



Varied Dimensions of Female Subordination: Child Marriage and its Socio Economic Impact Upon the Women of the Contemporary Era- Livelihood, Trafficking and Beyond. A Study of the Scheduled Tribe Women of Bagdogra Tea Estate.

KEYWORDS

Destitution, violence, stigmatisation, degradation.

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ABSTRACT Child Marriage happens to be a social menace that has had its roots tightly grasped into the Indian Society generally tracing its origin to the patriarchal legacy. Though, child marriage is illegal in the case of both the genders i.e. male below the age of 21 and female below the age of 18, yet the social structure of the nation is such that the impact of this menace is basically seen to negatively hamper the female folks. The reason behind this is multifarious in nature such as education and literacy level, economic classification, social stratification and many other facts, the in depth explanation of which would be a Herculean task to address. The legal stand of the governing authorities of India is such that it has left no stone unturned in making stringent rules and regulations to curb this menace. However to what extent have these cases been brought to light by the victims of social disgrace is the major question to be addressed. This paper has tried to look into one of the varied dimensions of female subordination by the act of Child marriage that has had a break through impact upon the lives of women, especially of those belonging to the Scheduled Tribe community.

Introduction

The Indian society which is clearly earmarked by the prevalence of the male line of inheritance, has had its impact even in the contemporary era. The origin of such an act is a matter of an argumentative debate where some scholars like Abgeliki Laiou in his book *Coercion to Sex and Marriage in Ancient and Medieval Societies* see it as an age old traditional practice basically practiced in India and abroad where people considered puberty as a mark of adolescence ready for a family life. On the other hand the other school of thought backed by thinkers such as H. Ralston, Sophie Thakaran and Michel Thakaran considers the Muslim invasion of the country to bear the mark of the practice of Child marriage. According to them the invaders tentatively a thousand years ago raped unmarried Hindu girls and carried them as booty, prompting the Hindu communities to marry off their daughters at a very early age in order to protect them. If we look at this practice what we come to realise is that this social practice mostly touched the lives of the down trodden, the poor and the lower rung of the society whose minds were constantly occupied by fear- fear of ostracisation if anything happened inappropriate to the girl child which to them carry the honour of the family, fear of having to pay a higher dowry if the girl crossed the acceptable age of marriage, fear of any external attack on the girl child and so forth. Therefore, somewhere or the other fear psychosis did have an immense role to play in allowing child marriage to have a strong foothold in the society which has now become a menace.

However, when we discuss on the issue of child marriage, we generally refer to the female folks alone. But the case is not so. Child marriage refers to both the genders. The Prohibition of Child Marriage Act of 2006 defines "child marriage" as a marriage, or a marriage about to be solemnized, to which either of the contracting parties is a child; and *child* for purposes of marriage is defined based on gender of the person - if a male, it is 21 years of age, and if a female, 18 years of age. (The Gazette of India, Ministry of Law and Justice, Government of India (January 11, 2007). According to a report by Jhimli Mukherjee Pandey and D. Gosh in the Times of India Dated 25th Sept 2013 Bengal is among the top four states in the country when it comes to child marriage. A nation-wide survey by the Centre has revealed that of the total marriages that take place in Bengal, 54.7% are of minor girls, taking the state to the fourth place with Uttar Pradesh in the National Family Health Survey.

The impact of child marriage is also seen to be immense on the boys. It has been reported that 5% of men all around the globe get married between the age group of 15 to 19. This aspect of male suffering is generally left unattended because the plight of the female sufferers sound to be more harsh in nature that require to be immediately

redressed specially in the socio economic backdrop of countries like India. This in no way should be interpreted that men sail their ship at peace. The very burden of maintaining a family, having to feed new members including ones parents act as a major hurdle in achieving higher education. This is because the issue of survival comes first which attracts the major priority. Immature marriage often lead to unplanned babies, the shortage of finance which furthermore aggravates the problem leading to malnourished children, lack of proper education, low standard of living, unfulfilled desires thereby ending up in alcoholism, destitution, domestic violence and broken families. However, in either of the cases it is the female folks transformed from a child bride, to a teenager wife, to a young mother and then finally to a home maker middle aged lady to a dependent old woman who get affected the most be it- physically, financially, socially as well as psychologically. Cases of its bitter most experience of committing suicides have also been reported very often; which of course does not spare either of the genders.

Enactment of the Child Marriage Prohibition Act

Before we begin, let us first try to understand the major reason behind Child Marriage. When you interview a person even from the remotest corner of the country, people chorus out a loud that Child Marriage is something outdated, barbaric and a practice that should be done away with. However, the major problem arises here when we witness that the civilised theory as propounded by the people a few minutes ago seem to contradict their acts. Though many laws have been passed in India against Child Marriage right from the British Era i.e. Child Marriage Restraint act 1929 where the age of girls was fixed to 14 years and that of the boys was fixed to 18 years to be eligible to get married; followed by the Sarda Act 1930 wherefrom the marriageable age was increased to 18 and 21 years accordingly. (Gulathi, Leela Age of Marriage of Women and Population Growth: The Kerala Experience". *Economic and Political Weekly*. Sameeksha Trust.) The 2006 Act on the Prohibition of Child Marriage which was implemented from 1st November 2007 is the guiding act that is being used as the guidelines to prevent this social menace. The object of the Act is to prohibit solemnization of child marriage and connected and incidental matters. To ensure that child marriage is eradicated from within the society, the Government of India enacted Prevention of Child marriage Act 2006 by replacing the earlier legislation of Child Marriage Restraint Act 1929. This new Act is armed with enabling provisions to prohibit for child marriage, protect and provide relief to victim and enhance punishment for those who abet, promote or solemnize such marriage. This Act also calls appointment of Child Marriage Prohibition Officer for implementing this Act.

Statement of the Problem.

Though, child marriage is illegal in the case of both the genders i.e.

male below the age of 21 and female below the age of 18, yet the social structure of the nation is such that the impact of this menace is basically seen to negatively hamper the female folks. The reason behind this is multifarious in nature such as education and literacy level, economic classification, social stratification and many other facts, the in depth explanation of which would be a Herculean task to address. The legal stand of the governing authorities of India is such that it has left no stone unturned in making stringent rules and regulations to curb this menace. However to what extent have these cases been brought to light by the victims of social disgrace is the major question to be addressed. The major reason behind the prevalence and the continuance of such a practice of Child Marriage can be enumerated under various heads. The major one being Fear Psychosis applied by one class of people primarily the structure over the other class namely the agency.

An in dept field based survey conducted in the area reveal many facts totally unseen by the world outside. A viscous cycle of broken aspirations, police inactivity, lack of awareness of the victim's family, misinterpretations and destitution, somewhere or the other all because of the prevailing social menace would be the major concern of the paper. We have taken two areas of study i.e. Bagdogra Tea Garden largely inhabited by the tribal communities whose major source of living is the tea garden and Punia Busty, a closely adjacent area which has an all together a different story to narrate.

The major problems to be addressed by the paper stand to be as follows

1. What are the driving force behind the prevalence of the practice of Child Marriage?
2. What are the sources of livelihood of the people generally affected by such a practice?
3. What is the relation to be drawn between child marriage, migration and human trafficking?

Major Findings through Case Study Method.

The area of study taken up is an operating tea garden named Bagdogra Tea Estate which is located just opposite to the Bagdogra Airport remarkably the lone airport in North Bengal. NH31 - the national highway is the only demarcating landmark that separates the globally acclaimed airport from the rural tea garden in spite of both sharing a distance of just 200 meters. There is one Police Station called The Bagdogra P.S and a Circle Inspectors Office, a government hospital and numerous private clinics. The major reason for selecting this area is because the researcher tries to look into and point out the major hardships faced by the Scheduled Tribe Tea Plantation workers in spite of the geographically significant location and in turn compare it with the other operating, sick and closed tea gardens located in the interiors where there is complete lack of facilities for a decent living. The area of study is categorically sub divided into two divisions namely- Bagdogra Tea Garden located towards the opposite of the airport entry point and the other being Punia Busty located towards the right hand side of the airport entry point, th map being directed towards the Kolkata road. It is very interesting to note that both the areas are a home to apparently homogenous group yet culturally heterogeneous clans that have been constitutionally recognised as the Scheduled Tribes. These groups of people are locally called the Adivasis or the Vanvasis in the area of study and very few of the agencies (refers to the subject of study i.e. the Scheduled Tribes) are aware of their rights, freedom, choices and facilities provided to them by the government of the country.

In spite of tentatively same geographical location, the samples of the two areas live an all together different lives. Though both share same ancestral origin, (The Scheduled tribes of North Bengal were brought to the present area of living to work as tea plantation labourers from places like Chota Nagpur, Madhya Pradesh and Jharkhand.) similar

cultural practices, similar social dynamics, yet economically have different stories to narrate. From a birds viewpoint the tea garden looks somewhat economically stagnant. The workers living in the garden mostly do not possess land and any sort of *Malbari* land. (Most of the tea garden have some vacant and unused land very often adjacent to the workers living quarters. This is called malbari land. Turkey, L.P., (2015), *Can the Gardens be my Home?*, Systematic Designers & Printers Pvt. Ltd., Siliguri). Their only source of living is the tea garden wherefrom they earn Rs. 132/ per day in return of an entire days hard work. Rampant mal nourishment is witnessed specially among women and children because of the insufficient protein counts. Clusters of young mother mostly below the age of twenty when enquired about their age of marriage proudly acclaim of it being conducted at the age of 15 to 19 years. Any idea of child marriage and its prohibition is simply seen as a chapter in one of the unnecessary texts; not to say they are not aware of the act. Least heed is paid to it because of which almost zero cases are registered against Child Marriage in spite of its rampant prevalence. As a matter of fact, the tribal societies are generally open to the will of the children. Hence, what they believe is that the will of the children say it all where age hardly matters. This is also because of the lack of education and training for vocational jobs whereby they could be employed for a better livelihood. Therefore the lack of proper avenues is one of the major reasons for the degraded living standard of the people of the tea garden. An in depth survey reveals that the people of the tea garden in spite of its strategic geographical location are completely submerged in the vicious cycle of deprivation, awareness, illiteracy, poverty, destitution, alcoholism and depression. To locate the root cause of which would obviously point out child marriage to be the main reason. This social practice superficially may not sound very serious and the agencies generally do not realise its loopholes on time but if we carefully look into it then the burden on a child of having to feed another new member who also happens to be a child, unplanned babies, the expenses related to it, medical aid, lack of financial support etc furthermore aggravate the problem. Therefore the cycle continues to engulf the new generation as well.

Now let us compare the tea garden to the other sub area of study i.e. Punia Busty. The locality is completely inhabited by the Scheduled Tribe communities and it is adjacent to the airport. The households are personally owned and are mostly cemented with every house possessing a wall. There are interestingly two big restaurants namely-Tirkey Restaurant and Namrata Restaurant owned by the Adivasis which is the only proper eatery outside the airport that feeds the local taxi drivers. Entering deeper into the village it was seen that most of the households possess cattle's such as pigs, cows, chicken or goats. 40% of the households also possess ceiling fans or table fans and at 10% possess refrigerators at home. Most of the villagers possess two wheelers and also send their children to school. Though cases of child marriage are seen in this area yet it is not so much rampant as the tea garden. The local inhabitants proudly acclaim themselves as the Bustywalas and get infuriated when clubbed under the tea garden. The reason behind this is clear. It is the economic superiority that they possess which makes them a step ahead of the tea garden workers in spite of belonging to the same social community.

When we analyse the reason behind the economic superiority of the people of Punia Busty, we can trace few vital facts which can be enumerated as below

1. The influence of Christianity and the social services conducted by the Roman Catholic missionaries is much commendable. Not to say that the missionaries have ignored the garden, yet counting the number of Grottoes in the Busty it is quite evident that there is higher number of Christian families in the area. This automatically means better education and in turns a better livelihood.
2. The sources of living are wide in nature for the people of the Busty. This is because they possess technical skills as carpenters, mechanics, painters, cooks etc whereby they are able to fetch an

alternative source of livelihood for a living. It is very few who work in the plantation as because most of them go out to the close by urban areas such as Siliguri, Bagdogra, the army and air force camps as casual labourers. Most of them go out in the morning and return back at night. The level of out migration is comparatively much less in the busy.

On the other hand, for the people of the tea garden, the job opportunities are very limited. Due to the lack of education and technical skills they fail to get any kind of employment opportunities. Therefore the tea garden is the only source of income for them.

3. Migration is very rampant in the tea garden. Very often leading to numerous missing cases and trafficking. This is comparatively less in the busy because people are aware of the ongoing troubles.

4. The two different economic classes created out of the same social community is in fact an interesting topic to be covered. Our finding believes that one of the major reason behind such a bold stratification is the prevalence of **Child Marriage** in the tea garden this itself curbs all the avenues of development from mankind. Though the people of the area are aware of the fact that Child Marriage is punishable in the court of law yet, people have accepted it as a part of their culture. Hence, cases go unreported. Furthermore, children here get married as per their choice hence there is no question of forced child marriages.

Conclusion

Child marriage is seen to be the major hindrance behind the economic development of the people of the tea garden of Bagdogra. There are other factors equally responsible for the low standard of living such as lack of other source of livelihood, lack of awareness and education etc yet the burden gets doubled when it comes to child marriage. However, the researcher disagrees to accept Child Marriage as an effect of low standard of living. The researcher proposes this social menace as the cause of various other integrated and closely related negative results such as early maternity deaths, divorce, outmigration, missing people and human trafficking. Trafficking is yet another severe problem faced by the people of the area, to be precise by that of the tea garden. A vital finding that was witnessed in the field survey conducted was the rampant increase in the number of young girls, some married while some unmarried who have been completely untraceable by the family for more than five years.

Santa Bara is one such woman who left home in search of better opportunity with the aid of a fellow person from the adjacent village called Gangaram. Six years have passed and there are no traces of the missing girl. The family being uneducated, poor and unaware did lodge a police complaint but the Police did not hand them over with a received copy. Complete negligence has been seen because those who falsely manipulated girls like Santa are roaming around freely. Reena Munda is another such woman who was married at the age of 14 years, has a child but due to her husband's death left home for a job. She is untraceable for the past four years and her father is the only person who is left at home with the child.

The attitude of the local NGO is also unacceptable because in spite of the researcher's continuous plight they have failed to cover the issue. Cases of human trafficking are numerous in number but correct relief measures have not been taken either by the police force or the NGOs.

To conclude, one can state that in order to bring an end to the sufferings of mankind be it rural or urban, one needs to protest against the age old practices such as child marriage so that the lives of the young generation can be saved.

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