



RESEARCH PAPER

Post-legislative Problems and Prospects of Girl's Child Marriages in Rural Punjab, Pakistan: A Parent's Perspective

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PAPER INFO	ABSTRACT
<p>Received: June 22, 2021</p> <p>Accepted: August 10, 2021</p> <p>Online: August 17, 2021</p> <p>Keywords: Code Girl's Child Marriages, Norms, Parent's Perspective, Popular Practice, Post-Legislative Problems, Punjab, Rural Culture, State Policies</p> <p>*Corresponding Author:</p> <p>haider.psc@pu.edu.pk</p>	<p>This paper aims at describing and exploring the prevalence of girl child marriage and its causes from parents' point of view in Punjab. To explain and explore the said issue, study was based on qualitative social research methodology and used phenomenological research approach. A loosely structured interview guide was developed for data collection. Criterion for respondents' selection was decided as only those parents who married their at least one daughter between 12 to 15 years of age. A total number of 21 parents were interviewed using loosely structured interview guide till the data was saturated. Data was transcribed and analyzed by using data analysis process as explained by Cresswell (2013) and major themes extracted from data were Girl's child marriages: a popular practice in Punjab, Persistent Social Problems surrounding girls' child marriages and Norms versus State Policies. When this whole scenario is seen from the parents' perspective, state is highly responsible for such grave issues. By seeking the flip side of the page, firstly families are highly concerned with the security of their girls. The girls' rape cases are at rise in the country. But state is unable to give them legal protection. Secondly wide spread poverty is not yet controlled. So to avoid such horrible situation along with customs, parents are compelled to marry their young daughters and have included girls' child marriage in their customary framework. It is suggested that state should revise its policies on the basis of primary researches carried out in different corners of Punjab.</p>

Introduction

Girls' child marriage (GCM), being the consistent social problems in some countries, is one of the causative factors of girls' poor health and restricted social life. In the worldwide scenario, this problem affects the millions of girl's health and human rights in underdeveloped and developing countries. On factual basis, the problem of child marriage is more communal among girl child than boy child. Girl's child marriage has direct effects on their health, social and economic features of women; resulting in violation of women's basic human rights (UNICEF, 2020). In developing countries, 1 out of

3 teenage girls are married below 18 years age (International Women Health Coalition, 2018). Global estimates reveal that about 400 million girls got married before the age of 18 and are found high in Sub-Saharan Africa and South Asia.

Girls' child marriage before the age of 18 influences more than 10 million girls each year and is related to maternal and infant morbidity, including complications of childbirth, low birth weight and mortality. Half of child marriages across the globe occur in South Asia. (Raj, 2010). In developing countries, the practice of child marriage and other violence against women show that state response is slow in resolving the injustice of women and the rights of girls. Millions of children are facing domestic violence, child abuse and inadequate education, inequality under laws, poverty and neglect behind such marriages. In most developing countries, efforts to tackle violence against girls, and discrimination and inequality among women are not enough. Child marriages are commonly observed in the rural areas of developing countries. Sub-Saharan Africa, South Asia, the Middle East, and North Africa are the main areas where child marriage is commonly practiced (UNICEF, 2020). Girl child marriage effects on girl's health and social economic features of women life. Child marriage also restricts the ability to increase women's movement, self-confidence, occupational life, domestic decision-making, and risk for domestic violence (Basazinewu, 2018).

The girl child marriages are also practiced among poor families. In Iraq in spite of strict law, marriage has been increasing day by day. According to the Iraq government statistics, in 1997, 15% of women under the age of 18 were married girl child marriage. In 2016, the figure increased to 24% up to 5% before the age of 15. It looks similar to Turkey, where mufti law allows religious advocates to run weddings when men and women arrive mature age. The latest statistics of U.N. Turkira estimates that 15% of the women in the country are marrying at the age of 18 (Nabeel and Wirtschafter, 2018) is well-organized. In Egypt the International Population Council conducted research to study the phenomenon of girl child marriage and interviewed those women who married as early age. And concluded that 62% of girls married before the puberty because of their parents forced them to get married. There is no change in practice of girl child marriage, and now motivating factors are the same: poverty means to marry a daughter soon (Marwan, 2018).

In Bangladesh more than half of the marriages performed as girl child marriages. In spite of some developments of education and other socio-economic indicators, Bangladeshi still practiced the practice of girl child marriage. The threat of that marriage was meaningfully increased when spouses have less education or no proper education and when the brides were jobless or inexperienced employees. In Bangladesh poor families residing in rural areas practiced more girl child marriage as compared to urban. Female's education achievement level was the vital bad issue which affects child marriage. Hence, factors that have been identified as important factors for children's marriage are the education of women and their husbands, and the profession, residence and religion of women. Bangladesh has the highest proportion of girls married before the age of 15 in the world (Ghosh and Kar, 2010).

In the worldwide scenario, Girl child marriage is a serious problem. Approximately 15 million girls are married every year before the age of 18. Multilateral

agencies tried to minimize and control such types of forced marriages in the world but are not successful. They lack proper healthcare facilities and financial opportunities. Most of them faced domestic violence from their spouses, in-laws and grow up feeling disempowered. Across the world, girl child marriages occur in every county and bring certain repercussions in different societies across diversified cultures. Child marriage is more dominant with the highest rate in Niger whereas India has the highest quantity of girl child marriage owing to different socio-cultural and economic reasons (Basu, 2018).

In Pakistan, GCM is also commonly practiced since decades. Although Pakistan has committed to eliminate girl child marriage by agreeing on the minimum age of marriage of 18 at the international platform of Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), South Asian Initiative to End Violence Against Children (SAIEVAC) and South Asia Association for Regional Cooperation's (SAARC). In addition to this, delineating Girl's child marriage is not on the same page across the globe as different states have promulgated legal age of marriage differently. As in Pakistan, child marriage is legally banned under the Child Marriage Restriction Act 1929 (No XIX) and under 18th amendment it is also restricted at provincial level. As in Punjab, Punjab Marriage Restraint (Amendment) Act, 2015 restricts child marriages. Under the Act, the minimum age for marriage is 18 years for a boy and 16 years for a girl. But even then marrying girls even below the age of 16 is still in practice regardless of family culture in Punjab since and before 1929 to date. A total number of child marriages during the year 2019-2020 is calculated as 2.68 million in Punjab (The National Commission on the Status of Women, UN Women Pakistan & UK Aid, 2020).

Thinking beyond the national and international commitments in the country, inside a family atmosphere the decision making about GCM is taken by the parents and they prefer to marry their girls at the start of puberty. Although it affects the girls adversely in terms of maternal and child mortality, female illiteracy and higher morbidity (Ashiq, Abbas & Asad, 2020). But even knowing the facts, parents still marry their daughters in childhood. Under customary practices, girl child marriages are still observed in different corners of the country; especially in Punjab. This arises research questions that what are the causes that still insist parents to marry their daughters in childhood? Why it is still in practice even after legislation? This research is an attempt to describe the above said issue. A phenomenological analysis of the above said issue will be presented for the better and deepen understanding in Punjab.

Literature Review

Girl child marriage before the age of 18 is very common among family structures. It leaves the consequences like leaving girls' school, early prenatal period, increased maternal mortality and HIV/AIDS contamination and an increase in children's number (Basazinewu, 2018). Parents encourage marrying their daughters before the age of 18 in different countries of the world and believing that their daughter's marriage will be profitable for them economically and socially, and will improve economic burden in the family. Early marriage enforces young women towards domestic household tasks who are not physically and psychologically prepared to handle the situation (Nuruddin, 2005).

In South Asian and African countries child marriage has been more commonly observed and in these areas majority of the parents married their daughters before turning the age of 18 years. This is the main reason that why most empirical researches focused on these countries. Most of the researches are restricted only to a particular geographical region and minimum countrywide illustrative data or analysis is available in Indonesia. In Indonesia about 17 percent of the girls are married before 18 years age. In the context of girl child marriage, according to available facts, Indonesia stands in the middle on the issue of girls' child marriage while its ratio has been recorded highest with 37% and 28.3% in East Asia and Pacific area respectively. Laos and Solomon Islands have been, proportion in that case and also Mongolia and Vietnam standing the lowest with 6.2% and 12.3% figures in that cases due to the large resident's areas. In that constituency, Indonesia has a maximum proportion of child marriage and plays an important part in the total global proportion of girl child marriages (Rumble et al., 2018).

Being a global issue, Pakistan is not an exemption and girls' child marriages are also found here since centuries. Research found numerous causes that responsible for early at marriages. Among these, poverty is the most common factor that enforces for such type of marriage. Girls are considered as an economic burden and it is very costly for families to educate them and they sooner or later have to marry. Consequently, neglecting the health consequences, girls' marriage is thought to be a solution of economic prosperity of family (Rajwani & Pachani, 2015).

Around the world more than 60 million girls are married before the age of 18 years, out of the 24% belonged from rural portions of Pakistan and 18% belonged urban regions (Zia, 2013). The study found that poverty-related issues play a vital role in affecting and spreading early age marriage. Most of the poor families frequently have insufficient resources for survival and to support healthy substitutions for their girls, like giving them appropriate health and education. Moreover the girls who married under the age of 15 experienced more risks of death during childbearing and it is found to be 5 times more difficult as compared to those women who turned to 20 years age (Ibid).

Approximately 21% of the girls are wedded in Pakistan under the age of 18 years. Traditions, cultural beliefs and customary practices responsible for child marriage in Pakistan (Girls Not Brides Org, 2018). It also encompasses the other social problems like transferal of money, reimbursement of sum unpaid or give-and-take of daughters via 'vani and Swara' or exchange marriages which endorsed by the village headman, Jerga or Panchaiat (council of leaders from the society). Factors affecting the girls' child marriages are gender inequality, desire to regulate women's sexuality and look after family honor, economic burden and lack of awareness of the harmful influences of girls' child marriages (Girls Not Brides Org, 2018).

Girl child marriage is a global problem affecting millions of girls across the world. Girl's child marriages measured a violation of human rights because it denies the education and well-being services, the chance to learn skills and develop their personalities and leaves them vulnerable. Girl's child marriages can have dreadful consequences for a girl's health. It destroys the health if the girl child at a very young age. Marriage under the age of 18 years is an actuality for several young females. Across the world, parents forcefully marry their daughters in their childhood with a

perspective that marriage will be benefited for their family economically and socially, whereas also releasing economic problems of the family. Consequently, child marriage is a distinct violation of both girl and boys human rights, resulting in less health and education achievement (Khan, 2016).

Another fact revealed is that the girls' child marriage is not registered and sometimes people enter the wrong age of the girl in the marriage form; contributing the high ratio of child marriages in Pakistan (Jehan, 2014). As regarding causes of girl child marriages; poverty, cultural norms, less education of parents and demographic issues contributed important role. Most of the poor families have inadequate incomes for survival being ignorant of child marriages that threaten girl's health and personal development in their life. The problem of child marriage increases numerous health worries for teenage girls, some of the serious problems including early pregnancy obstacles, health risks for newly born children born to young mothers and the risk of death. There are numerous researches of such kind which elaborates the causative factors and consequences of GCM in Pakistan but the grey area found in this domain was found to be the parents' perspective about girls child marriages. This article will describe and explore the prevalence of girl child marriage and its causes from parents' point of view in Punjab.

Material and Methods

The main objectives of this research are to describe and explore the prevalence of girl child marriage and to describe its causes from parents' point of view in Punjab. To explain and explore the said issue, study was based on qualitative social research methodology and used phenomenological research approach. A loosely structured interview guide was developed for data collection. The present research was conducted among rural families of District Sargodha who married their daughters as girl child. Government hospital (district head Quarter Hospital) Sargodha was selected using purposive sampling technique and respondents were selected by using volunteer sampling technique. Criterion for respondents' selection was decided as only those parents who married their at least one daughter between 12 to 15 years of age. A total number of 21 parents were interviewed using loosely structured interview guide till the data was saturated. Data was transcribed and analyzed by using data analysis process as explained by Cresswell (2013) and major themes were extracted from data.

Results and Discussion

The present article aimed at describing and exploring the prevalence of girl child marriage and its causes from parents' point of view in Punjab. Followed by qualitative research design, phenomenological research approach was used to collect the parents' perspective about girls' child marriages. Major themes and discussion is presented as under.

Theme:1 Girl's child marriages: a popular practice in Punjab

Child marriage is a global issue and the same is practiced in Pakistan since decades. It creates many causes which are responsible for child marriages. This study has

highlighted the prevalence of girl's child marriage under the age of 15 from the parents' point of view. When they were asked about the said phenomenon, most of them replied as

Girl's child marriage is a popular and ongoing practice in Punjab as we heard from our forefathers since last century .It is so intensely rooted in our communities that when people like you ask about it we don't take it as a problem. This custom is transmitting in our family generation after generation and we adopt it.

Some other replied that

Girls' child marriage is a custom of our community and is practiced by all of our clan members so do we. I married my both daughter when they were fifteen years old. If I will not adopt this custom then other will marry their daughters with the potential grooms and no one will marry with my daughters.

Others opined that

Girls' child marriage is a matter of family honor for us. We are respectable in our community when we marry our daughters soon. It is our custom and people like you (researchers) observe it as a social problem. We live in our clan so we have to marry girls timely. For you, it's a child marriage, for us it's a timely marriage to secure of girls and family honor.

From parents' perspective girls' child marriage is a popular practice and is continued in the rural communities. It is adopted and performed as a custom of the clan and parents perform it by their own will. They do not want to be an alone or alien in their clan and have accepted the phenomenon as a popular practice.

Theme:2 Persistent Social Problems surrounding girls' child marriages

Girls' child marriage is not a single social problem in the rural Punjab; rather it is surrounded by other problems also. When the respondents were asked about their perception about the said social problem, all of them expressed the same responses as

In our community we marry our daughters soon. We are aware of it but what we can do more as we are poor. We cannot educate them even in government schools as it also requires some daily little expenditure which is not affordable for us. They live at home, do little household chores and look after minor siblings. Due to poverty we also send our daughter for domestic labor as a child labor so we think it is better to marry them than this labor. As it is a custom in our community so grooms families also ask for our girls in this age. If we do not marry our daughters in this age then they will be unmarried in upcoming life.

Parents who are marrying their daughters in rural Punjab, they do not consider it as a social problem. They are in the vicious circle of other problems also as they are poor, do not educate their girls, send them for child labor hence a chain of social problems is there encircling their life and girls' child marriage is an addition to it.

Theme:3 Norms versus State Policies

Girls' child marriage though embellished in the normative framework of such rural communities; hence there are state policies that do not permit the families to permit them to marry their girls before 16 year of age. When the respondents were asked about the state policies regarding girls' child marriages they were of the view that

It is our social norm and we perform it as it is advantageous for us. Government has policies for such matters but cannot trust it. We marry our daughters as to save family honor. If an accident like rape happens with our daughters, who will take the responsibilities. Will government come to address our issue at that time directly?

Some other opined that

We have lack of trust on government. If we accept their laws and marry our daughter after sixteen years of age who takes the guarantee of protection of our girls. No one comes to save a poor girl. Her honor is in danger so we feel secure when we marry her as soon as possible.

Another replied that

We cannot follow state rules so when we have to write the age of the girls in Nikkahnama (marriage form), the marriage registrar writes it according to government policy.

Child marriage is a global issue and Pakistani women though seem to be victims of this practice for many years. The study found the facts from their parent's perspective and found that the main causes of girl's child marriage under the age of 15 are poverty, lack of education, customs, cultural practice and lack of trust on state policies. The findings collected show that underprivileged situation for certain families bring the girls' child marriages as a custom. Though there are many consequences of girl's child marriage in education, social and health domains of a minor girl as their social life is finished, marriage deprives girls of their social life and childhood, marriages are deprived of their dreams, liberty and yet to come, and their health is also disturbed after child age marriage. This has severe harmful health consequences as the girl is often not psychologically, physically and sexually matured. Girls, who marry in child age definitely have children early and have many children.

Conclusion

Child marriage is a widespread practice which moves around the globe. It is being practiced in different parts of the world, from Asian to the Asian Africa subcontinent that affects millions of girls around the world and Pakistani women are victims of this practice for many years. Pakistan has a Federal Child's Restraint Act 1929 and the Punjab Child Restraint Act 2015 which prepares marriage for girls 16 years and 18 for boys. But the prevalence of the problem is still seen in the rural areas commonly. In Pakistan girl child marriages practice is spectated as a result of poverty, and customary practices but the other side of the picture explores the other facts. Though it is culturally claimed that daughters are considered as a burden in Pakistani culture and they are married soon as a

result of this cultural thought. Firstly there is a clear difference between national and international definition of girls child marriage. As government is a signatory of international treaties which counts girls' child marriage till the age of eighteen years while under Pakistani laws it is permitted at sixteen years of age. So Pakistan is unable to fulfill such commitments. Secondly girls child issues though addressed in National Policy for Development and Empowerment 2002 are still not the priority of the state at implementation levels. Family structures are still not benefited under its umbrella. This creates a lack of trust of the parents. When this whole scenario is seen from the parents' perspective, state is highly responsible for such grave issues. By seeking the flip side of the page, firstly families are highly concerned with the security of their girls. The girls' rape cases are at rise in the country. But state is unable to give them legal protection. Secondly wide spread poverty is not yet controlled. So to avoid such horrible situation along with customs, parents are compelled to marry their young daughters and have included girls' child marriage in their customary framework. It is suggested that state should revise its policies on the basis of primary researches carried out in different corners of Punjab.

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