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# Child Marriage in India: Prevalence, Socio-Cultural Drivers and the Efficacy of Legal Interventions

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## ABSTRACT

*This paper examines the pervasive issue of child marriage, focusing on its prevalence, causes, and consequences, particularly in India and other global contexts. Child marriage, defined as marriage before the age of 18, remains a significant human rights violation affecting millions, predominantly girls. In India, despite legal frameworks like the Prohibition of Child Marriage Act (2006), socio-economic factors such as poverty, cultural beliefs, gender inequality, and weak law enforcement continue to drive the practice. The study analyses data from sources like the National Family Health Survey (NFHS) to highlight prevalence rates and regional disparities. Furthermore, it explores the global dimensions of child marriage, comparing legal frameworks and prevalence rates in countries like Niger, Bangladesh, and Saudi Arabia. The consequences of child marriage, including health risks, educational disruption, economic impacts, and increased vulnerability to violence, are also examined. The paper concludes by advocating for multifaceted strategies that promote education, economic empowerment, community engagement, and strengthened law enforcement to completely eradicate child marriage and protect the rights and futures of vulnerable children.*

## KEYWORDS

*Child Marriage, SDG 5.3, NFHS, PCMA (2006) Social Norms, Girl's Education*

## RESEARCH METHODOLOGY

We used a three-layered method that combines data, legislation, and actual voices to fully understand child marriage in India. We

started by looking at national surveys such as the NFHS-5, which provided us with concrete information on the ways in which caste, poverty, and education influence early marriages in states like Rajasthan and Bihar. Consider this the "big picture" layer; it helped us understand the patterns of child marriage and the significance represented by characteristics like maternal health access. We examined court decisions and official documents to identify discrepancies between policy commitments and actual situations.

We then examined reports on policy and Indian laws, such as the Prohibition of Child Marriage Act, to determine why laws that appear to be sound on paper frequently fall apart in reality. Why do local officials frequently overlook weddings between minors? How do families subtly violate the law?

We included community voices—not through official, in-person interviews, but through interviews with villagers done by different NGOs during visits—because data and documentation are unable to accurately convey worries and customs. Parents expressed concerns like "If we don't marry her young, what if she's unsafe?" in these unstructured, unrecorded talks. or "As girls get older, dowry costs increase."

We tried to show not just how widespread child marriage is but also why, to most families, it seems inevitable, and how to move beyond that feeling of helplessness, by combining data, policy gaps, and ground realities.

## INTRODUCTION

*Child marriage ends childhood. It negatively influences children's rights to education, health, and protection. These consequences impact not just the girl directly, but also her family and community.<sup>1</sup>*

Child marriage is characterized as the joining of a person who is below 18 years of age, in accordance with Article 1 of the Convention on the Rights of the Child.<sup>2</sup> In essence, child marriage involves the marriage of someone who has not yet reached legal adulthood. It is interpreted from various international agreements as a violation of human rights. Though child marriage impacts

<sup>1</sup> UNICEF India, "Ending Child Marriage and Adolescent Empowerment" (UNICEF India, April 4, 2025) <<https://www.unicef.org/india/what-we-do/end-child-marriage>> accessed

<sup>2</sup> The Office of the High Commissioner for Human Rights, United Nations, "Convention on the Rights of the Child" (OHCHR, November 20, 1989) <<https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-child>>

both genders, girls are primarily affected, making up the majority of those impacted. Frequently associated with customary and religious practices, child marriage and betrothal are also influenced by various economic factors. This issue occurs worldwide, particularly in various regions of Africa and Asia, and to some degree in the Americas. On an international level, 36% of women between the ages 20–24 were married or in a union before turning 18. Each year, approximately 14 million adolescents aged 15 to 19 give birth. Girls within this age group face double the risk of dying during pregnancy or childbirth compared to women in their twenties.

Typically, children, especially girls, are married off at an early age, sometimes right after they start puberty or even earlier, to provide financial support to the family. In many cultures, a young girl can bring a substantial dowry, regardless of her youthfulness or the fact that her husband may be significantly older, sometimes even several times her age. These communities often emphasize that women should not be educated or hold jobs. There is also a belief that women should give birth at a younger age, as they are perceived to have a shorter reproductive lifespan compared to men. In certain regions of Asia and Africa, families tend to have many children to ensure that sufficient numbers survive and contribute economically. Sons are seen as valuable economic assets, while daughters are viewed as unnecessary burdens until they are married off. In such societies, child marriage is seen as a financial transaction that can significantly benefit the family. In some impoverished African societies, young girls are regarded as their parents' property, which can improve wealth through early marriages.

Despite numerous international treaties and domestic laws that condemn child marriage, it remains a prevalent custom in many developing regions.

The issue of child marriage has a long history in India. However, the current prevalence persists mainly in economically disadvantaged communities, particularly those influenced by cultural norms that support the early marriage of girls. This paper aims to provide a thorough analysis of child marriage in India, including its prevalence, effects, and the legal frameworks related to the matter.

## **PREVALENCE OF CHILD MARRIAGE IN INDIA**

Child marriage remains a deeply entrenched issue in India, where nearly half of all brides are married as children, often before they have had a chance to fully realize their potential. While there has been a noteworthy decline in the overall incidence of child

marriage—from 54% in 1992-93 to a more recent 33%—the pace of change continues to lag, particularly for adolescent girls aged 15 to 18 years. Presently, approximately 16% of young women aged 15 to 19 find themselves wed, leading to the staggering estimate of over 24 million child brides across the nation. Disturbingly, the National Family Health Survey reveals that India accounts for 40% of the world's total of 60 million child marriages.

Child marriage is intricately linked to the cycle of poverty, often exacerbating the vulnerabilities faced by girls. Those who are married at a young age frequently endure profound social isolation, becoming disconnected from their families, friends, and vital support networks. This disconnection can severely restrict their access to educational opportunities and viable career paths, trapping them in a cycle of dependence and limited prospects. Despite the existence of the Prohibition of Child Marriage Act established in 2006, the practice persists across the country, driven by various socio-economic factors, including entrenched structural inequalities and enduring outdated social norms that perpetuate the cycle of child marriage.

The most widely used method for measuring child marriage among women is by calculating the “percentage of women aged 20–24 years who were married before the age of 18.” This statistic is gathered through the National Family Health Survey (NFHS), which provides essential insights into health and demographic trends. Focusing on this particular age group is crucial, as it helps to avoid overlooking information about younger girls who might still be at risk of marrying before they turn 18. The estimate typically reflects data from four years prior to the survey's reference year. For example, the NFHS-5, conducted between 2019 and 2021, assesses child marriage patterns based on information from the year 2016, thus offering a glimpse into the prevalence of early marriage in the preceding years.

## **REASONS FOR THE PREVALENCE OF CHILD MARRIAGE IN INDIA**

### **Poverty**

According to the results of the NFHS-5, a startling 23.3% of women in the 20–24 age range were married before turning 18. In many impoverished families, marrying off daughters is viewed as a practical solution. According to the results of the NFHS-5, a startling 23.3% of women in the 20–24 age range were married before turning 18. This practice is often driven by the need to alleviate financial strain, including the burdensome costs of dowries. This practice often becomes a desperate measure aimed at securing the family's economic

stability.

### **Cultural Beliefs**

In numerous communities, particularly those steeped in traditional values, child marriage is perceived as a way to uphold family honor and safeguard the virginity of girls. These beliefs are deeply rooted in patriarchal norms that dictate a girl's worth is often tied to her marital status, making early marriage an accepted practice (UNICEF)

### **Patriarchy and Gender Inequality**

Within these patriarchal frameworks, girls are frequently seen as economic liabilities. By marrying them off at a young age, families transfer the burden of financial responsibility to the husband's family. The stark contrast between urban and rural areas is evident, with rural regions experiencing alarmingly high rates of child marriage—47% of girls in these areas marry before adulthood, compared to only 27% in urban locales (Census 2011).

### **Lack of Education**

The lack of access to quality education for girls significantly diminishes their ability to resist the pressures of early marriage. With only 47% of rural girls managing to complete secondary education (UNICEF),<sup>3</sup> many are left without the knowledge and skills needed to aspire for a future beyond traditional roles.

### **Fear of Safety**

For many families, child marriage is viewed through the lens of safety, as it is believed to protect girls from potential abuse and violence. A startling 32,000 crimes against women were recorded in 2022 alone, according to the National Crime Records Bureau (NCRB), which exacerbates the widespread anxiety that leads families to view young marriage as a safety net for their daughters.

### **Weak Law Enforcement**

The enforcement of the Prevention of Child Marriage Act (2006) remains disappointingly weak, characterized by low conviction rates and insufficient monitoring of marriages, particularly in rural areas. This lack of robust legal oversight perpetuates the cycle of child marriage, leaving vulnerable girls without adequate

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<sup>3</sup> UNICEF, "Girls' Education" (UNICEF) <<https://www.unicef.org/education/girls-education>> accessed April 27, 2025.

protection against this harmful practice.

### **CHILD MARRIAGE IN FOREIGN COUNTRIES AND THE GLOBAL STATISTICS**

Child marriage, which is characterized as a formal or informal union that includes at least one individual under the age of 18, remains a pervasive and alarming issue across the globe. This practice transcends national boundaries and spans diverse cultures, religions, and ethnic backgrounds, highlighting its complexity and deeply rooted traditions. Despite concerted international efforts to eradicate child marriage, estimated millions of children—predominantly girls—are forced into marriage each year. These young brides often endure a multitude of severe consequences, including significant health risks, disruption of educational opportunities, and profound social isolation, all of which can have lasting impacts on their lives and well-being.

Currently, there are approximately 40 million girls aged 15 to 19 who are either married or in a union across the globe. This significant statistic reflects a widespread issue that affects young women's lives, often limiting their opportunities for education, personal growth, and autonomy. Each year, around 12 million additional girls marry before they reach the age of 18. This alarming figure includes approximately 4 million girls who are married before they even turn 15, exposing them to adult responsibilities and potential health risks at a very young age. Many of these girls may be forced into marriages due to cultural practices, economic pressures, or lack of access to education, ultimately robbing them of their childhoods and the chance to build a brighter future. If current trends continue, it is projected that by the year 2030, an estimated 150 million girls will have their childhoods fundamentally altered by child marriage. This projection highlights an urgent need for global action and comprehensive strategies aimed at addressing the root causes of child marriage. By promoting education, empowering girls, and ensuring access to healthcare and legal protections, we can work to halt this cycle and create a world where girls can thrive, pursue their dreams, and fully realize their potential.

Niger stands out as the country with the highest prevalence of child marriage in the world, where a staggering 75% of girls are married before they reach 18 years of age. This deeply rooted practice is not confined to Niger alone; it is also prevalent in several other countries, including Chad, Mali, Guinea, and the Central African Republic, where cultural norms and socio-economic factors contribute to early marriages.

In Asia, countries such as Bangladesh, India, and Nepal exhibit significant rates of child marriage. Notably, Bangladesh has established different legal marriage ages: 21 for men and 18 for women, highlighting a gender disparity in legal standards.

In Afghanistan, although there is a set legal minimum age for marriage, the incidence of forced and early marriages remains alarmingly high, particularly in rural areas, where traditional customs often override legal frameworks.

In the Middle East, Saudi Arabia has made strides in addressing child marriage through recent legal reforms that set the minimum marriage age at 18 and explicitly prohibit marriages for individuals under 15. Despite these advancements, exceptions still exist, and religious courts may influence decisions that undermine these protections.

In Oceania, Australia presents a complex scenario where a judicial approval process allows a 16-year-old to marry an adult, raising questions about the safeguarding of young people's rights. In the Americas, both Jamaica and Uruguay permit children to marry with parental consent, reflecting varying cultural attitudes toward marriage and the rights of minors across different regions.

REGION/ COUNTRY	LEGAL MINIMUM AGE	NOTABLE EXCEPTION/ PRACTICES	PREVALENCE (GIRLS MARRIED<18)
NIGER	18 (Law)	Customary/ Religious Exceptions	75%
BANGLADESH	18 (Girls) 21 (Males)	Parental Permission/ Religious Laws	64%
SAUDI ARABIA	18 (Recent Reform)	Religious Courts/ Exceptions	High, But Improving
AUSTRALIA	18	Judicial Approval For 16 Year Old	Low
UNITED STATES	18 (Varies By State)	Parental/ Judicial Consent	Exist, But Less Common
MOZAMBIQUE	18 (Since 2019)	Customary Practices By Priests	56%

**PREVALENCE ON THE GLOBAL LEVEL AND LEGAL FRAMEWORKS**

Across the globe, most countries established laws that mandate a minimum age for marriage, typically set at 18 years old, reflecting a commitment to protecting the rights of youth. However, many of these legal frameworks allow for exceptions that can lead to complexities in practice. At least 117 countries, including



developed nations such as the United States and Australia, permit minors to marry under certain conditions, which may include parental consent or judicial approval. In many regions, the regulations surrounding marriage age differ significantly between genders, often resulting in girls being allowed to marry at a younger age than boys. For instance, in Bangladesh, girls can legally marry at 18, while boys must wait until they are 21. In a particularly concerning example, Sudan allows girls to marry as young as 10 years old, highlighting the stark disparities in marriage laws. Meanwhile, several countries, including Equatorial Guinea, Gambia, Saudi Arabia, Somalia, South Sudan, and Yemen, do not provide any legal minimum age for marriage, creating an environment where child marriage can occur without legal constraints. Even where minimum ages are specified, the enforcement of these laws frequently proves ineffective. Cultural or religious practices often overshadow the statute, resulting in a troubling prevalence of underage marriages, which can have lasting implications for the health, education, and rights of young individuals.

### CONSEQUENCES OF CHILD MARRIAGE

The ramifications of child marriage are far-reaching and profoundly detrimental, impacting not only the individuals involved but also the broader society:

1. **Health Risks:** Child brides face significant health risks, particularly during pregnancy and childbirth. Young mothers are more likely to experience complications such as obstructed labor, fistula, or even maternal mortality, posing grave risks for both them and their infants.
2. **Educational Disruption:** Early marriage often results in the abrupt cessation of educational pursuits for young girls. The transition from student to wife and mother curtails their opportunities for learning and personal development, severely limiting their future career prospects and economic independence.
3. **Economic Impact:** The economic consequences of child marriage extend beyond the individual, weighing down entire communities and nations. By curtailing women's participation in the workforce, child marriage hinders overall economic growth and perpetuates cycles of poverty that affect future generations.
4. **Increased Vulnerability:** Once married, young girls often find themselves in vulnerable positions marked by greater exposure to domestic violence and emotional abuse. Their isolation from family and friends can exacerbate feelings of

loneliness and despair, severely damaging their mental health and overall well-being.

Recognizing and addressing these drivers and consequences is essential for creating a future where child marriage is no longer a prevalent practice, allowing young girls to pursue their dreams and contribute fully to society.

### **LEGAL CHALLENGES RELATED TO CHILD MARRIAGE**

Child marriage stands as a profound violation of fundamental child rights, carrying consequences that stretch far beyond individual lives. The immediate health risks associated with early pregnancies are alarming, as they often lead to severe maternal health complications and heightened vulnerability to domestic violence. Furthermore, child marriage presents a significant barrier to educational opportunities, as many girls are coerced to abandon their studies. This, in turn, perpetuates relentless cycles of poverty and inequality that can last for generations. The Prohibition of Child Marriage Act, 2006, clearly stipulates that girls must be at least 18 years old to enter into marriage. Despite this legal framework, persistent gaps in both public awareness and enforcement significantly undermine its effectiveness, allowing the practice to endure in many communities. In light of this challenge, the Supreme Court's groundbreaking ruling in October 2023 sought to confront the systemic issues at play. The Court emphasised that child marriage not only contravenes constitutional guarantees but also stifles India's social and economic advancement. This landmark decision reframed the narrative, advocating for a proactive approach to preventing child marriages rather than relying solely on punitive measures after instances have occurred. The Constitution of India enshrines the protection and well-being of every child through essential fundamental rights, including the Right to Life and Liberty (Article 21) and the Right to Education (Article 21-A). Furthermore, India's commitment to international norms is reflected in its ratification of the United Nations Convention on the Rights of the Child (CRC) in 1992, which obliges the nation to adopt comprehensive measures to eradicate child marriage. The Sustainable Development Goal (SDG) 5.3 reinforces this commitment by urging India to bring an end to child, early, and forced marriages by the year 2030.<sup>4</sup> Realising these ambitious commitments, however, requires not only more robust enforcement mechanisms but also a deeper understanding and response to the socio-economic factors that drive child marriage in the first place.

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<sup>4</sup> The Child Marriage Data Portal, UNICEF, "Global Trends & SDG Progress" (*Child Marriage Data Portal*) <<https://childmarriagedata.org/global-trends/>>

## **A Verdict Beyond a Verdict**

The Supreme Court's ruling took a monumental step forward by mandating the appointment of Child Marriage Protection Officers (CMPOs) and Special Juvenile Police Units (SJPU) in each district, ensuring these teams are staffed with trained social workers equipped to tackle the multifaceted nature of this issue. States and Union Territories were urged to establish online platforms for monitoring cases and to aim for the creation of "child marriage-free villages," fostering local environments that actively discourage such practices. The decision also emphasized how important community-based interventions led by Panchayats and local leaders are in preventing child marriages. The judgment placed significant emphasis on the need for comprehensive sexuality education, which empowers young people with knowledge about their rights and bodies. It also called for empowering programs specifically designed for girls, as well as mandatory training for educators and community leaders to better equip them to address these challenges. To support at-risk girls, educational incentives and social welfare schemes were identified as vital tools that can enhance their prospects and help to break the cycle of child marriage.

### **SUGGESTIONS AND OPINIONS**

- Addressing child marriage necessitates a comprehensive, multisectoral strategy, as relying solely on legal reforms falls short in tackling the complex, interwoven social, economic, and gender-based factors that sustain this issue.
- Empowering girls is at the heart of effective prevention and support. This empowerment can be achieved through quality education, which not only equips them with knowledge but also fosters critical thinking and personal growth.
- Life skills training further prepares girls to navigate challenges, while access to reliable information about their rights and available resources is essential for informed decision-making.
- Engagement at the community level is paramount. This includes collaborating with parents, religious leaders, and peer groups to spark meaningful discussions that challenge entrenched norms and practices surrounding marriage.
- Such efforts aim to shift perspectives and foster an environment where girls are valued and supported in

pursuing their dreams rather than being constrained by societal expectations.

Moreover, future research must prioritize the voices and agency of adolescent girls. It is essential that they are not merely viewed as subjects but rather as active participants in shaping the solutions that affect their lives. Tackling child marriage is not just a pressing moral obligation; it is also critical for advancing broader developmental goals, including improving health outcomes, enhancing access to education, and promoting gender equality. By addressing these interconnected issues, we can pave the way for a future where every girl has the opportunity to thrive.

Oppose child marriage and support education instead. Stop child marriage, save a future. Their childhood is priceless, don't trade it for traditions. Books before bangles, dreams before dowries. Childhood is meant for learning, not marrying. Empower girls, end child marriage. No child deserves a wedding ring.

## **CONCLUSION**

Child marriage remains a deeply entrenched global crisis, particularly prevalent in countries like India, where a complex web of socio-economic pressures, entrenched gender norms, and ineffective law enforcement continue to fuel this troubling practice despite established legal frameworks. Research highlights that child marriage is not just a violation of individual rights; it represents a systemic issue that perpetuates insidious cycles of poverty, entrenched gender inequality, and severely limited educational and economic opportunities for girls. The consequences of such early unions can be dire, with young brides often facing significant health risks, interruption in their education, and debilitating economic dependency. This places them at greater risk for maternal mortality, social isolation, and a lifetime of disadvantage.

While some incremental progress has been made in reducing the incidence of child marriage, the pace of transformation is frustratingly slow, especially within rural and marginalized communities where traditional beliefs are more deeply rooted. International comparisons further illuminate the disparity; although many countries have legislated minimum marriage ages, numerous exceptions and poor enforcement often undermine these protective measures, allowing harmful practices to persist unchallenged. To combat child marriage effectively, a multifaceted and comprehensive approach is essential. This involves not only bolstering law enforcement to ensure stringent adherence to protective laws but also enhancing access to quality education for girls. Economic empowerment of families is vital, as it can shift

the reliance on marrying off daughters, while sustained community engagement can challenge and ultimately transform deeply ingrained cultural and patriarchal norms.

By tackling the root causes of child marriage, and ensuring the robust implementation of protective laws, societies can aspire to eradicate this practice. Such efforts are crucial for ensuring that all children, especially girls, can realize their full potential in a world free from coercion and harm.

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