



Persistent nature of child marriage among women even when it is illegal: The case of Nepal



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ABSTRACT

Purpose: Over 14 million female children worldwide are married before attaining age 18, with nearly half of these marriages occurring in South Asia. Evidence suggests that marriage of girls as children adversely affects their growth, health, and perpetuates gender inequity in social and economic wellbeing. Most countries around the world have passed laws specifying the legal age of marriage to 18 years or over; yet child marriage persists. In this paper, the following questions will be answered using data from one country, Nepal: How prevalent is girl child marriage? What social and demographic factors predict the risk for child marriage?

Method: I analyzed data from 9783 married women using the 2011 Nepal Demographic and Health Survey, a nationally representative comprehensive survey of women between 15 and 49 years of age. Descriptive and logistic regression analyses were employed to assess the predictors of childhood marriage of women.

Results: About one-third of the women were married before they attained 16 years of age and 78% were married before they attained 20 years of age, which is the legal age for marriage in Nepal. The odds of marrying before attaining age 16 was significantly higher for Madhesi and Low Caste Hindu women compared to the High Caste Hindu women. With increase in both girls' and boys' education, the risk of marrying before age 16 declined significantly controlling for other factors.

Implications: Social workers in Nepal should target and reach out to Madhesi and Low Caste Hindu families and share the benefits of delaying their daughters' marriage until they attain the legal age. They should also inform the families, communities and local priests about the law pertaining the legal age for marriage. Additionally, they should focus on evidence based strategies to enroll and retain girls and boys in school.

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Worldwide, over 14.2 million women (or 39,000 girls/day) are married as children annually with half of these marriages occurring in South Asia (UNFPA, 2012). In the U.S., about 8.9% of women marry before age 18 (Le Strat, Dubertret, & Le Foll, 2011). Whereas in some of the countries in Southern Asia and Sub-Saharan Africa, somewhere between 50 and 70% of girls are married prior to age 18 (Hampton, 2010; Nour, 2009; Raj, 2010). Regardless of how and why girl child marriage persists, the practice of child marriage has adverse social, economic and health consequences for girls. Women married as children miss out on their childhood; after marriage, these girls are often forced to quit school preventing them from education, intellectual development, financial independence, and a move out of poverty (Lloyd & Mensch, 2008; Nour, 2009; Ouattara, Sen, & Thomson, 1998a, 1998b; Raj, 2010). Evidence from the U.S. suggests that marrying as a child increases a woman's risk of living in poverty later in life by 31% (Dahl, 2010).

Child marriage also adversely affects a girl's physical and emotional health (Warner, 2004). When girls are married as children and become

pregnant before their bodies are fully developed, it increases the risk for child birth complications and maternal mortality. When compared to women married after age 18, child brides have an increased risk for unplanned pregnancies, obstetric fistulas, sexually transmitted infections, cervical cancer, and death during childbirth (Nour, 2006, 2009; Raj, 2010). Women married as children face a substantially higher risk for birth complications, neonatal and under five-child mortality, and child malnutrition than women married after age 18 (Nour, 2006, 2009; Raj, 2010; Raj, Saggurti, Winter, et al., 2010). They face a significantly higher risk for physical and sexual violence from their spouses compared to their counterparts that married as adults (Babu & Kar, 2010; Hampton, 2010; Koenig, Stephenson, Ahmed, Jejeebhoy, & Campbell, 2006; Ouattara et al., 1998a, 1998b; Pandey, 2016; Speizer & Pearson, 2011). They are also more likely to suffer from mental illness— anxiety, depression and suicide contemplation (Gage, 2013; Nour, 2009; Raj, 2010).

Child marriage is also a violation of human rights to choose one's partner. Invariably, in developing countries, such marriages are forced by relatives and community members (Raj, 2010; Warner, 2004).

Given the evidence, most countries around the world have legislated the legal age of marriage for girls to be 18 years and over. Yet, child

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marriage persists. They tend to be concentrated in poorer countries of South Asia and Sub-Saharan Africa with higher proportion of rural populations, and where women have limited access to healthcare, education, and employment opportunities (Raj, 2010). But, data on intra-country variations of female child marriage are sketchy and need more careful examination to understand, locate, and intervene to reduce child marriages within each country. In this paper the following questions were asked: How prevalent is girl child marriage in Nepal? What social and demographic factors predict the risk for girl child marriage in Nepal?

1. Background

Historically, child marriage is a common practice, perhaps, since the beginning of the institution of marriage. It appears that in Ancient Rome, the age cut off for marital consent was fourteen for boys and twelve for girls, which was subsequently adopted by the Catholic Church, English civil law, and in colonial America (Dahl, 2010). With medical advances and a better understanding of the adverse health consequences of female child marriage, researchers, policymakers and health practitioners around the turn of the twentieth century began questioning the practice of teen marriage and revising the age at marriage upward toward 21 years of age (Dahl, 2010). Subsequently, childhood marriages have become less common in developed nations. A national longitudinal data collected by the Medical Research Council's National Survey of Health and Development (NSHD) of people born throughout Britain during the first week of March 1946 documented that only 25% of the women in this cohort married when they were between the ages 16 to 19 (Kiernan, 1986). In the U.S. approximately one in ten women surveyed between 2001 and 2002 were married before age 18, and 9.4 million women married by age 16 or younger (Hamilton, 2012a; Le Strat et al., 2011). In 2013, about 82,000 girls below age 18 and 246,000 women below age 20 were married, divorced, separated or widowed (U.S. Census Bureau, 2013).

The United Nations (UN) has recommended that states should end child marriage and protect the rights of children. Article 16 of the Universal Declaration of Human Rights of 1948 states that individuals must be at full age to enter marriage and that the decision to marry must be made with free and full consent of the intending spouses (United Nations, 1948). In 1979, Article 16 of the Convention on the Elimination of All Forms of Discrimination Against Women declared that child marriage should be illegal and that states should specify a minimum age for marriage and mandate the registration of all marriages (UN Women, 1979). In 1989, the Convention on the Rights of the Child defined a child as every person below the age of 18 years and emphasized that all children have the rights to healthy childhood, education, and freedom to choose their own life partner (Children's Rights Alliance, 2010; United Nations, 1989). Accordingly, child marriage is a marriage of a child under 18 years of age and a violation of human rights and children's rights (Nour, 2009). In response to the United Nation's call to end child marriage, many countries have passed laws specifying the legal age of marriage to be 18 years or over. Almost all states in the U.S. have raised the legal age for marriage of girls to 18 years; however, most states allow children to marry earlier with parental and/or court consent (United States, current). In developing countries, the enforcement of these laws and of laws requiring marriages to be registered is weak (Nour, 2006, 2009). According to Nepal's *Marriage Registration Act of 1971*, the minimum legal age for marriage is 20 for both women and men (Government of Nepal, 2006). With consent from parents, girls and boys may marry after attaining 18 years of age. But, the law is not widely implemented and many marriages are unregistered.

In the U.S., women married as children are often the children of parents with low income, low education, and live in Southern and nonmetropolitan regions (Hamilton, 2012b). They are more likely to be Whites and Latina than African American. In developing countries, in addition

to poverty, cultural context and gendered relations play an important role in justifying the continuation of child marriage. In South Asia, where most cultures value virginity until marriage, parents fear that delaying marriage may increase their daughters' risks for premarital sex (seen as a disgrace to the family), reduce their marriageability, and increase dowry and financial burden on families (Raj, 2010; Warner, 2004). There is also the belief that child brides adjust to the husband's family more easily than adult brides, reinforcing the practice of child marriage (Raj, 2010).

To understand the risk factors for child marriage of women in Nepal, the Social Relations Framework (SRF) was employed. According to the SRF, gendered relations place women in subordinate social positions and limit their capabilities to exercise their full potentials (Kabeer, 1994; Kabeer & Subrahmanian, 1999; Schuler, Hashemi, Riley, & Akhter, 1996). Girls' early marriage, limited autonomy to choose their partners in marriage, and lack of education are some of the consequences of gendered social relations. These situations disempower women and girls as well as contribute to their adverse health outcomes. It is in this context this study examines some of the social, economic and demographic determinants of girl child marriage in Nepal.

2. Methodology

This study analyzed the 2011 Nepal Demographic and Health Survey (NDHS), a nationally representative comprehensive survey, that used a two-stage, stratified sample design to collect data from 10,826 households resulting in a completed interview from 12,674 women between the ages of 15 and 49 (for details see, MOHP/New ERA/ICF International Inc., 2012). A total of 2837 women who had not yet been married were omitted. The remaining 9837 women who had been married at least once at the time of interview were included in the current study. Due to missing values, additional 54 cases were dropped from the logistic regressions that utilized a sample of 9783 women.

3. Measures

Two dichotomous outcome variables were used: (1) *married after attaining age 16 (coded as 1) or married before attaining age 16 (coded as 0)*; and (2) *married after attaining age 20 (coded as 1) or married before attaining age 20 (coded as 0)*. Women who married after attaining age 16 were compared against women who married before attaining age 16. Similarly, women who were married after attaining age 20 were compared with those married before they reached their 20th birthday.

In the logistic regressions, the predictor variables were *women's education, their husband's education, their family wealth status, their caste, religion or ethnic affiliation, residence, and development region*. Women (and their husband's) *education* included four dummy variables: no education, primary education (that included pre-primary to the completion of 5th grade), secondary education (6 to 10th grade), and high school and above (> 10th grade). For *Caste, ethnicity and religion*, seven dummy variables were used that distinguished different caste and ethnic communities: High Caste Hindu (e.g., Brahmin, the priest caste and Chhetri, the ruling and warrior caste), Madeshi that included minority groups in Terai region, Low Caste Hindu that included Dalits in the Hill and Terai regions, Newar—that included mostly affluent urban ethnic community with distinct language, Hill indigenous community (e.g., Tamang, Kumal, Sunuwar, Majji and Bhote), Terai indigenous community (e.g., Tharu, Jhangad, Rajbanshi and Munda), and Muslim. High Caste Hindu served as the reference group.

The variable *wealth index* attempted to capture the household's wealth or economic status. The DHS derived this index variable using 108 easy-to-collect variables that accounted for household's ownership of assets, such as radio, televisions, bicycles, mobile phone, refrigerator, table, chair, bed, sofa; the nature of materials used for housing construction; and the quality of access to water and sanitation facilities (MOHP/New ERA/ICF International Inc., 2012). They then employed principal

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