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## ROLE OF SOCIAL REFORMERS AGAINST AN OBNOXIOUS CUSTOM CHILD MARRIAGE

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### ABSTRACT:

*Another pernicious evil was child marriage prevalent in the Indian society. It had several ill effects on the society. In fact several problems were related with the custom of child marriage. It was a great obstacle in their education. On the one hand, it had adverse effect on her physical and mental development. On the other, it was injurious to health. Moreover, child marriage stimulated the dowry system, Kulinism and polygamy specially in Bengal. As marriage was a vital event in a girl's life, which was misshaped due to early marriage, caused suffering and torment in her life. The girls were ignorant of the married life and its responsibilities. For a young girl marriage meant to be the centre of attraction, receiving ornaments and good dresses. After marriage her life often became miserable at bridegroom's house due to the domination of in-laws. It almost ruined the personality of women.*

**KEYWORDS:** Age of Consent Bill, Child Marriage, Obnoxious Custom, Social Reformers.

### INTRODUCTION :

Many young married women became victims of this custom of child marriage. Phoolmani Dasi who was married at the tender age of eleven was forced for sexual intercourse by her husband. Later on she succumbed to the injuries and died. She illustrated

the torture and pain of a number of girls though not made public otherwise.

This obnoxious custom appealed to the social reformers. The movement against it started in Bengal prior to the fifties of the nineteenth century. The Issue of child marriage and its concomitant implications exercised the minds of many apart from the girls themselves is evident from a look at various sources. Reformist literatures of the period as well as the writings of various observers were united in their indictment of this custom. In a letter to the editor of The Reformer written by 'R', the author lamented the fact that little girls of six and seven were married off to men much older than themselves with little thought being given to the fact that they were utterly unacquainted' with the object of marriage. Several social reformers raised their voice against this evil. Ishwar Chandra Vidyasagar, Ranade, Peary Chand Miller, Keshab Chandra Sen, Behram ji Malabari and Mahatma Gandhi were prominent among them. Besides them Swami Vivekanand also could not tolerate child marriage. He said, "Oh, how sweet is child marriage! ... can there be anything but love between husband and wife in such a marriage! Such is a whine going round now-a-days ... the truth is that in this country parents and relatives can ruthlessly sacrifice the best interests of their children and Others for their own selfish ends, to save themselves by compromise to society.

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One of the strong protestors against consummation of young wife was Ishwar Chandra Vidyasagar. He was of the views that the young wives should not be forced to consummate. In 1860 the age of marriage was raised to ten. But in his view all the girls do not attain marriageable conditions at this tender age, so it must be raised up to eleven or twelve. Another reformist, M.G. Ranade was of the view that in the Vedic period such marriage did not take place. It was the Smriti that lowered the age of marriage thus curtailing the happiness of women community. In the second half of the nineteenth century Ranade viewed that the age of consummation should be twelve to eighteen years. Later he worked with Malabari against this evil. Keshab Chandra Sen, as the President of the Indian Reform Association, wrote to the then prominent medical men of the country asking them the right age of consent. He wrote that Child Marriage is the greatest hindrance in the upliftment of female community. In fact it cripples the people morally, physically and socially.

His letter was welcomed by the doctors and they suggested the marriageable age of the girls from 16 onwards. In 1872, Lord Napier, the Governor-General, passed the Act of 1872, according to which early marriage was declared illegal. Some young men under the leadership of Nabakanta Chatterjee worked to remove this evil. He published a monthly journal called Mahapap Balya Bibaha. But the clutches of this evil was so deep-rooted that it could not be uprooted easily.

Bold action against early marriage was taken in two native States. In Mysore an Act was passed in 1894 forbidding the marriage of girls under eight altogether and that of girls under fourteen, with men over fifty years of age.

However, the marriageable age was raised to twelve, but due to lack of the means of propaganda, the majority of people did not know about the law.

The great personality who agitated against child marriage was Behramji M. Malbari, Parsi gentlemen. His humanitarianism appealed to the people.

### **MALABARI MOVEMENT ON CHILD MARRIAGE**

To strengthen his movement Malabari wrote notes on infant marriage and distributed it among the prominent government officers and public men. He was of the view that the movement against child marriage should be planted in the minds of native people. They should make up their minds not to marry their children while they were infants. The opinion of the native people should change first, and then the government should interfere. Malabari also gave some suggestions to combat this evil: That after five year universities should not allow married students to appear at examination, that heads of government departments give preference to unmarried men in making appointments and materials describing the evils of early marriage be inserted in school text-books by the Education Department.

In order to popularize his movement against child marriage he addressed meetings at several places. On his call several prominent men stepped forward to help him. Among them the support of M.G. Ranade and Dayaram Gidumal is remarkable. M.G. Ranade gave suggestions to the government. But he was criticized by the native people. Surprisingly enough, the great freedom fighter E.G. Tilak also opposed it tooth and nail. But Malabari carried on his movement unabated and unperturbed. He appealed to the government to introduce a bill, regarding child marriage. 'A remedy suggested by Malabari to wipe out the evils resulting from child marriage was a legal amendment to the Hindu Marriage Act, raising the Age of Consent from ten to twelve'. But the government in view of great opposition rejected his appeal. They said that the Indians themselves must step forward to remove this obnoxious evil. In their view the evils caused by child marriage did not come under the jurisdiction of civil or criminal law. So they expressed their incapability in introducing any reform. The British Government pressed its view that this issue should be left on the native people's mental and moral advancement, which would be gained by the educational development of the people. Sir Auckland Colvin opined that the Indian press and Indians in general should themselves work for social reform.

So after the denial of government Malabari went to England to appeal to the women in England. He by his essays and speeches aroused public opinion in his favour. This was a great achievement for him.

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Though Malabari succeeded in arousing public opinion against child marriage in England, there was a great controversy over the Age of Consent Bill: While Malabari went to England to seek help, his movement was carried on by Dayaram Gidumal.

In the successive years to come we see that though Malabari's movement failed in Bengal but it appealed to the social reformers. The Brahmos and Indian National Social Conference opposed the child marriage. The conference in its every session took up the question of Consent Bill. In the fourth session of the Indian Social Conference a resolution was passed which said that movement against child marriage should be carried on without hurting public sentiments. It also demanded that several social associations should also pledge themselves to prevent child marriages and to provoke public opinion against it. To arouse public opinion against child marriage several reform associations were formed, such as, the Hindu Social Reform Association in Sindh, Madras Reform Association in Madras, the Sanmarya Samaj at Bellary and the Berar Social Reform Association. These associations worked hard for the spread of anti- child marriage feeling. The members of the above noted associations took up the task to popularise public feeling against child marriage. The, anti-child marriage movement gained momentum and was attracting supporters from all parts of India, irrespective of caste and creed. A public meeting was held in Calcutta. This meeting resulted in the formation of a committee, which work for the controversial age of consent Bill. This Committee included influential members from Muslim, Hindu and Parsi communities. This Committee sent a petition to the Government of India, which contained signatures of prominent peoples coming from different walks of life. This Bill got support from ladies of different communities also. The Arya Mahila Samaj also supported it. The major religious organisations also gave full support to the Bill.

#### **VICEROY'S COUNCIL THE AGE OF CONSENT BILL**

The growing popularity in favour of the Bill and the call of the people for legislation compelled the government to bring it forward before the Viceroy. So after much discussion in Viceroy's Council the Age of Consent Bill was passed in 1891 as Act X of 1891. This Act rose the marriageable age of girl from 10 to 12. This bill was welcomed throughout the country The different Indian States also announ&1 that the defaulters would be punished.

So in the beginning of the twentieth century the movement against child marriage reached its apex, when the call for abandoning child marriage was coming from each and every community. The census report of 1811 said:

"The practice has been denounced by many social reformers since Mr. Malabari opened the campaign a quarter of a century ago, and the social conference which holds its meetings annually in connection with the National Congress has made the abolition of child marriage one of the leading planks in its platform. It is strongly discouraged by the Brahmos in Bengal and the Aryas in Northern India. The more enlightened members of the higher castes who do not allow widows to remarry are beginning to realise how wrong it is to expose their daughters to the risk of life, long widowhood and a feeling against infant marriage is thus spring up amongst them."

Thus the, movement started by Malabari at last met success. Nevertheless child marriages occurred somehow or the other. In 1926 a mournful incident took place in Madras when a girl of 13 committed suicide because of her husband's misbehaviour. This incident again stirred the people.

#### **GANDHIJI'S OBSERVENCE**

##### **Gandhiji observed:**

"This custom of child marriage is both a moral as well as physical evil. For it undermine our morals and induces physical degeneration. By countenancing such custom we recede from God as well as Swaraj. A man who has no thought of the tender age of a girl has none of God."

Gandhiji felt that call for Swaraj is meaningless until this social evil is eradicated. In 1927 Sarda Act was introduced to put a check on child marriage. This Act further raised the age of marriage from twelve to fourteen of girls. And the marriage below the age of fourteen 'would be invalid. Both the parties involved in

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child marriage would be punished. '1' his Act received great opposition from the orthodox quarter. But it gained support from a large number of ladies all over India. They were backed up by media as Modern Review stated,

"Child marriage saps the very heart of the nation and India. can never win respect in world or be truly great until she puts a stop to this custom."

### **Initiatives taken by Government of India**

Again in 1928 the Government of India appointed the Age of Consent Committee to enquire and give recommendations regarding child marriage. India was passing through a crucial time. There was political discontent everywhere and the British Government had to face tough time due to political upheaval. So it did not want to create fresh opposition by declaring any legislation regarding child marriage.

This age of Consent Committee worked excellently. It issued questionnaire, which was widely responded by the people.

This Committee published its questionnaire in various newspapers Thus its scope of working was large. It got support of the All India Women's Conference. It was benefited by the views of the various women's conferences held earlier and of the views of social reformers and different religious associations. The Committee viewed that the Act passed previously was not effective. Because the government showed unwillingness to enforce it, so the Act could not bring fruitful results. The Committee reported that over 42% of the Indian girls were married before 15.

After much discussion and enquiry the Committee submitted its report and appealed for legislation It also made several recommendations. It fixed the age of marriage of girls at fourteen years. It also laid the provision that ladies should be appointed to investigate marital misbehaviour. So by the effort of Joshi Committee the Child Marriage Restraint Act of 1929 was passed.

Though this act met success in checking the rate of child marriage but there were some other factors, which helped in raising the age of marriage. The growth of education had enlightened their minds and the young girls were not ready to sacrifice their lives by marrying at a tender age. In the words of the Committee itself:

"The age of marriage has undoubtedly gone up in some communities, but the rise in the age has been due more to economic reasons, to the difficulty to getting suitable bride grooms and to the need of finding heavy dowries than to a knowledge of law and anxiety to avoid its penalties. To a certain extent this rise has also been brought about by social reform and the growing desire to impart a reasonably high standard of education to the girls."

Yet another evil, which daunted the status of women, was temple prostitution. The institution of temple prostitution, which new India had inherited from the past, was analogous to a similar institution in the ancient Greece. Devadasis formed and hereditary caste of women who consecrated themselves in early childhood to temple service. This evil was mainly prevalent in Madras and other south Indian states. These Devadasis through their skill in dancing and singing survived themselves. But their condition was similar to the prostitutes. Thus the art that they practised was degraded and simultaneously lowered her position. Dr. Muthulakshmi Reddi, with other reforms crusaded against temple prostitution. Their effort bore fruits when an Act was passed in 1925, which declared the same as criminal offence.

### **CONCLUDING REMARKS:**

Though the evils prevailed in the society did not disappear with one stroke, the coming of the British and spread of western education widened the minds of Indian parents. Moreover, the demand of 1age dowries and educated wives also helped in eradicating this pernicious evil. The growth of woman's movement also proved fatal to this system. However, the growth of anti-child marriage feeling was more prevalent in urban areas than in rural ones.

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