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# Raising the Age of Marriage in India: Legislation Alone Will Not be Enough to Improve the Lives of Young Women and Their Children

## Overview

In May 2022, an Indian parliamentary standing committee examined a new bill<sup>1</sup> which seeks to increase the marital age of women from 18 years to 21 years, with the stated aims of improving the health and well-being of young women and their children, reducing the incidence of teenage pregnancies, and supporting the empowerment of women through better opportunities in education and work.

This amendment would bring the marital age for young women in India in line with that for young men, an important step towards improving gender parity in law, but a seismic shift for a country where the majority of young women currently get married between the ages of 18 and 21 and an estimated one in four girls are still married before the age of 18 (UNICEF 2022). The proposal has generated huge public debate in India, with campaigners on both sides setting out impassioned arguments on the potential impact of changing the law.

The Young Lives study has generated in-depth findings on the determinants and consequences of early marriages including through following the lives of 3,000 young people in the Indian states of Andhra Pradesh and Telangana. To contribute to this important debate on the change to the marital age for women, this brief summarises these findings and highlights critical policy areas for further consideration.

Alongside a wealth of international evidence, Young Lives findings demonstrate that marrying and becoming a parent during adolescence (up to age 19) corresponds to significantly worse life outcomes for both young women and their children. Recent analysis of the India National Family Health Survey (NFHS-4) suggests that the correlation between better life outcomes and later age of marriage is also significant when comparing women married after the age of 21 to those married before the age of 21 (Singh and Mukherjee 2022a).

Significantly, our evidence demonstrates that raising the legal age of marriage alone will not be enough to deliver the intended positive impacts on the lives of young women and

1 The Prohibition of Child Marriage (Amendment) Bill, 2021. For more details, see <https://prsindia.org/billtrack/the-prohibition-of-child-marriage-amendment-bill-2021>

their children; rather, policymakers need to adopt a broad approach to addressing early marriage, which should include:

- tackling the **underlying causes of early marriage and parenthood**, including through alleviating poverty through targeted social protection systems, and addressing persistent discriminatory gender norms which continue to reinforce early marriage for girls and young women;
- investing in **quality education for girls** (including secondary and higher education) that is safe and accessible, and opening up **access to decent jobs for young women**;
- ensuring that vulnerable girls and young women are **protected by effective safety nets**, and empowered to participate in marital and fertility decision making; and
- involving whole communities in initiatives to address early marriage, including **targeted engagement with men and boys**.

### Young Lives' longitudinal evidence informing policy debates in India

Young Lives is an innovative longitudinal study that has been following the lives of 12,000 young people in Ethiopia, India (in the states of Andhra Pradesh and Telangana), Peru and Vietnam since 2001. The study is divided into two age groups: 4,000 young people born in 1994 (the Older Cohort) and 8,000 born in 2001 (the Younger Cohort).

As a technical partner to the Indian government's National Council for the Protection of Child Rights (NCPCR), Young Lives provided evidence to the government-commissioned Jaitley Taskforce on the long-term outcomes of girls married before and after the age of 21, including in terms of improving girls' education, access to decent work, and maternal health and well-being. Evidence was also provided on the intergenerational impacts of later marriage and parenthood on children's health, skills development and learning outcomes.

## Increasing the marital age of women in India could have huge benefits

Young Lives' findings show that girls who are married early in our study (up to age 19) experience significantly worse outcomes across a range of indicators compared to those who marry later (Singh and Revollo 2016). For example, girls married early report significantly lower subjective well-being, lower self-efficacy and agency, and have lower perceptions of their relationships with peers.

Once married, it is very difficult for girls to continue with their education; only 6 per cent of married 18–19-year-old girls in our study are still in education, with only 10 per cent having completed secondary school (compared to 61 per cent of girls who are not married).

Similarly, analysis of NFHS-4 shows that only 28 per cent of women who were married before the age of 21 had completed secondary education, compared to 62 per cent of those married after 21 (among women in the 21–30 age group).

Leaving education to get married also affects the ability of young women to make active choices over their futures, reducing opportunities to get a decent job and gain financial independence. By the age of 22, young married women in our study are significantly less likely to have a regular salaried job, and much more likely to be self-employed (88 per cent are not paid, as they are primarily working on family farms) than young married men, who are largely engaged in paid employment (Singh and Mukherjee 2022b). In contrast, the likelihood of young unmarried women being in regular salaried work remains very similar to that of young unmarried men, highlighting the critical role of age of marriage in accessing decent jobs.

Early marriage is also closely linked to early pregnancy. Young Lives' evidence shows that children born to young mothers under the age of 18 have a lower birthweight and shorter heights-for-age (even into adolescence); the impacts appear to be greatest on female children and those born to very young mothers (under the age of 16), who are also shown to underperform in maths tests compared to those born to older mothers (Perez-Alvarez and Favara 2019).

NFHS-4 also shows that children born to women who were married after the age of 21 years have lower incidence of nutritional deficiencies, compared to children of mothers married before 21; this includes lower incidence of stunting (29 per cent compared to 41 per cent) and fewer children being underweight (27 per cent compared to 38 per cent).

The arguments for raising the legal age of marriage to 21 are compelling. Marrying later could improve young women's well-being and empower them to have more control over their marital and fertility decisions; contribute to many more adolescent girls completing secondary school and continuing into higher education; enable more young women to develop the skills necessary to access decent jobs; reduce the number of teenage pregnancies; and improve the health and well-being of young mothers and their children.

But new legislation alone is unlikely to achieve all of these benefits, especially given the complexity of the root causes underpinning both the incidence of early marriage and its consequences.

## Poverty is a key driver of early marriage, particularly in rural areas

Early marriage (and young parenthood) are most common in the world's poorest countries. While India has seen a declining trend over the last two decades, the number of early marriages remains high, particularly among disadvantaged communities.

Young Lives' evidence shows that girls from poorer households, particularly those in rural areas, with less-educated parents, and from marginalised groups, are



significantly more likely to marry early and become parents in their teens compared to those from more advantaged backgrounds (Singh and Revollo 2016).

Among our Older Cohort, more than one in three (35 per cent) young women from the poorest households were married before they were 18 years old, compared to one in six (16 per cent) of those from better-off households (Singh and Vennam 2016). Young women from Backward Classes, Scheduled Castes and Scheduled Tribes are also significantly more likely to have married early, compared to other groups.

Early marriage of girls is often considered a means of economic survival both for the family struggling to feed the household, and to secure the chance of a better life for the young girl with her new husband, as well as to keep her safe from sexual harassment (although in reality this is not always the case).

Efforts to reduce early marriage need to be underpinned by strong and comprehensive social protection systems to support vulnerable households and alleviate the economic hardships that may push parents towards early marriage for their daughters, for example through targeted cash transfer initiatives. This is particularly important given recent Young Lives evidence which shows increasing levels of poverty since the beginning of the COVID-19 pandemic, notably among the poorest households and Scheduled Castes and Scheduled Tribes (Scott et al. 2022).

## Challenging discriminatory gender norms remains vital

While the root causes of early marriage vary across countries and regions, entrenched gender inequality and discriminatory social and cultural norms invariably sit at the heart of the issue. In India, patriarchy intersects with socio-economic status and the caste system; young brides invariably marry older husbands, resulting in an unequal power balance that can leave adolescent girls and young women very vulnerable, especially those from poor and marginalised backgrounds.

Almost half (43 per cent) of young women in our study who were married by the age of 19 had no say in choosing their spouse, with many meeting their new husband for the very first time on their wedding day. All had married husbands older than themselves, with over half (53 per cent) marrying someone between the ages 25-29, and one in ten marrying someone over 30 (Singh and Revollo, 2016).

Recent Young Lives' evidence shows that the impact of COVID-19 has exacerbated the already heavy domestic work burden faced by girls and young women in India, suggesting that households tend to resort to more traditional gender roles at times of stress. Our results show that 67 per cent of young women spent more time on household work during the first lockdown, compared to only 37 per cent of young men, with similar results found

for childcare responsibilities (Ellanki et al. 2021). Engaging in excessive domestic work creates a cycle of gender discrimination that puts a strain on the ability of adolescent girls and young women to study, increasing their risk of dropping out of school and of potential early marriage.

Young Lives' evidence has helped to underpin new guidance from UNICEF (UNICEF 2020) to better understand the social and behavioural drivers of early marriage and what can be done to help shift cultural norms to protect girls and young women from marrying at an early age. This includes recognising the need for a more nuanced understanding of the drivers and influencers of early marriage in different local contexts, highlighting the role of gender norms, parent-child relationships and geographical variation; for example, the drivers of early marriage in rural Andhra Pradesh may be very different from those in urban Punjab.

Challenging discriminatory gender stereotypes, which may have been reinforced during the pandemic, involves engaging whole communities; engaging with men and boys to challenge patriarchal norms and the discrimination faced by adolescent girls and young women is crucial. Focusing on young women to the exclusion of young men, or vice versa, ignores the important ways that women and men relate to each other, both as individuals and as couples with children, and the impact this has on households and communities as a whole.

## Dropping out of education also increases the risk of early marriage

Social norms that encourage early marriage and childbearing are also compounded by inequitable access to education (Roest 2016). Young Lives' findings show that early marriage is strongly correlated with parents' expectations for their daughters, both in terms of when they should marry and how high they should aim for their education. Parents with low aspirations for their daughters' education at age 12 are significantly more likely to have arranged their daughter's marriage by age 19 (Singh and Revollo 2016).

Likewise, adolescent girls who drop out of school are much more likely to be married early compared to those who stay in education. Our evidence shows that a girl who is still in school at the age of 15 is 32 per cent less likely to marry early, compared to those who have already dropped out.

By the time they are 18–19 years old, almost half (46 per cent) of the young women in our study who are *not* still in education are already married (Ford and Singh 2021). By contrast, virtually none (only 2 per cent) of the young women enrolled in higher education are married.

The young men in our survey fare very differently. By the age of 18–19, only 1 per cent of those who are no longer in education are married. This reflects both the later marital age for men in law (21 years) and prevailing social norms in India which encourage men to marry later than women.

## Investing in girls' education (including higher education) is critical

Given the close relationship between dropping out of education and early marriage, making secondary education free and compulsory could be a huge additional step in reducing the risk of early marriage. The Right of Education Act (2009) currently provides free and compulsory education for children in India between the ages of 6 to 14; extending this to include children from 3 to 18 years old (in line with the National Education Policy 2020) would support better progression through secondary education for both adolescent girls and boys and improve chances to move on to higher education.

Young Lives' evidence shows that supporting the *quality* of education for adolescents, with a strong focus on delivering basic skills, is fundamental. School curriculums also need to be relevant for transitions to the labour market, while increasing the focus on skills development for adolescents and youth is also important for accessing decent jobs. This should include a focus on life skills, to foster young people's agency, decision making, problem-solving, critical thinking and entrepreneurial skills in readiness for the challenges in the future, as well as challenging discriminatory gender norms and attitudes.

However, the quality of education is about more than just teaching and learning. Too often, schools are not safe spaces for adolescents and inflexible or inaccessible systems undermine opportunities to stay in school. Providing safe transport to secondary schools (which are often at a distance from rural communities) and ensuring safe and girl-friendly environments within schools, including providing suitable facilities for water and sanitation needs, is essential. Supporting adolescent girls and young women to stay in secondary and higher education through offering targeted scholarships can also make a big difference, particularly for adolescent girls and young women from disadvantaged backgrounds.

## Providing accessible services and safety nets is important to protect vulnerable girls and women

Ensuring the right safety nets are in place to support the poorest families, as well as adolescent girls and young women, is also very important. This might include a combination of practical assistance through social protection programmes to identify and support vulnerable households in financial stress; measures to address interrupted education and keep girls in school; and measures to reduce the burden of increased domestic work on girls and women.

The proposal to increase the marital age for young women in India will not change the age of consent, which will remain at 18 years for both young men and young women. Widening access to sex education and contraceptives, as well as sexual and reproductive health services for both young women *and* young men remains vital for empowering young people and reducing unwanted teenage pregnancies.

Young Lives' evidence shows that many vulnerable adolescent girls currently have very little choice in who and when they marry and enter marital life with limited knowledge about modern contraceptive choices (Crivello et al. 2018). For those who are married early, whether by choice or not, targeted initiatives are required to ensure they are appropriately supported.

Access to adolescent health clinics in local communities is vital; ensuring effective prenatal and antenatal care is also critical for lowering the risk of pregnancy and birth complications, and supporting infant health and nutrition, particularly in rural areas. Vulnerable girls and women also need access to safe shelter homes if they are being pressured to get married at an early age, or if they are forced to leave their home after becoming pregnant before marriage; these should include special provisions for continuing girls' education and skills development.

Given the high prevalence of early marriages in India, grassroots advocacy campaigns will undoubtedly play a critical role in raising awareness and building catalysts for change within local communities.

## Conclusion

Increasing the marital age of women in India has the potential to bring huge long-term benefits, if implemented as part of a holistic approach to tackle the underlying causes of early marriage and support vulnerable girls and young women. Effective approaches need to respond to local circumstances, particularly given the large variations in rates of early marriage across India (NCPCR and Young Lives 2017), and further research is required to ensure that targeted interventions are underpinned by robust evidence of what works in different contexts.

Most importantly, ensuring that a diversity of adolescent girls' and young women's voices and lived experiences inform changes in legislation and related policy implementation is vital to deliver lasting positive change.

Young Lives will continue to analyse the impact of early marriage on the lives of young people in our study as we take forward new research in the coming year.

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