharni and the young bride of Sanganer.

The women's groups have also played a positive role in high lighting with the help of the media all those cases where politicians, who should be setting examples, have flouted the law on child marriages. In the last couple of years two ministers of Rajasthan had to be dropped from the state Cabinet when their misdeeds hit headlines in the press. In 1981, Mr. Nand Lal, a scheduled caste minister, married two of his daughters aged just 7 and 11. At the intervention of the Congress government from Delhi, Mr. Nand Lal had to resign. All ministers and senior politicians who attended the wedding were also reprimanded.

Just two years ago another minister of Rajasthan, Mr. Ram Sing Bishnoi met the same fate when the secret of the marriage of his minor girl was revealed by the girl herself. The girl revolted against her father and said she would not go to the man

to who she was married when they were both minors. After two years in the wilderness Mr. Bishnoi is back in the government as a minister.

But the more positive contribution made by the women's groups is in giving emotional and economic support to the girls and helping them rehabilitate themselves. Many of them are Sathins or active workers of the women's group. They are also more effective in bringing about awareness about child marriage and countering it when the need arises without upsetting local sentiments or the people's self esteem.

Lakshmi of Narainpura village, who works with the DWDA today, was just eight or nine years old when she got married. Two years later her husband died and all the rituals of widowhood were observed. Her colourful bangles were smashed and she stopped wearing the pinks, yellows, reds and greens worn by those with a living husband. "All that I knew about marriage before becoming a widow was that it was fun and gaily. It meant eating a lot of 'laddoos' (Indian sweets served at weddings), wearing lacquer bangles and dazzling up my dress with gold threads and mirror work. There was also a great deal of music and dancing with local bands in attendance."

Om Kunwar, a Rajput, was widowed at 11 years. Her husband fell off a roof while flying kites. Since her community would not dream of a remarriage for her, she adopted her sister's son and got independent. Today Om Kunwar is 40 and an active member of the women's development programme. She is an evolved person and has the courage to wear colourful skirts, bangles that jingle as she walks and a bright bindi (dot) on her forehead.

Munni, 28, a child widow too, works with the WDP and campaigns actively against child marriages. She even persuades families of the upper caste to remarry their daughters should they become widows. And when Munni speaks the villagers listen for she herself has been through the trauma and hardships of widowhood.

The story of Shipudevi (36) another child widow of Bardni Khurd, Jodhpur district, is quite an extraordinary one. Shipudevi wears no badges of honour but the story of her life has given strength to many women entangled in the web of illiteracy, economic servitude and widowhood.

Shipurdevi was just three when she got married. She has been told that she was extremely sleepy at the wedding and because people kept prodding her to keep awake during the rituals she kicked a lot and broke her bangles. This was considered inauspicious. She even threw the money given into the fire.

Her husband, Mangilal was only five then. When he was in class 1 he had typhoid and died. It was a festival day, Shipudevi recalls and a sweetened, thickened milk preparation, 'kheer', ~~had~~ which Shipudevi loves, had been made. Suddenly her father walked into the house crying and her mother followed suit. "I too wept seeing my parents paroxysm of grief but did not what it was about. The kheer was given to the dogs."

Shipudevi's brother had been married when he was 10 and was having marital problems. Her sister was mentally retarded. So her father, an agriculturist, decided to educate her. In 1969 in 24 villages around Shipudevi was the only person to have completed her high school. But her education did not get her a job. She carried head loads of mud during famine relief work and was given a rupee a day (16 rupees make a dollar).

Other villagers stopped educating their sons. If an educated girl has to carry mud what was the point in educating boys?

The village headman who was approached to get her a job said "work in my house and I will give you Rs.10 a month."

One day a gentleman supervising construction work saw her hand writing and was so impressed that he employed her to write accounts. When that work was over she got a job as a teacher in a village school for two months. When the school closed for the summer holidays she went home and never got her job back. A

year later when a nutrition programme was started in the village, she was offered a job.

Shipudevi's father wanted her to marry But she chose instead to work for her family. She took personal interest in the education of her brother and got him to his masters in commerce as well as get a degree in teaching. She herself has a bachelor's degree in arts and has a government job in women's development.

Shipudevi, however, wears only the white dress of the widows for the last 15 years. It enables her to get respect as a widow and no one misunderstands her if she converses with men.

There is no immediate solution to Rajasthan's problem of child marriages. Miracles do not happen and customs and tradition cannot be wiped off or wished away. The age of marriage is rising, albeit slowly, and is directly related to the economic independence and education of women. Social workers are asking villagers to delay the Muklava--the young bride's entry into the house of her husband--as long as they can even if they want their children to marry young.

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