

# SEARCHING FOR THE BOYS

A REVIEW OF LITERATURE, ANALYSES  
AND PRACTICES RELATING TO EARLY AND  
CHILD MARRIAGES, WITH A FOCUS ON  
BOYS, MEN AND MASCULINITY\*

akshay khanna, with  
assistance from Akhil Kang

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# EXECUTIVE SUMMARY

Early and child marriages, often abbreviated to ECM, has come to occupy a crucial place in the “development industry”. This is related to the empowerment of girl children as the panacea to complex political economic and cultural problems. Simultaneously, a focus on masculinities and on the experiences of boys and men has grown to be a part of feminist engagement with development. This paper brings these two areas together to recognize the relationships, intersections and resonance between them. The paper focuses on structural conditions for the phenomena of early and child marriages and aggressive masculinities, with the intention of identifying the gaps in our understanding and to draw out a possible research agenda to fill them.

The analysis presented here is based partly on a review of literature related to early and child marriages, with a focus on how the experiences of boys and men and the understanding of masculinity inform the perception of these phenomena and the strategies to address them. The analysis is also informed by interviews and focus group discussions, with a total of 24 development professionals working in 10 organizations across seven locations, and a workshop with activists working on early and child marriages or on masculinities with men and boys, or both.

The paper includes a review of the conceptual antecedents of the discourse and interventions in relation to early

and child marriages and analysis of the structural conditions for the phenomena that constitute early and child marriages and masculinities. Through the reviews, interviews and discussions, we identified gaps and priorities that could feed into a program of research, which are thus highlighted.

## SUMMARY OF FINDINGS

The literature review and the interviews generated a large body of insights, as the following summarizes, that may impact the way interventions related to early and child marriages are conceived and carried out.

- There is little literature that looks at the experiences of boys or men in relation to early or child marriage. In the general literature on early and child marriages, boys and men are either absent or featured in restricted forms as decision-makers, religious or community leaders or as tools in a patriarchal system. The literature in which men and boys were considered (primarily toolkits, manuals and policy briefs on working with men and boys in relation to early and child marriages) tended to reduce early and child marriages to a problem of ignorance and attitudes of working-class men.
- There is a range of distinct early or child marriage phenomena that are treated as a singular object and often abbreviated as ECM. They include elopement, hasty marriage, marriage in exchange and arranged marriage of desire. Disregarding the multiplicity of realities and

phenomena that relate to early or child marriage and fitting them all into a singular object can lead to policies, laws and strategies that act *against* the interests of young people who otherwise are meant to be empowered. The abbreviation ECM thus must be disaggregated and addressed in its plurality as “early and child marriages”.

- Young people sometimes see marriage as bearing potential for the expression of sexual desire, the desire for inclusion in realms of modernity and adulthood, the desire for release from parental control, desire for privacy and, in some cases, desire for further education and a career. These elements go unrecognized and unanalyzed in the literature, in policies and in interventions.
- The literature that does look at masculinity and early and child marriages assumes that marriage is a proxy for becoming a man. This assumption was contradicted by participants in the research, who argued that marriage creates a form of adulthood that is not equivalent to the gender category of “man”.
- There is a deep relationship between caste, masculinity and early and child marriages. Anxieties around masculinity related to caste and religion often instigate early or child marriage.
- Although caste emerged as a central factor in the phenomena of early and child marriages, the reviewed literature rarely addressed or sought to examine it. When it did, it did so in a reductive manner, thus failing to recognize that anxieties around caste purity instigate early and child marriages.
- A significant amount of literature on early and child marriages in India relate to the laws, the politics around the laws and the limitations of law enforcement. Legal pluralism and diversity in social norms have been identified as reasons for the limited efficacy of the laws. Yet, the analysis of case law and of experiences of the law in the field largely indicate that the Prevention of Child Marriage Act and other criminal law provisions are used in cases of parties choosing to marry each other of their own will (often across caste, religion or class), such as cases of elopement by young people near to the legal age of marriage. The threat of criminal law enforcement has contributed to the phenomenon of hasty marriage. The laws and other forms of social control are used most often when young people choose partners across lines of caste and religion. The law, in this sense, thus acts as a tool for reinforcing caste ideology and heteronormativity.
- There is a complex relationship between transitions in the political economy, masculinities, desire and practices around

early and child marriages. This was severely understudied in the reviewed literature, which limited the understanding of the political economy to a causal relationship between poverty and child marriage.

- Many of the informants to this review described a structural link between the denial of women’s right to inheritance of property and the phenomena of early and child marriages. Yet, there is silence on this in activism, in policy and in literature.
- Information and communication technologies, especially mobile telephony, are core to the materiality of masculinity, of politics, desire and increasingly to citizenship. Yet, there is a complete absence of research in this regard.
- In terms of the policies and interventions of large international non-government organizations, most approaches consider social norms and values as the core problem. The focus on changing attitudes of decision-makers reinforces the structures through which they exercise control. This approach diverts attention from structural and material conditions for the phenomena of early and child marriages.
- A range of approaches exist in the field that bring together a focus on sexual rights, gender justice and gender equality. These include the collective deliberation approach, which treats early and child marriages in a broader struggle for gender justice. It enables processes for the social recognition of gender injustice, the conditions for it, the recognition of impediments to gender justice and strategies to correct them. Another approach seeks to enable young people to act collectively in changing their social conditions. This has been found to be much more effective than working with decision-makers within structures of power.
- The interventionist approach of vigilante activism to stop underage marriages that draws on the force of criminal law has not only been ineffective but has increased violence against marginalized communities and alienated organizations from their constituencies.
- The assumption that girls or young women are only victims and boys and young men are only perpetrators of patriarchal processes precludes a more nuanced understanding of the phenomena. There needs to be recognition of a range of subject positions for girls, for boys and for young people of other genders, which includes understanding the modes of exercising agency, the formation of aspirations and the constraints within which individuals and communities operate.

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SECTION  
01

# INTRODUCTION

## 1.1 Two sisters and a goddess

Manisha Gupte, a feminist activist who was interviewed for this research, recalled an intriguing story from the late 1980s of a young girl from a village who was possessed by a goddess.

The village in which the goddess story takes place is in one of the drought-prone districts of the western Indian state of Maharashtra. It had not received adequate rainfall or irrigation for about three years. "I have seen a girl possessed by a goddess at 17," said Gupte. "And the goddess, through her, scolding her father as to why he wasn't getting her married when all the girls her age were married and some of them also had a child in their arms. So here was the girl deriding the father. The father fell at her feet and said, 'These are years of drought, Mother! Forgive me.... I will put money aside, and I will get my daughter married!'"

As it turned out, the rains arrived shortly after. By then, the 17-year-old girl had

left school and was happy to marry. "There is only one way to leave your parents' home," Gupte then said, "and that is marriage. A lot of boys have told me, 'You talk of girls, but don't they at least have the choice to leave their parents' home? What about us, we...we never have the choice to leave home.'"

The 17-year-old girl, however, was not the only person to leave the parental home on the day of her wedding. The father also arranged for the marriage of her younger sister, who, at 15, had wanted to stay in school, do something academically and have a career perhaps. The fear, however, was that the rains might not return again for a few years and that the father might, once more, be unable to fulfill his duty and to afford the expense of arranging her marriage.

This vignette brings to light some of the limitations of the ways in which the phenomena of early marriage and child marriage have been approached by the development industry and in feminist activism. We highlight five

such limitations: First, the juxtaposition of the two sisters is a story of the expression of and, simultaneously, the erasure of agency. The 17-year-old desires marriage so strongly that she invokes and is possessed by the goddess, bringing her father down to his trembling knees. The younger one, however, has her right to pursue the life of her choice sacrificed in the same act. Technically and in the discourse around early and child marriages, these are both equivalent, recognized as child marriage by the law. On the issue of the right to choice and that of the fulfillment of aspirations, however, these are on opposite ends of a continuum.

Second, a crucial element of the story is precarity—the threat of drought and of financial or other forms of suffering. Drought is never merely the failure of the monsoon. It speaks as much of the distribution of resources, the skewed prioritization by the State, the disregard of the State toward the poorest and the most vulnerable in the agriculture sector.<sup>1</sup> The structural violence of the political economy is, in other words, central to the story.

Third, the failure of the father to ensure the marriage of his children is a failure of masculinity as articulated socially, culturally and, increasingly in the time of Hindutva (when the State is controlled by an ideology that brings together Hindu religious extremism with brutal capitalism), politically. The failure of the father to arrange for the normative reproductive labor of his daughters, which is discussed further on in this paper, is often crucial to his performance of being a “man”.

Fourth and central to the narrative is the explicitly sexual desire of the young woman as well as her equal desire for release from the parental home and her desire to step into the realm of adulthood. In India, as in several other parts of the world, until one is married, one is not an adult. This realm of adulthood enables or, more accurately, promises mobility, the expression of sexual desires and a freedom from the parental family that is often experienced as oppressive. The phenomenon of early marriage, then, is also about desire.

And fifth is the matter of young men or boys at the periphery of the story who lament that leaving the parental home is unavailable to them. The crucial point in Gupte’s narration is the “invisibility” of boys and that their relationship with patriarchy, with the political economy and the impossibility of their escape from the particular patriarchal form of the paternal family does not enter the understanding of the phenomena.

This vignette helps identify the peculiarities of how early and child marriages are understood in relevant literature. Marriage before the legally stipulated age (in India it is 18 years for women and 21 years for men) is, in the reviewed literature, akin to violence. There is no scope for the recognition of the desires and the strategically deployed agency of a 17-year-old girl (except when framed in some form of false consciousness). While there is a broad, macro recognition of a correlation between poverty and the phenomena of early and child marriages, there is little analysis of the complex ways in which these relate to shifts in the political economy, in particular with the multiple transitions taking place in the expansion of “brutal capitalism”—a form of capitalism that is bereft of even nominal concern for human suffering and inequality. Most significantly for this paper, boys and men and an understanding of masculinity are all but absent in the literature, except when they provide evidence for a simplistic notion of patriarchy.

These peculiarities relate to a re-shifting in the development industry, from the gender and development approach to a women-and-girls-in-development approach. While the gender and development approach to the lives of girls and young women represents challenges for development and human rights, in the latter approach, girls and young women are treated as a mode through which diverse problems of development might be resolved. We see this at the international level with the seduction of the “girl effect”<sup>2</sup> on various international non-government organizations and donor agencies; and we see it in the national rhetoric of

1 The relationship between drought and early marriage can be seen increasingly in news reports and analyses. See, for instance, Radheshyam Jadhavi, “Drought and distress push 14-year-olds into marriage in Marathwada’s Jalna district”, *Times of India*, 30 April (2016). Available at <http://timesofindia.indiatimes.com/city/pune/Drought-distress-push-14-year-olds-into-marriage-in-Marathwadass-Jalna-district/article-show/52048577.cms>. See also “Prostitution to child marriage: India’s drought hurts women, Dalits more”, *Hindustan Times*, 23 May (2016). Available at [www.hindustantimes.com/india/prostitution-to-child-marriage-drought-in-india-hurt-women-dalits-more/story-Of0E8Q2H-KixbS3bFluUeCl.html](http://www.hindustantimes.com/india/prostitution-to-child-marriage-drought-in-india-hurt-women-dalits-more/story-Of0E8Q2H-KixbS3bFluUeCl.html) (accessed 15 December 2016).

2 The “girl effect” is the idea that investing in girls is the solution to the problems of development. It is based on a series of untenable assumptions about gender (girls would invest most of the money they earn from business on the family, etc.) and its relationship with the complexity of development. The film that launched the idea and then led to the forming of an international organization ends with the statement, “Invest in a girl and she will do the rest.” Apart from the organization itself, the logic has caught on and can be seen reflected in discourse on gender and development more broadly and in policy shifts of large funders in the sector.

development, in such forms as the Beti Bachao Beti Padhao<sup>3</sup> program of the current government.

### 1.2 Structure of this paper

In commissioning this research, the American Jewish World Service wanted the exercise to think through the question of what it might mean to work with men and boys and on masculinities when addressing early and child marriages. The assignment was to chart out what is known and what we need to know to have an informed strategy of bringing these fields of work together. The paper provides a review of relevant literature and draws from a series of interviews and group discussions carried out with a range of people working in the fields of both early and child marriages and masculinities.

The following section describes the research methodology undertaken for this paper. It then briefly describes the organizations included in the research and the reasons for choosing them. The third section highlights what was found in the literature review. The section lays out the landscape of the types of literature on early and child marriages, describing core approaches, characteristics and arguments made in each form. The discussion then examines the different articulations of male figures in these types of literature, which proved a creative task, given the near absence of men and boys therein. Although the literature reviewed was wide in scope, the focus was on work pertaining to India. The research also focused on the ways in which the issue of caste was articulated in the literature. This was included because, based on the interviews and the informants' experiences of working with masculinities and in the context of early and child marriages, caste ideology lies at the core of the phenomena. The section

wraps up with brief analysis of the legal approaches to child marriage and case law that sheds light on the phenomena and on the place of men and boys.

The fourth section focuses on the conceptual antecedents and approaches to early and child marriages. Starting with a brief foray into colonial concerns with child marriage, the paper looks at the particular discourses of health, population control and children's rights, wherein the genealogy of the current form of early and child marriages might be found. The discussion turns to the use of the ECM abbreviation and asks how is it that the phenomena of early marriage and child marriage have come to form a singular object in development? The history is drawn from the literature as well as from the interviews with activists in the field. The section then singles out a range of strategies that organizations have used in relation to early or child marriage. We examine the limitations of the interventionist approach that uses the law to interrupt marriages involving minors and, drawing on the interviews, suggest that several organizations work through a combination of approaches to gender equality, gender justice and sexual rights.

The fifth section looks at the structural conditions for the phenomena of early and child marriages. This section uses stories from interviews and provides analysis of economic transitions and vulnerabilities, caste ideology, anxieties around sexuality and consequent attempts at regulation, demographic conditions, migration, the question of women's right to property and the social realities produced by criminal law in the context of child marriage. To put forth a possible research agenda, the final section presents a wish list of things we need to know and issues we need to understand.

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<sup>3</sup> Beti Bachao Beti Padhao, or Save the Daughter, Educate the Daughter, is the current administration's scheme for improving the child sex ratio at birth, the survival of girl children and the education of girls. Narendra Damodardas Modi is the current prime minister of India, in office since May 2014.

### RESEARCH QUESTIONS FORMED IN COLLABORATION WITH THE AMERICAN JEWISH WORLD SERVICE

- What is the experience of early marriage in the case of men and boys? What does the research say about how the construction of masculinities engages with or in the institution of marriage?
- What kinds of evidence or data (quantitative and qualitative) exist on this?
- What insights do studies on masculinities and gender-based violence offer on the theme of early and child marriages?
- What are the other research gaps on the issue?
- What kinds of research (thematic, method, geographical area) does the reviewer propose?
- What is the landscape of interventions with or on boys and men around early and child marriages? With what conceptual framework are these interventions carried out? What are the entry-point issues with which organizations work with boys and men on masculinities?



SECTION  
02

## RESEARCH METHODS

### 2.1 Literature review

Four resource types were sought out for the collection of relevant literature:

- Academic portals—JSTOR, HeinOnline, Google Scholar and Social Science Research Network—were searched using search terms and phrases relating to early or child marriage, masculinity, men and boys. Broader searches specific to India were also done.
- Websites of research institutions—the Institute of Development Studies, the Overseas Development Institute, the International Centre for Research on Women and Promundo—were searched, with follow-up discussion with specific researchers.
- Relevant collections of conference abstracts were searched for unpublished research, with follow-up discussion with authors.
- Law reporters were searched for cases on and analyses of the enforcement of child marriage laws in India and, in particular, on how the Prohibition of

Child Marriage Act, 2006 plays out in the courts. The focus was on judgments from the High Courts and the Delhi District Courts between 2007 and February 2016. In total, the research involved 123 judgments across the various courts.

A total of 273 documents (150 articles, reports, consultation papers, etc. and 123 legal case reports) were filtered and sorted, based on a series of questions used in the interviews that were conducted in parallel. The relevance of each piece was determined by whether it related to child marriage per se, whether it studied the impact of child marriage, whether it offered insights into the diversity in the notions of “child”, “child marriage” and “early marriage” or whether it provided insight into the normative expectations of gender and sexuality (especially male sexuality). Through this process, 90 relevant pieces of literature (apart from the legal case reports) were singled out for more detailed examination.

### 2.2 Engagements in the field

The second part of the exercise involved in-depth interviews with people working in the field. This involved people in 10 organizations across seven locations: the Centre for Health and Social Justice, the Youth Parliament Foundation and Nirantar in New Delhi, Mahila Sarvangeen Utkarsh Mandal and Samyak in Pune, Muskaan in Bhopal, Samabhabana in Calcutta, Swabhava in Bangalore, Vikalp in Udaipur and Social Uplift Through Rural Action in rural Himachal Pradesh. A total of 24 people participated in 11 in-depth interviews and four focus group discussions. This research also draws upon the primary author's long-term engagement with two other organizations (not included as informants) in projects related to early and child marriages.

Of these organizations, four of them work on both early and child marriages and on masculinities or with men and boys; three work on early and child marriages but not with men and

boys; and five work on masculinities but not on early and child marriages directly.

The range of organizations was chosen to reflect a diversity of contexts and approaches, including areas in which there is high incidence of early and child marriages and areas in which the average age at marriage is older, with organizations that work exclusively with girls and women, those that work with both men and women, those that work exclusively with men and boys and those that work with other genders and non-normative sexualities.

See the Annex for a brief introduction to each of the organizations and an explanation of why they were chosen as part of this research.

SECTION  
03

## LITERATURE REVIEW

Little of the reviewed literature directly looked at the experiences of boys, the roles of men and the broader field of masculinity in the context of early and child marriages worldwide. Of the 273 articles, reports, legal cases, newspaper clippings, opinion pieces and advocacy documents that were examined in the course of this exercise, only a handful mentioned boys, men or masculinity. Almost all the literature on early or child marriage focused squarely on the experiences of girls and the implications on their prospects for education and empowerment. The male figure in this literature either did not exist or existed in the service of patriarchy, as oppressor or otherwise instrumental in various ways in propagating violence against women and girls.

The literature on men, boys and masculinities was equally unconcerned with the phenomenon of early or child marriage. Of the hundreds of abstracts at the MenEngage Conference in New Delhi 2014 (the largest conference relating to work on masculinities around the

world), six referred to early and child marriages, of which only one actually looked at the relationship between masculinities and early marriages. Crossover literature, which looks at the relationship between masculinities and early and child marriages, is practically non-existent, with one report by the organization Promundo looking at issues and strategies, a landscape analysis by the organization Nirantar, which identified the lack of understanding of boys' experiences and of masculinities, and some material from the International Center for Research on Women (ICRW), which features the experiences of boys and questions relating to masculinity.

**There is little literature that looks at experiences of boys or men in relation to early or child marriage.**

Even though the literature does not directly concern itself with boys, men and masculinities, they are assumed; there are assumptions about masculinity and about the subjectivities of men and boys that underlie the content. To

identify these assumptions (and thus the understandings of masculinity that inform the content), the practice of “reading obliquely” was used. This is a modification of the method developed in queer theory of reading oneself and one’s desires and realities into narratives that otherwise obscure queerness.

### 3.1 Types of literature

There are broadly three types of literature that we looked at in the review: academic research, documents generated by the development sector (international and government agencies, civil society organizations and activist collectives) and documents relating to law and law enforcement. An evident difference emerged between reports and articles produced by academic and scholarly researchers and civil society organizations (both national and international) in terms of the type of audience and goals that they seek to reach and achieve. While the former made inquiries into child marriage as a concept and used variables and analysis to come to an almost scientific and statistical conclusion (to support theoretical hypothesis), the latter type of literature sought to produce evidence for an urgent call for action against child marriage practices and customs that is set in a global framework.

The scope of literature relating to early or child marriage extends to numerous issues and concerns. Referring to a range of countries across the world, the literature included explorations of “causes” of child marriage, collections of narratives of persons affected, policy interventions and strategies employed in these interventions. To assemble some coherence, the literature was categorized into four types. Rather than basing the categorization on a single axis, such as chronology, geography or approach, the landscape is laid out in terms of concentration of literature.

#### 3.1.1 Studies in the United States

**There are three periods in which literature from the United States is concentrated: 1950–1960s, 1970s and early 2000s. The first concentrated on who married early, the second on why and the third on the intersections of socioeconomic and religious factors, where early marriage is predominant.**

The literature on child marriage in the United States between the 1950s and the 1970s predominantly comprises academic research articles geared toward understanding rather than intervening. The early studies (1950s–1960s) focused on

the motivations and circumstances for the behavior of and choices made by young women and girls. For instance, Moss and Gingles (1959) compared female high school students who married before they were 19 years old with women who married later. Havighurst (1961) studied early marriage among high school students and their social and educational histories, while Lowrie (1965) looked at the enforcement of laws prohibiting early marriage by looking at premarital pregnancies and other factors associated with it.

During the 1970s, the purpose of research on child marriage shifted from emphasis on *who* marries young to *why* certain people marry young. This was an evolution in the discourse to theorize structural conditions for early marriage. The two most interesting pieces in this regard are Bartz and Nye (1970) and Carlson (1979). Bartz made theoretical propositions that relate teenage marriage to forms of social organization, disorganization and society’s cultural settings. Carlson sought to understand early marriage in socio-structural terms while dissociating it from premarital pregnancy.

Other sociologically interesting articles in this period include those focused on the relationship between age at first marriage and probability of marriage dissolution (Moore, 1981) and a notable study by Kerckhoff and Parrow (1979) that looked at the experiences of boys and young men. The Kerckhoff and Parrow article was cutting-edge for its time. The study compared data relating to white and black young men and argued that early marriage has a depressing effect on the educational attainment of young men. The authors’ assumptions around race, while rarely made explicit, were coded in terms of family background. Family background was a euphemism for race, which in turn became a metonym for socioeconomic conditions.

There is another concentration of research on early marriage in the United States in the first decade of the twenty-first century. Here we found studies on the impact of family structure on offspring marriage timing (Wolfinger, 2003), the effect of individuals’ demographic and family background on early marriage (Uecker and Stokes, 2008), early teen marriage and its association with high poverty rates (Dahl, 2010) and early life pathways of fatherhood timing, timing of first marriage and holding full-time employment, using latent class growth analysis (Darlotis et al., 2011). The comparison between these two periods is telling of the shift in the meaning of “early” (Uecker and Stokes (2008), for instance, considered 23 years as the distinguishing point for men) but also the ways in which race and ethnicity were disaggregated from a presumed notion of backwardness, with a more nuanced understanding of

the intersections between them and with religious affiliation and practice, geographic location, practices of non-marital cohabitation and family structure as relevant variables.

### 3.1.2 Studies in and on the Global South

While there is much colonial literature on child marriage, in the 1990s there emerged a unique development discourse around child marriage in the Global South. This is not to say that child marriage did not feature in the practice of development, but it did so as one part of the concern with population control (which dominated development discourse until the 1980s), health and then children's rights.<sup>4</sup> This pattern can be seen in most of the literature on the Global South from the 1980s, framing early and child marriages as a challenge to population control. A series of studies in the *International Family Planning Perspectives* journal, for instance, looked at the relationship between early and child marriages, fertility and contraceptive use in Honduras (1984), Senegal (1982) and Mali (1989).

**Early postcolonial literature considers early and child marriages as relevant for development intervention, first in relation to population control then in relation to health and then children's rights. Only in the 1990s is there concern for early or child marriage per se.**

In the 1990s, however, we see the emergence of a concern with child marriage in and of itself. Although still carrying the underlying concern with population control, the concern was re-articulated in the language of reproductive health. It is no coincidence, thus, that the research by Singh and Samara (1996), the most expansive of the early attempts at an international perspective on child marriage, was published in the *International Family Planning Perspectives* journal. Looking at 40 developing countries from Asia, sub-Saharan Africa and other parts of the Global South, the study drew exclusively on quantitative data, available from Demographic and Health Surveys and a range of additional sources. It looked at the relationship between prevalence of marriage and three dimensions of socioeconomic development—urbanization, educational attainment and labor force participation among women.

**A significant part of literature on early or child marriage in sub-Saharan Africa, especially in the 1990s, related it to vulnerability to HIV infection.**

Thereafter, a series of studies appeared that looked either at particular country experiences or broadly at either the African continent or South Asia. Those latter, broader studies from the late 1990s focused on the relationship between early and child marriages with vulnerability to HIV infection. Significant research in this period included observations of “causes” of child marriage in Nepal (Sah, 2008), early marriage among conservative communities in Iran (Tremayne, 2006) and the political debates surrounding early marriage in Indonesia (Blackburn and Bessell, 1997). In the context of the African continent, a large part of the literature centered on the prevalence and consequences of child marriage, the relationship between child marriage and traditional polygyny (Chojnacka, 2000), child marriage through the phenomenon of cross-generations and transactional sex (Luke, 2002), the effects of girls' early marriage on the risk of acquiring HIV (Clark, 2004), exploring patterns of early marriage in sub-Saharan Africa (Walker, 2012; Palermo and Peterman, 2009), northern Ethiopia (Dagne, 1994) and Zambia (Mann, Quigley and Fischer, 2015). Without making a complete generalization, it might be said that this genre of work marked a shift from a position in which early or child marriage was an issue incidental to other concerns to a position in which it was the issue and the other concerns became incidental.

**Literature from the late 1990s to early 2000s mark a shift from a position in which early or child marriage was an issue incidental to other concerns to a position in which it was the issue.**

This narrative of early or child marriage becoming an issue of itself was found in the literature in the first decade of this century. The larger part of this literature was produced by international NGOs. Notable among them are reports on the involvement and commitment of men and boys to girls' empowerment and gender equality (ICRW, 2010), on developing gender-sensitive curriculum for young persons in Egypt (Choices, 2012), on finding effective policies and programs in delaying child marriage in India (Dasgupta et al., 2008), on finding new insights into making interventions for changing norms in India (ICRW, 2011), on trends and patterns

<sup>4</sup> Based on interviews with Manisha Gupte, of Mahila Sarvangeen Utkarsh Mandal, and Satish Kumar, of the Centre for Health and Social Justice.

in child marriage in various districts in India<sup>5</sup> (Srinivasan et al., 2015), Bangladesh and Nepal (ICRW, 2013) and Indonesia and Pakistan (Plan International, 2015), on the prevalence of early marriage and its nature of fragility in Bangladesh, Somaliland and Niger (Myers, 2013; Parveen and Sarkar, 2013) and on “best practices” from government and civil society in preventing child marriage in India and Rwanda (Asrari, 2015).

### **Programmatically and in terms of priorities of civil society organizations (as highlighted during the research interviews), concern for early and child marriages forms part of a larger mandate because it impacts more broadly on women’s rights and feminist projects or undermines work on access to education, reproductive and health rights and masculinities.**

In the mid-2000s, literature on early and child marriages in the Global South proliferated in the form of evaluations of programs and strategies on the prevention of such marriages. Notable among them is a quantitative study by the ICRW of 20 “hotspot” countries (where child marriage is deemed to be a common practice), which argued that the four elements most directly related to early or child marriage are education of girls, age gaps, region and wealth (Jain and Kurz, 2007). Lee-Rife et al. (2012) reviewed 23 child marriage prevention programs carried out in low-income countries, with an assessment of the different approaches. The paper broadly argued that programs offering incentives and attempting to empower girls can be effective in preventing child marriage and can foster change relatively quickly, with a caveat on the methodological inconsistencies between the various programs.

Three of the five approaches to early and child marriages prevention in the Lee-Rife et al. review focused on the education and empowerment of girls, with one targeting policy and law reform and one looking at mobilizing parents and community members. Significantly, only one of the strategies, and only as recently as 2012, actually identified men (who featured as part of the community or as fathers) as a target for intervention. Another significant finding of the Lee-Rife et al. research was that only four of the 23 programs addressed child marriage as their primary objective, while the others included child marriage within a broad range of concerns or as related to another concern.

Another large-scale evaluation of strategies found 66 programs with some interventions operating in multiple countries (of them, 49 programs were conducted in Africa, 34 in South Asia and four in other areas of the world, with 21 programs in more than one country) (McLoughlin, 2010). This report, for the first time in the literature, mentioned creation of support groups for girls with “stopped marriages” (early and child marriages that were “stopped” by making legal and social interventions) as an important lesson. Drawing on an evaluation of a child marriage prevention intervention in the Amhara region of Ethiopia, the report concluded that many girls with stopped marriages felt depressed, lonely and worried about their future marriage prospects.

### **By 2010, we see the proliferation of toolkits, manuals and policy briefs that suggest the phenomenon of “early and child marriage” had been understood, strategies attempted and a normative or effective combination of strategies identified.**

By 2010, a new form of literature from the Global South appeared, covering toolkits, policy briefs, manuals and the identification of best practices on early and child marriages prevention. This signaled a move toward a position that the phenomenon had been understood, strategies attempted and a normative or effective combination of strategies identified. This also marked a point at which early and child marriages become central to the idea of development; for instance, as the first line of a manual by the United States Agency for International Development (USAID) pointed out: “CEFM [child, early and forced marriage] is a human-rights violation and an impediment to sustainable global development” (Glinski, Sexton and Meyers, 2015). It is at this point that other issues of concern in development became increasingly arranged in terms of their relationship with early, child and forced marriages.

### **In toolkits, manuals and policy briefs, men feature either as decision-makers or as religious leaders.**

There is much commonality among these documents, each identifying in one way or another a series of four strategies: empowerment of girls, education of girls, sensitizing communities and decision-makers (including religious

<sup>5</sup> This paper looked at the prevalence of child marriage in various districts and analyzed the extent to which there was a decline in child marriage. Its findings include that this decline is not uniform in all states of India; the paper cited regions with different percentages of drop in prevalence of child marriage. It also looked at the importance of individual socioeconomic characteristics, such as place of residence, education, religion and caste, which have an important role in determining the age of marriage for females in rural India.

leaders) and the further strengthening of laws and their enforcement. The notions of empowerment focused on the education and empowerment of girls, with liberal doses of conditional cash transfers and suggestions for microcredit schemes. There are three of this type of document that are particularly noteworthy. The first is a paper by Lemmon and El Harake (2014), written for the Council on Foreign Relations, which makes the case for encouraging conditional cash transfers in relation to the education of girls, strengthening the legal framework (the problem, according to this paper, is enforcement rather than strategies based on the cultural functions of law) and changing the perceptions and attitudes of communities. It is in this last context that we found mention of men—considered as either decision-makers or religious leaders.

The manual produced by World Vision, Promundo and MenCare (2013), one of the only documents in this entire literature review to look at masculinities, was designed to improve men's understanding of early and child marriages. The manual sought to make men more sensitive and bring them into caring relationships by framing the problem of masculinity as one of attitude. The manual was developed for use in the Indian context, though it is based on Program P—a project on fatherhood and masculinity started by Promundo, a global organization. The objective of the manual is to sensitize men about gender inequality and to promote their taking on caring roles in the family, non-violent relationships, a commitment to girls' education, shared decision-making in households and healthier coping mechanisms. This last issue is the only point in the manual in which the effects of structural conditions of gender inequality and masculine aggression were recognized.

A final manual in this genre of literature is a resource guide produced by USAID (Glinski, Sexton and Meyers, 2015) for its sectors, missions and staff on how they might integrate prevention of and response to child, early and forced marriages in their programming. This rather detailed document included broad statistics on the distribution and prevalence of child, early and forced marriages and, drawing from them, broad generalizations about the nature of the

(unitary) phenomenon. It then highlighted the logic and evidence for the relationship between the various particular sectors of work done by USAID.<sup>6</sup> Having thus demonstrated the centrality of child, early and forced marriages to economic and strategic interests for the United States, the guide then elaborated on strategies for engaging with a range of stakeholders. This is an interesting list and includes a range of male actors as well, including boys at risk of early marriage and those already married. Even though the document made some ungainly leaps in generalizations relating to issues of masculinity,<sup>7</sup> it also identified strategies and programs (covered in this piece as well) for engagement that seek to shift gender norms and create conditions for boys (who they see as a key constituency) to be allies in the work against early and child marriages.

The USAID resource guide stated, quite rightly, that there is sparse research on the impact of work with boys on early and child marriages and argued for resources devoted toward such research. The guide also positioned male relatives—fathers and brothers—as key stakeholders and returned to strategies of sensitization, drawing on the work of Promundo, MenCare and the International Center for Research on Women. The guide cited other figures, such as parents, teachers, law enforcement personnel, community and religious leaders, civil society advocates, journalists and government officials, as important stakeholders that would include men. That was then followed by a listing of regional contexts of intervention and USAID programs in each of them and a listing of indicators for monitoring and evaluation of interventions.

The resource guide followed the patterns and assumptions of the other manuals and provided strategies for empowering girls, ensuring education, strengthening legal frameworks and shifting attitudes through community mobilization. The one element that was additional and significant was the recognition of boys as also affected by early, child and forced marriages.

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<sup>6</sup> These sectors are gender-based violence; youth; economic growth and workforce development; agriculture and food security; crisis and conflict; democracy, human rights and governance; education; global health; and multisector programming. The document provides fascinating insight into how development relates to American economic and military interests. A more explicit articulation of this is found in an article by the Council on Foreign Relations (Vogelstein, 2013), which pointed out how addressing child marriage has become a cost-effective and strategic necessity for American diplomatic and development goals. The article talked about how such priorities as increasing global health, education, economic development, rule of law and human rights for the United States, gets endangered by child marriage. Thus, the reasons for funding such projects becomes compelling because they could “increase returns on American investments”.

<sup>7</sup> For instance, that marriage being seen by boys as a marker of attaining manhood and that boys who marry young perpetuate gender inequality in their relationships.

## There is a general tendency in manuals and toolkits to pathologize working-class masculinities, thereby reducing early or child marriage to a problem of ignorance and attitudes of working-class men.

One point that needs to be highlighted here is a general tendency in these manuals toward the “pathologizing” of masculinity (typically working-class). By pathologizing, we mean the tendency to treat working-class masculinity as somehow abnormal, as homogenous and coherent and as the cause of the phenomenon of patriarchy.<sup>8</sup> This is an articulation of a structural issue in development—the need to sequester from a broader social, political and economic field a “problem” that can be demonstrably addressed. This leads to an extraction of particular objects, formations or phenomena from their contexts and a de-politicization of the actual challenges of justice, equity and equality. In this case, the underlying narrative is that the problem of aggressive masculinity and therefore the problem of early or child marriage (and thus the very problem of development) lie in the ignorance and attitudes of working-class men. As reflected later in this paper, this structure, through which men and boys are related to early or child marriage and further to development itself, prevents work on the structural causes that these strategies seek to address.

### 3.1.3 Studies in India

With a large percentage of reported incidence, India along with countries in Africa, finds itself as one of the primary sites of research done on child marriage. There is a vast amount of literature focused on child marriage, its legal prohibition and the political implications and complexities of prohibition.

Because these debates are well documented and analyzed, this review does not focus on this literature.<sup>9</sup> The focus instead is on literature from the 1970s onwards, which is expansive and diverse in subject and location. Some of the examples include examining connection between age of marriage of women and population growth in Kerala<sup>10</sup> (Gulati, 1976), examining the causes of change in age of marriage among women in Karnataka (Caldwell, Reddy and Caldwell, 1983), investigating where declines in mortality creates shifts in the marriage market in India<sup>11</sup> (Bhat and Halli, 1999), assessing the prevalence and incidence of child marriage in the states of Rajasthan, Uttar Pradesh and Madhya Pradesh (CSR, 2007), the changing marriage system among the middle class in Tamil Nadu (Fuller and Narasimhan, 2008) and analyzing rural communities’ responses to child marriage in West Bengal (Ghosh, 2011).

In addition to field assessments in specific locations, some studies also analyzed patterns across the country with respect to changes in infrastructure and various sociopolitical elements. For instance, there is a study on the safety of early marriage in accessing sexual and reproductive health services and vulnerability to HIV infection (Santhya and Jejeebhoy, 2007), a study exploring ways in which different dimensions of gender in Indian society shape the decisions regarding age of marriage<sup>12</sup> (Desai and Andrist, 2010), a study that looks at the ways in which early marriage compromises young women’s lives and their reproductive health and choices (Santhya et al., 2010) and a study on girls’ education and changing social norms (Lemmon and El Harake, 2014). A significant publication focused on India (though not particularly insightful about the specific context of India) is the MenCare manual discussed previously.

8 For a conceptualization of pathologization as a historical phenomenon, see Foucault, 1972; and for an understanding of pathologization as applied to working-class masculinity, see Stahl, 2017.

9 One of the early pieces is a letter from Raj Coomar Roy to his friend in the United States, describing the author’s personal views on child marriage in India (Roy, 1888). The law is an influential register in relation to which many studies have been carried out in India.

10 This article looked at why the increase in the age of marriage in Kerala did not bring down the number of children that a woman had. The article noted that the reduction in infant mortality (which occurred partly due to a shift in the age of marriage and largely due to improvement in medical and public health facilities) combined with other factors reduced the number of children. The author cautioned against solely relying on raising the age of marriage to reduce the rate of growth of population.

11 The authors of this article inquired into whether the past declines in mortality created a huge deficit of eligible men in the marriage market and its effects on the dowry system in India. The authors analyzed the trends in bridegroom availability and marriage squeeze and predicted that the marriage squeeze against females would reduce by the end of the twenty-first century due to a decline in fertility.

12 The authors used data from the India Human Development Survey of 2005 to determine how different dimensions of gender (economic factors such as wage employment, dowry expectations, etc.; indicators of familial empowerment, such as women’s role in household decision-making, etc.; and markers of gender performance, such as male and female separation, practice of purdah, etc.) effect the decisions regarding age at marriage.



### 3.1.4 Literature relating to law and reading the law as literature

**A significant amount of literature on early or child marriage in India relates to the laws, the politics around the laws and the limitations on their implementation. Legal pluralism and diversity in social norms have been identified as reason for the limited efficacy of the laws.**

A significant amount of literature relating to early or child marriage in the Indian context relates to law. As briefly mentioned earlier, there is rich analysis of the political debate around age of consent and the laws seeking to restrain child marriage. In addition, feminist activism in India, especially since the 1980s, has had a near obsession with the law as the site for struggle.<sup>13</sup> This has had its inflections on advocacy, on the focus of work by NGOs and on the development industry more generally. This is true as well of early and child marriages. Thus, implementation of the Child Marriage Restraint Act, 1929 and the Prohibition of Child Marriage Act, 2006 has been an important concern in many studies. Reviews of this literature from and on the colonial debates include Hatekar, Kumar and Mathur (2009), who examined the debates leading up to the child marriage prohibition laws; Francavilla (2011), who looked at Hindu law, and Kosambi (1991), who examined the Age of Consent Bill of 1891 and the controversies that surrounded it at that time in terms of the girl bride. Burris (2014) noted the poor implementation of the Child Marriage Restraint Act and argued that cultural and social norms supersede domestic legislation in India. She also argued that the multiplicity of notions of legality renders the legislation prohibiting child marriage fruitless and that the lenient punishment prescribed in the legislation for violating these laws does not really act as a deterrent.

The *205th Law Commission of India Report* (Government of India, 2008), which focused on the proposal to amend the Prohibition of Child Marriage Act, attributed non-implementation of the Act to poverty, culture, tradition and values based on patriarchal norms. Yet, the effective enforcement of legislation is possible when accompanied by such factors as community participation, suitable administrative machineries and State interventions. But these also need to be understood in a social, economic and political context. In the context of the Prohibition of Child Marriage Act, for instance, Singh, Dey and Roy (1994) argued that State-sponsored and many civil society interventions on child marriage have had an upper-caste and class bias and are a misinterpretation of Dalit and Other Backward Class custom because they shifted the focus away from dowry deaths and physical isolation of women and were used only selectively as an instrument of control.

When we read the legal texts (for instance, case law) as literature and examine how they construct child marriages and people involved in them, it becomes clear that men and boys and their aspirations do not have a significant role in deciding the validity of the marriage. However, contrary to what the literature around child marriage tells us—that there is a huge proportion of children being forced into marriage, the case law literature presents a curious chronicling of parties choosing to marry each other of their own will.

The following summarizes observations from this reading of case law:

**Contrary to assumptions in analyses of the law and its efficacy, case law suggests that, for the large part, the Prevention of Child Marriage Act, 2006 is used in cases of parties choosing to marry each other of their own will.**

- Among the types of cases brought to the court, the bail cases were brought under section 438 or section 439 of the Code of Criminal Procedure, 1973.<sup>14</sup> The complainant in the bail cases was usually a father, mother, a Child Development Officer or

<sup>13</sup> See Menon (2004) and Khanna (2016) for analyses of the relationship between feminist and queer movements and the law, respectively.

<sup>14</sup> Section 438 of the Code of Criminal Procedure refers to direction for grant of bail to person apprehending arrest and section 439 refers to the special powers of High Court or Court of Session regarding bail.

a local police officer.<sup>15</sup> Most of the cases involved consensual relationships between the husband and the girl.<sup>16</sup>

- The court has come down heavily where it established that there was no consent between a girl and a boy with regard to marriage or any other kind of relationship.<sup>17</sup> In some cases, the court read the Act quite strictly and rejected bail petitions because it was against the object and purpose of the legislation.
- A couple of other trends evident in these cases is the use of the kidnapping and abduction provisions (section 366 of the Indian Penal Code<sup>18</sup>) along with the Prohibition of Child Marriage Act. The use of writ petitions under article 226 of the Constitution<sup>19</sup> is also quite visible in the use of

the Prohibition of Child Marriage Act. The writ of habeas corpus<sup>20</sup> by a girl's parents has been used to produce the girl before a court.<sup>21</sup> A few cases also involved the courts granting the release of girls from protection homes.<sup>22</sup>

### 3.2 Different articulations of the male figure

As already highlighted, there is scant literature that looks at the particular experiences of men and boys in the context of early or child marriage. The studies on child marriage conducted in the late 1950s to the 1980s particularly focused on young girls and did not target boys as a sample group. Even though some research looked at men as a secondary subject of analysis to study the dynamic of marriage and how it is

<sup>15</sup> For instance, in *Ramahia v. State*, Criminal Petition No. 2934 of 2015 (available at <https://indiankanoon.org/doc/38426623/>), the complainant was the child development officer who lodged the complaint after receiving information about the girl's (aged 15) pregnancy by the doctor.

<sup>16</sup> In *Madesha v. State*, Criminal Petition No. 3504 of 2015 (available at <https://indiankanoon.org/doc/5137381/>), although the father alleged that the boy (aged 26) had taken away the girl for marriage after he refused to marry his daughter with him, the court granted bail to the petitioner (husband) after hearing the testimony of the girl who stated that she loved the petitioner and married him on her own free will. Similarly in *Mahadeva v. State* by K.R. Nagar, Criminal Petition No. 2382 of 2015 (available at <https://indiankanoon.org/doc/28419148/>), the court granted bail to the petitioner after taking into account the testimony of the girl (aged 16 years) that she was in love with the petitioner and married him on her own wishes and had been living with him since several months.

<sup>17</sup> In *Sri Kumar v. Station House Officer*, Criminal Petition No. 3953 of 2014 (available at (<https://indiankanoon.org/doc/7309985/>), the court relied on the girl's (aged 16 years) testimony that the boy (aged 21 years) had forcibly taken her on his bike, tied turmeric to her neck and told her that from then onwards they were husband and wife and then forcibly had sexual intercourse with her. The court rejected the boy's bail petition.

<sup>18</sup> Section 366, Indian Penal Code refers to kidnapping, abducting or inducing a woman to compel her into marriage, etc. The Section states that "Whoever kidnaps or abducts any woman with intent that she may be compelled, or knowing it to be likely that she will be compelled, to marry any person against her will, or in order that she may be forced or seduced to illicit intercourse, or knowing it to be likely that she will be forced or seduced to illicit intercourse, shall be punished with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine; and whoever, by means of criminal intimidation as defined in this Code or of abuse of authority or any other method of compulsion, induces any woman to go from any place with intent that she may be, or knowing that it is likely that she will be, forced or seduced to illicit intercourse with another person shall also be punishable as aforesaid."

<sup>19</sup> Article 226 of the Constitution of India refers to the power of High Courts to issue writs or a written order in the name of a court or other legal authority to act or abstain from acting in a particular way.

<sup>20</sup> Habeas corpus, which means "you shall have the body", originates in the Habeas Corpus Act of the Parliament of England of 1679. It is a writ that calls for the production of the body before the eyes of the law and is most often used in cases of illegal detention by the State but also in the context of confinement by non-State actors. For analysis of the use of the writ in the context of detention of queer women by their families and its use by families in contexts in which their daughters have eloped with their lovers, see Arasu and Tangarajah, 2006.

<sup>21</sup> For instance, in *Kulwant Kaur v. State of Punjab*, CRWP No. 978 of 2015 (available at <https://indiankanoon.org/doc/44280330/>) (Last accessed on 30 July 2016), the mother of the girl (aged about 16 years) alleged that she was enticed away by the respondent on the pretext of marriage and that is liable for punishment. Much like the bail petition cases mentioned previously, the court in this case looked at the testimony of the girl who stated her willingness to stay with her husband. Thus, the court dismissed the petition saying that it could only be maintainable if the girl was being detained against her wishes. Similarly, in *Meena and Another v. State*, W.P. (CRL) 1231/2012, available at <https://indiankanoon.org/doc/163357124/> (Last accessed on 30 July 2016), the allegations of the mother were that the girl (aged 15 years) was enticed away by the boy and that her custody lies with them because she is a minor.

<sup>22</sup> In the case of *Bholu Khan v. State of NCT of Delhi*, W.P. (CRL) No. 1442/2012, available at <https://indiankanoon.org/doc/21988888/> (Last accessed on 30 July 2016), the girl (aged about 16 years) was being detained in Nirmal Chaya (the government protective home) and after hearing the girl's account that she does not want to stay at the protective home and wanted to reside with her husband, the court ordered the release of the girl and granted permission to stay at her matrimonial home.

affecting young girls (such as Moss and Gingles, 1959), many articles barely reflected on the various notions of masculinities and gender affecting men.

A handful of studies actively engaged with the issue of masculinities and changing gender roles and norms. Some studies created several categories to understand the capacities in which men and boys live within early marriage. For instance, Darlotis et al. (2011) and others examined the importance of how timing and sequencing of life course transitions unfolded and came up with early fatherhood pathways of men as (a) young married fathers, (b) teen married fathers, (c) young underemployed married fathers, (d) young underemployed single fathers and (e) young later-marrying fathers. A Promundo report (Greene et al., 2015) highlighted that the categories of men and boys who should be involved in programs and interventions related to early and child marriages are (a) young grooms, (b) fathers and other senior male relatives, (c) religious leaders, (d) male community members, (e) male teachers, (f) health care providers and (g) local government officials. The report also mentioned the importance of engaging with “positive deviants”—those who reject harmful community norms, thereby setting an example for others of the possibility of leading a just, positive and healthy life.

In terms of setting examples, another report by ICRW in 2011 also spoke about “role model fathers” who took a critical role in their family to break the traditional child marriage norms and practices and decided to delay the marriage of their daughters. These role model fathers were also more progressive about educating their daughters and more willing to face community pressures. While talking about trends and patterns in child marriage in Zambia, a UNICEF report (Mann, Quigley and Fischer, 2015) noted that although girls were statistically greater at risk of being married before the legal age globally and in Zambia, so too were a large number of boys.

The role of fathers as the main decision-makers in the family was quite evident in the court cases that were reviewed. Many cases seeking habeas corpus petitions were brought by the fathers of the daughters who had eloped with their lover or boyfriend. The allegations generally made by the parents were that the husband had kidnapped the young girl and married her against her will. Other male figures that featured in the cases were marriage brokers and relatives of the boy and girl. For instance, in the case of Mahaveer Dhulappa Balikai v. State of Karnataka,<sup>23</sup> the allegations against the marriage broker were that he procured the underage girl for marriage. Interestingly, the decision of the court took into account the testimony of the girl to decide whether her custody should remain with the parents or with the husband. The boy or the husband in the court cases were portrayed as the perpetrator or the respondent whose testimony did not have a major role in influencing the outcome of the case.

In their 1983 study, Caldwell, Reddy and Caldwell examined the connection between the average age of women at marriage and the fall of marital fertility in rural Karnataka. Many factors affected the reasons for the age of marriage of men, starting with the commitment of men to provide for their families and that, in many households, parents preferred daughters to marry before sons.<sup>24</sup> Interestingly, the arguments made for and against older age of marriage for men were more or less situated with respect to sexual capabilities of to-be husbands. The parents’ decision to not marry their sons before they turned 25 was mostly because of his sexual immaturity or their belief that the son’s physical strength would be drained because of early sexual indulgence. At the same time, older age at marriage for boys was not preferred due to a belief that men’s sexual powers begin to wane after about 30 years of age. Many of these assumptions resonated with the *dhat* syndrome, or anxieties about semen (Sumathipala, Siribaddana and Bhugra, 2004).<sup>25</sup> Thus, it becomes evident how sexual capabilities of men are articulated within cultural notions of masculinity even while looking at the age of marriage for men and boys.

<sup>23</sup> The bail was granted to the petitioners. See <https://indiankanoon.org/doc/152954516/>.

<sup>24</sup> Although the study did not mention the societal expectations that men are expected to adhere to, in its attempt to find what sort of bridegroom that parents of a girl sought in the marriage market, the authors noted that educated men with urban jobs were more in demand because they would likely have larger incomes and their wives would be spared from drudgery of rural work and usually live apart from parents-in-law. The study also found that there was a decrease in the number of cases of child marriage, one of the reasons being that the search for finding a spouse would be undertaken by the girl’s family rather than the boy’s family. The study report also noted several anxieties related to men and boys exploring their sexuality. These anxieties were seen to be reflected through decisions made by the community members and parents in choosing at what age the boys should marry. Control over boys’ age at marriage was also seen through ways in which the girls’ (wives’) sexuality would get defined. Many, as the study showed, thought that the age gap between the spouses should be substantial so that that husband could assert dominance to resist wives’ sexual demands.

<sup>25</sup> For a comprehensive review of literature on the *dhat* syndrome from a perspective of psychiatry, see Sumathipala, Siribaddana and Bhugra, 2004. For an excellent ethnographic study, see Alter, 1997.

A few other studies in India brought to light other assumptions and observations, not just about the men and boys but their surrounding social and economic circumstances as well. Looking at narratives among Brahmans of the Vattima community in Tamil Nadu State, Fuller and Narasimhan (2008) documented a few men's impressions of their early or child marriage. One noted that his mother would leave spare food for his sister but not his wife. A study by the Centre for Social Research (2007) in the states of Rajasthan, Uttar Pradesh and Madhya Pradesh found that economically weak and large families encouraged the practice of child marriage because it helped them send girl children off early while the marriage of a boy brought in an additional hand to assist in household and economic activities.

### 3.3 The impact of caste

As explained in following sections, the issue of caste emerged in the research as central to understanding the phenomena of early and child marriages, although most of the reviewed literature lacked any attention to it. The few articles that did talk about caste merely mentioned it in the sense of composition of the population and chosen identity and not what that chosen (or ascribed) identity meant for child marriage. Caldwell, Reddy and Caldwell (1983) referred to Buchanan's work of 1807<sup>26</sup> that talked about how Brahmin women were considered impure if they were not married before the first signs of puberty. In his study of occurrence of child marriage in rural Karnataka, Caldwell, Reddy and Caldwell documented the age of marriage among different

castes (lowest for Harijans<sup>27</sup> and highest for Brahmins). Ghosh (2011) also documented the commonalities and differences across different communities and castes in the Malda district of West Bengal in terms of child marriage. The study found that many factors, such as poverty, landlessness, unemployment and illiteracy, added to the resilience and stability of the practice of child marriage across those communities. Bhat and Halli (1999) noted that the trend of switching from bride price to a dowry system in southern India could be seen with urban and educated Brahmans, which then trickled down to lower castes and rural areas. They also pointed out that in northern India, the escalation of dowry rate was first noticed among upper castes of Bengal who sought English-educated men in remunerative government services as bridegrooms for their daughters.

While discussing the incident of sexual violence in the Bhanwari case in Rajasthan, which was regarded as a brutal incident of caste oppression,<sup>28</sup> Singh, Dey and Roy (1994) argued that *sathins'* (people at the ground level who report child marriage; Bhanwari was a *sathin*) and other government functionaries' safety and mobility becomes highly vulnerable, given that the government often does not stand with them when there are strong reactions from powerful local groups.

These rare instances of the recognition of caste, however, tended to imagine all marriages as endogamous—the custom of marrying within communities, castes or tribes—and failed to recognize the anxieties around caste purity as central to the very phenomena of early and child marriages.

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26 F.H. Buchanan's *A Journey from Madras through the Countries of Mysore, Canara and Malabar Performed under the Orders of the Most Noble the Marquis Wellesley Governor General of India for the Express Purpose of Investigating the State of Agriculture, Arts and Commerce: Religion, Manners and Customs; the History Natural and Civil and Antiquities in the Dominions of the Rajah of Mysore and the Countries Acquired by the Honorable East India Company* (Buchanan, 1807).

27 The term "Harijan" has been opposed politically and socially by many in the anti-caste movement in India. It is seen to be derogatory, arrogant and understood to be side-stepping from the lived realities. See S. Ramanathan, "Labelling Dalits 'Harijans': How we remain ignorant and insensitive to Dalit identity", *The NEWS Minute*, 27 October (2015). Available at [www.thenewsminute.com/article/labelling-dalits-%E2%80%98harijans%E2%80%99-how-we-remain-ignorant-and-insensitive-dalit-identity-35486](http://www.thenewsminute.com/article/labelling-dalits-%E2%80%98harijans%E2%80%99-how-we-remain-ignorant-and-insensitive-dalit-identity-35486).

28 See also P.V. Swati, "Bawandar: A reality check into the Bhanwari Devi rape case", *Youth ki Awaaz*, 26 February (2012). Available at [www.youthkiawaaz.com/2012/02/bawandar-a-reality-check-into-the-bhanwari-devi-rape-case/](http://www.youthkiawaaz.com/2012/02/bawandar-a-reality-check-into-the-bhanwari-devi-rape-case/). See also J. Pasricha, "Violence Against Dalit Women: How Caste Intersects with Gender-based Violence", in *Feminism in India*, 10 December (2015). Available at [www.feminisminindia.com/2015/12/10/violence-dalit-women-caste-intersects-gender-based-violence/#.V3DGYrt9600](http://www.feminisminindia.com/2015/12/10/violence-dalit-women-caste-intersects-gender-based-violence/#.V3DGYrt9600).

SECTION  
04

# UNDERSTANDING EARLY AND CHILD MARRIAGES, THE CONCEPTUAL ANTECEDENTS AND APPROACHES IN THE FIELD

## 4.1 Understanding early and child marriages—The case for disaggregation

The form of the abbreviation changed the way in which the development industry understands the phenomena that it seeks to address, as witnessed in the period when the AIDS industry rose in prominence.<sup>29</sup> The abbreviation enables an abstract notion of a phenomenon and creates the sense that there is a unified, singular *object* in the world that

relates to this abbreviation. This can enable policy to disregard the plurality of processes and realities that it intends to address. The abbreviation ECM is no exception. In this section, we examine multiple phenomena that fall within early and child marriages. Disregard to this plurality leads to a situation in which policy, law and strategy might actually act *against* the interests of those sought to be engaged, empowered, assisted and protected. To avoid this abstraction through abbreviation, it is important to

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<sup>29</sup> People who work in the HIV and AIDS industry speak a particular language that they alone understand, with a preponderance of abbreviations, such as PPTCT (prevention of parent-to-child transmission), VCTC (voluntary counselling and testing center), CD4 (cluster of differentiation 4), MSM (men who have sex with men), CSW (commercial sex workers), IDU (injecting or intravenous drug user), R&R (risk and responsibility), ART (antiretroviral treatment) and of course, HIV and AIDS themselves. Linguist William Leap (1995, p. 221) argued that “all discussions of AIDS are rule-governed speech events...what speakers understand about the pandemic and its effects on their lives helps them choose the features of grammar and discourse which are relevant to the messages they want to convey in such settings”. And, he adds, such closely meshed relationships between language and experience create barriers to AIDS education and outreach efforts. This is exacerbated by the ambiguity that marks the term AIDS and the mystifying impact of the abbreviation. For a detailed analysis of the linguistic politics of acronyms in the AIDS industry (see Khanna, 2009).

**Disregarding the multiplicity of realities and phenomena that relate to early and child marriages and fitting them all into a singular object leads to policy, law and strategy acting against the interests of young people otherwise intended to be empowered. Early and child marriage must thus be disaggregated and addressed in their plurality as “early and child marriages”.**

refer to “early and child marriages” and utilize other categories developed in the field. Rather than consider early and child marriages as a *phenomenon*, we refer to *phenomena*—what we are dealing with is a range of different patterns, experiences and objects.

In the mainstream, the equivalent object is simply “child marriage”. This object has a long political history. In the colonial context, the phenomenon of the marriage of young girls and consequent instances of violence, morbidity and mortality was the basis under which a notion of the moral and political inferiority of Indian society was generated. This must be seen in conjunction with the process through which the bodies of women became a symbolic space for the enactment of the colonial-nationalist conflict, including other phenomena, such as *sati*, or widow immolation, widow re-marriage and the production of the image of the nation in the form of “the mother”. This constitution of women’s bodies in the negotiation of the political construction of the nation and of communities is reflected in different ways in feminist research, historically and in the contemporary moment.

The object of child marriage continues to be politically charged today. The images that circulate as signifiers of the phenomenon mark the “backwardness” of a pre-modern rural India and often of particular communities, neatly enabling the image of a “modern” India to evade the mechanisms through which patriarchy re-articulates through economic transition. The object is also brought into the service of Islamophobia, fueling the image of the predatory, perverse and hypersexual Muslim man who, after all, can marry several times over, even though intergenerational marriage involving girls younger than the legal age is more common among Hindus.<sup>30</sup>

We found a singular notion of child marriage legally as well. Any marriage that involves people who are younger than a legally set age (in India, a female younger than 18

years or a male younger than 21 years) is to be considered a child marriage, is actionable in the law and forms the focus of interventions and policies. But these objects—early or child marriage in development and child marriage in public discourse and law—relate to a range of phenomena, political economic realities and experiences. The following offers a glimpse of this diversity, drawing on the interviews carried out for this research. It is on the basis of this diversity that a core finding of this paper is *the need for a disaggregation of the singular object of early and child marriage* to distinguish each phenomenon.

#### 4.1.1 Elopement

**A crucial finding of the research is that the law relating to child marriage is activated most often in cases of elopement of young people who are near the legal age of marriage. This is most often across caste, religion or class.**

As seen in the opening vignette, the same instance of marriage of someone younger than the designated legal age may be seen as the erasure of the agency of the young person or as the expression of that very agency. A crucial finding from the interviews is that the law relating to child marriage in India is activated almost always in cases of elopement of young people who are near the legal age of marriage. And most often, these instances of elopement relate to young couples from different castes, religions or classes. The uncertainty around “real” age (the practice of recording and observing a date of birth being an artefact of urbanity and modernist governmentality) and the inability of available forensic science to accurately assess age (the recognized margin of error is two years on either side of an assessed age) exacerbate this situation. One of the most crucial connections between masculinities and early or child marriage is actually an anxiety around caste or religion, around notions of “purity” and “pollution” on one hand and communal and religious identities on the other.

The anxiety around caste purity, especially in dominating castes among Hindus, places the imperative on the men of the house, including fathers and brothers, to ensure that the sexuality of young women or girls is expressed only in normative couplings—in marriage within the same religion, caste or class. This is actually the instigation for early marriage. As soon as a girl expresses sexuality, is seen to be

<sup>30</sup> See Saha, 2016 for a disaggregation of census data relating to children married when they are younger than 10 years. Available at <http://thewire.in/39885/of-12-million-married-children-under-age-ten-84-are-hindus/>.

capable of being sexual or even being seen to be sexual and therefore “vulnerable” to the sexual gaze of boys or men of “lower” castes or other religions, there is a rush to arrange for an appropriate marriage.

A similar, if less intense imperative is placed on boys and young men as well. If and when young people or adolescents run away, either to be with their lover of another caste or religion or even to escape a forced early marriage, the law against child marriage is activated by their family. This is one of several scenarios in which elopement emerges as a crucial form of early and child marriage.

### 4.1.2 Hasty marriage

**The threat of criminal law, along with the emergence of a translocal marriage industry (involving two people from two distinct areas or regions) responding to a skewed sex-ratio in particular districts, has led to the phenomenon of hasty marriage.**

“Hasty marriage”, a term coined by Mahila Sarvangeen Utkarsh Mandal, an NGO based in Pune, is a phenomenon that has emerged strongly in the states of Maharashtra, Uttar Pradesh and Rajasthan. Arranged marriages traditionally take several months (and sometimes years) from the initial meeting through the planning to the ceremony and finally to the actual move of a woman or girl into cohabitation.<sup>31</sup> In recent times, this period has been shortened to a few days and sometimes within the period of a day, hence a hasty marriage. There is a range of instigations for it. First is the presence of a women’s group in a district or village that might resist, protest or attempt to remove a girl from the space. A second is the threat of the law against child marriage, this almost always being used against marginalized communities. Third is a phenomenon relating to the relatively skewed sex ratio in particular districts, spawning an entire industry that enables the marriage of girls from poorer districts (in drought-ridden areas, for instance) with boys and young men from relatively richer districts, but where there is a shortage of young women eligible for marriage.

In this third situation, large groups of men typically travel between these districts (sometimes located in opposite corners of India), act like they are from a relatively richer class so it appears that they are a well-to-do match and, within a

couple of days, arrange a marriage with a girl from a poor family, sometimes in mass ceremonies. The crucial point here is the short period of time that it takes to arrange for such marriage, thereby disabling the effectiveness of mechanisms for prevention of child marriage (such as notifying law enforcement, local NGOs or feminist collectives). Almost overnight, young girls are cut away from their family and community, from their friends, their education, their culture and language and the processes through which their capabilities might have been enhanced. We thus see a situation in which women from villages in West Bengal in eastern India find themselves suddenly displaced in villages in the north-west of the country, in the states of Haryana and Rajasthan, with no support networks, no control over their conditions of being and where they must struggle to adapt into new lives, languages and responsibilities.

### 4.1.3 Aata-saata (marriage in exchange)

*Aata-saata* refers to a form of exchange of offspring between families within the same community and is specific to some of the Adivasi or tribal communities, which were engaged for this research. Even when a woman is pregnant, a girl child is promised off in marriage to another family, which, in turn, promises a girl child in marriage. These are typically nomadic tribes, often from the most marginalized communities, classified as De-Notified Tribes, who move (and live) from one site of urban construction to another, are the most economically vulnerable and find coherence as communities only through kinship. This phenomenon is discussed in greater detail later in the paper as a sharp distinction from the anxieties and structural conditions for early and child marriages in Hindu communities; it is introduced here to suggest that the conditions and form of this phenomenon cannot be usefully considered in unity with other forms of early or child marriage.

### 4.1.4 Arranged marriage of desire

Another phenomenon, described in the paper’s opening vignette, is the arranged marriage that is desired by or even insisted upon by young people. Stories of such marriages were cited in almost all the sites where interviews were conducted for this research. The desire for marriage is to be interpreted in different ways, with marriage becoming a proxy for several things.

<sup>31</sup> In several parts of India, there is a separation between the ceremony of marriage and cohabitation. Cohabitation begins after another ceremony of *gona* or *gauna*. The period between the marriage and *gauna* seems to be decreasing.

## Marriage is seen to bear potential for the expression of sexual desire, the desire for inclusion into realms of modernity and adulthood, the desire for release from parental control, desire for privacy and, in some cases, for further education and possibilities for a career.

A striking story of an adolescent girl in Rajasthan State is telling. Speaking to one of the activists from an organization that carries out residential trainings and exposure visits, the girl spoke of the utter joy of having visited a shopping mall in the city. This is perhaps the desire for an inclusion into the realms and spaces of modernity that, although has arrived in the village through branded shops, through the internet and smart telephony, continues to be a distant adventure for many young people. This adventure, she had thus far assumed, would be possible for her only after she was married. And this is why, she said, she had really wanted to get married. The point here is that marriage in several parts of the country is a rite of passage from childhood to adulthood. Certainly it is in terms of a license to have sex, but it is equally about mobility outside of the domestic sphere and the surveillance put in place to control sexuality. In a few instances in rural Uttar Pradesh State, girls expressed desire for marriage with the belief that if they got the “right type of boy”, they would be able to pursue education and modes of social mobility that are denied to them in the parental home.

These stories go against the predominant view that marriage marks the end of the possibilities for growth, for education and for a career. The desires among boys were also strongly articulated in the research interviews; the desire for marriage related to the desire for a masculinity that signifies adulthood, but it also related to the promise of a modicum of privacy, to be able to legitimately travel outside, to visit the city and to go on a date.<sup>32</sup> Marriage, however, as suggested by an activist during an interview, is a heavy price to pay for going on a date. The activists who reported these stories also noted that these desires tend to be crushed as soon as marriage actually takes place, when the responsibilities of running a household and the expectations of reproduction are immediately placed on the shoulders of both the girl and the boy.

Another instance of desired marriage that deserves mention here comes from the context of working-class queer males. Especially in working-class contexts in which the idioms of gender and sexuality are deeply embedded in each other, transgression of normative expectations is clearly visible. So much so that the notion of “coming out” makes little sense when one’s queerness is common knowledge. In such a situation, there is extreme pressure and surveillance on working-class queer males to demonstrate that even if they have a same-sex desire, they still must marry and reproduce. An informant during the primary author’s doctoral fieldwork several years back spoke of wanting to marry a woman to avert the constant surveillance and control over heris<sup>33</sup> mobility. If s/he married a woman, s/he said, s/he would be able to spend time with her boyfriend. The multiple questions of male privilege and the disavowal of the rights of the woman s/he might marry aside, her desire for marriage was a skewed articulation of a deeper desire of self-realization and of the mobility of adulthood that is possible only after the normative marriage has been performed.

To understand each of these phenomena, a range of social, political, economic, demographic and cultural elements need to be understood. Each of these elements, in disparate ways, relates to the articulation, production, performance and experience of gender for boys and men, girls and women and for other genders. It is in this context that this paper seeks to focus on the structural conditions for early and child marriages.

## 4.2 Conceptual antecedents

The history of the discourses around early and child marriages as experienced by people working in the field is strikingly different from that gleaned from the literature. There are at least three contexts in which the emergence of a development discourse around early and child marriages can be seen.

### 4.2.1 Population control

Population control dominated development praxis for the first four decades in post-Independence India. This history is well documented and analyzed, from the context of coercive sterilization to the recent shift to an (apparently benign)

<sup>32</sup> The use of the American-English word “date” in rural contexts and the context of slums was striking in many ways. This signals a transformation of the idioms through which intimacy is possible and imagined in these contexts and requires further research, especially into the place of technology in subjectivity.

<sup>33</sup> The pronouns “heris”, “herim” and “s/he” are used in this paper to introduce a multiplicity of gender into the imagination of the political subject and create space for gender diversity rather than “her/his”, etc., which maintain a male-female binary.



discourse of reproductive health and rights.<sup>34</sup> Manisha Gupte, in an interview, suggested that the concern with child marriage in the 1980s arose from the desire of the development industry to reduce the period of fertility of bodies in the Global South. Yet, a discourse that pathologized reproduction after a certain age (due to health risks) along with the moral imperative of postponing the start of fertility served to narrow the window of fertility. Such an imperative, which has historically been the basis of the erasure of the agency of women and their control over their bodies and their sexual and reproductive decisions, created no space for any figure other than the pure victim of tradition, which had to be replaced by a modern rationality.

#### 4.2.2 “The rights of the child”

It was also around 1980s that the discourse on children’s rights surfaced in the international human rights arena. The underlying thrust was child labor, defined in terms of exploitation and risk. “The child” was envisaged without agency—and definitely without sexual agency. This discourse was, and continues to be, couched in what Satish Kumar of the Centre for Health and Social Justice calls “the welfare concept”, in which the responsibility of the human rights mechanism and of parents and guardians is to make decisions for a child rather than to enable a child to exercise their agency.

Two issues arise here. First is the assumption of a universal “child” that ignores the difference between the experiences and capabilities of a well-fed, clothed

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<sup>34</sup> India was the first nation to launch a family planning program, in 1952, with the singular objective of controlling population growth by lowering the birth rate. The “population” was thus already framed as the main problem of development (as compared, for example, to the distribution of resources) and the State had already staked claim to the bodies of people. The work of Matthew Connelly places the coercive sterilizations in a longer history of the politics of the international development industry. Examining archives of the World Bank, the United Nations and a range of international development agencies, he argues against the tendency of remembering the emergency as a singular episode in the history of an individual nation’s domestic crisis dominated by a few personalities. Tracing increasingly coercive policies with grievous health implications over the 1950s through to the 1970s, including a campaign in 1965–1967 when an estimated 29 million women were induced to accept intrauterine contraceptive devices, Connelly argues that “key policies thought to distinguish the emergency had a long gestation period, during which the advice and support Indians received from population control proponents abroad played a crucial role”. Working together, he argues, “they succeeded in making India an example of a worldwide population emergency requiring ever-more extreme measures” (Connelly, 2006, p. 630). It is not as though the post-emergency era has significantly re-defined the nature of population control policies or the manner in which either the abstract body of the masses is constituted or indeed the mechanisms through which the bodies of the rural and urban poor are rendered available for intervention. Even the celebrated developments relating to the International Conference on Population and Development at Cairo, marking a shift from target-oriented to target-free approaches, a shift from population control to reproductive rights (Lutjens, 1995, p. 3) has meant little in terms of the relationships of availability and the practicality of carrying out what continue to be population control programs (Bharat et al., 2003). And most recently, there has been a vociferous resurgence of population control as a strategy in the global response to climate change, articulating women’s fertility in the Global South as a key challenge to planetary boundaries. No longer is the control of women’s bodies justified as necessary for the nation, it is necessary for the future of the planet.



**THIS CHILD MARRIAGE THING CAME, PARTIALLY, FROM THE WEST . . . THE EARLIER PEOPLE MARRY, THE MORE CHILDREN THEY ARE PROBABLE TO HAVE. ALONG WITH DISCOURSES OF THE RISKS OF CERVICAL AND BREAST CANCER, THIS BECAME A WAY OF MAKING A SMALLER WINDOW OF TIME WHEN PEOPLE PROCREATE.”**

MANISHA GUPTÉ



**IF THE CHILD IS NOT OLD ENOUGH TO MAKE DECISIONS ABOUT HER OR HIS BODY, YOUR RESPONSIBILITY IS TO PROTECT THE BODY UNTIL SHE OR HE IS A POSITION TO DO SO. THIS IS DIFFERENT FROM MAKING DECISIONS FOR THEM. TAKE THE EXAMPLE [OF] DECIDING WHETHER TO DO EAR PIERCING (A TRADITION FOR GIRLS IN MOST PARTS OF THE COUNTRY AND FOR OTHER GENDERS AS WELL IN SOME COMMUNITIES). RATHER THAN DECIDING ON BEHALF OF THE CHILD, THE PARENTS SHOULD ENSURE THAT IT IS POSSIBLE TO POSTPONE THE DECISION ON PIERCING UNTIL THE CHILD IS CAPABLE OF MAKING IT HER OR HIMSELF. THIS IS THE DIFFERENCE BETWEEN ALLOWING FOR THE EXERCISE OF THE RIGHT TO CHOICE VERSUS THE 'WELFARE CONCEPT', WHICH AMOUNTS TO MAKING THE CHOICE FOR THE CHILD."**

SATISH KUMAR

and sheltered middle-class child and the teenager living on the streets bearing responsibility for the survival of siblings and other intimates. The diversity of experience and conditions requires different approaches to the question of rights. This is not to say that some children should be recognized as having rights and others as having responsibilities, but rather that the recognition of rights for one should not become the basis for the denial of the rights of the other.

Second, this child, imagined as incapable of making informed decisions and thus of legitimate agency, becomes the very template for the "juridically incompetent"<sup>35</sup> on whose behalf the State might act. An instance of this distinction between enabling decision-making and the usurping of the right to do so is a long-standing tension in the arena of work with children who live on the streets of cities in India, as elsewhere.<sup>36</sup> Significantly, this template is the basis on which the agency of several other persons and communities, including the very category of women, is negated. In the context of the discourse relating to early and child marriages, the denial of agency of young people implies an inability to address the actual issues that they face.

### 4.2.3 Health

The third discourse around child marriage has been that of health. This was most explicitly articulated in the metaphor of the government campaign against child marriage in the 1980s—the *kachcha ghada*, or the unbaked pot. In this metaphor, a girl's body was not ready to bear children, and marriage would thus endanger her health. The problem with this discourse, however, was the conflict with the campaign's message if a given girl's body was deemed mature enough to reproduce. In such a case, the distinction between marriage and *gauna*, which is the point at which a woman or girl actually moves to the man's or boy's house (a proxy for beginning to have sex), would be emphasized. Thus, if marriage was not a threat to health, the logic of the campaign failed. The question of a young person's right to make decisions regarding marriage was a low priority in this campaign.

### 4.2.4 Criminal law

A fourth approach focuses on the law. In the literature, there is disjuncture between the intention of the Prohibition of Child Marriage Act to prevent child marriage and the actual use of the law against the interests of precisely those it seeks to protect. This was reinforced unanimously in all the interviews carried out for this research when laws were discussed. The use of criminal law is almost universally in contexts

<sup>35</sup> Veena Das (1995, p. 156) spoke of the "judicially incompetent" to describe the ways in which victims of the Bhopal gas tragedy were treated as though incapable of approaching courts. We extend this notion beyond the courts to engagement with the State itself, shifting it from "judicial" to the "juridical".

<sup>36</sup> With respect to children who live on the streets, the approach of some NGOs (markedly upper class and upper caste) has been to remove them and house them in juvenile homes. These homes are considered by the children as "children's jail". Children are provided what the State deems vocational skills that are more or less irrelevant to the young people released back onto the streets with no further assistance from the State at the age of 18. On the other hand are organizations that seek to empower the children on the streets, enable them to act collectively to negotiate their conditions with employers and to address issues of violence, of sexuality and precarity. The Bal Mazdoor Union or Child Workers' Union operates with such an approach.

of elopement, and almost all of these are in the context of inter-caste or interreligious couplings. And in almost all the stories, the law was applied against the person from the weaker section—the “lower” caste, the non-Hindu, the Adivasi, the Dalit. In cases in which the law has been sought to prevent marriages of children by their parents or of young people by force, it has been ineffective.

If the case involves an oppressed caste, tribe or religious group, the law is more likely to be enforced. The phenomenon of hasty marriage is, in part, a response to this. Some interviews also featured stories of Dalit families who migrated out of a village when they realized that the Prohibition of Child Marriage Act would be enforced.

Another issue is the patriarchal and religious beliefs of police personnel. Several stories were related in the course of this research of police officers, often of high rank, who would visit a marriage ceremony and, instead of interrupting and applying the law, make a donation or gift to the couple and leave in the belief that it is a religious transgression to interfere in the marriage ceremony of a virgin. The law in the Indian context, it appears, is thus primarily an instrument of patriarchy and caste.

In cases of elopement relayed during the interviews about girls who were “rescued” but who made clear to a court that they had married or eloped of their own volition and where the question of their age was in dispute, they were remanded to a protection home until the age of majority. During this period, such girls were typically not allowed to meet their lover or partner, feminist group members who might have been providing them with support before or even with their friends. The only contact they were allowed was with the parents or family, with the intention that they would be convinced against the marriage of their choice, that they should return to their parental home and aid in the prosecution of their partner (who typically was from an oppressed caste, class or religious group) under the law against kidnapping.

Feminist legal scholar and activist Flavia Agnes examined the laws that come into play in the context of age of consent. “The situation becomes precarious,” Agnes (2013, p. 12) suggested, “when an upper-caste girl elopes with a lower-caste boy or when a Hindu girl falls in love with a Muslim boy, transgressing the boundaries of Hindu upper-caste dictates on ‘purity’. In a strictly stratified society, ridden with prejudices against the lower castes and minorities, a young couple that dares to cross boundaries is severely punished. At times, the price for choosing a partner is public humiliation or gruesome murder.”

The social experience of the laws raised important questions in much of the literature reviewed. For instance, in every manual on how to work on early and child marriages and in almost every analysis, there was a suggestion to “strengthen” law enforcement. These suggestions arise from a fantasy of how the law *ought* to work rather than a grounded experience of how the law, and especially criminal law, plays out.

The broader point here is that even criminal law that is intended to directly address gender-based violence is almost always used in a way that undermines and even punishes the agency of women and girls and is almost always used against marginalized and disenfranchised communities.



**WHEN YOU DEMAND LEGISLATION, ESPECIALLY CRIMINAL LAW, YOU ARE FURTHER EMPOWERING THE STATE. THE STATE RISES FROM POWER TO POWER. BUT THEN THE PERSONNEL WHO IMPLEMENT THE LAW ARE EXTREMELY PATRIARCHAL; FOR INSTANCE, IN THE CONTEXT OF EARLY OR CHILD MARRIAGE THEY BELIEVED THAT THE INTERRUPTION OF THE MARRIAGE OF A KANYA (VIRGIN, YOUNG WOMAN) IS A SERIOUS SIN—A VERY HINDUIZED INFLUENCE—SO THE SUPERINTENDENT OF POLICE WOULD GO AND THEN SIMPLY DONATE 11 RUPEES (AN AUSPICIOUS AMOUNT). THE STATE HAS NEVER USED THE LAW IN THE WAYS INTENDED, SO WHO USES THE LAW?”**

SATISH KUMAR



**IF A BOY AND GIRL FROM DIFFERENT COMMUNITIES ARE GETTING MARRIED ON THEIR OWN TERMS, THE LAW IS INVOKED AGAINST THE WEAKER SECTION. GIVEN THAT PROOF OF DATE OF BIRTH IS RARE, A MEDICAL EXAMINATION WOULD BE CARRIED OUT. THIS CAN ONLY BE AN APPROXIMATION, AND IF THE GIRL IS UPPER CASTE, THEN THE LOWER CASTE PERSON WILL BE [CHARGED WITH] KIDNAPPING OR SOMETHING ELSE. THE USE OF THE LAW HAS ALWAYS BEEN AGAINST LOWER CASTE AND MINORITY RELIGIOUS GROUPS.”**

SATISH KUMAR

## 4.3 Approaches, strategies and methods relating to early and child marriages

### 4.3.1 Interventionist approach

**The interventionist approach of vigilante activism and drawing on the force of criminal law has proved not only ineffective but it is seen as increasing violence against marginalized communities and alienates organizations from their constituencies.**

Related to the law is what might be called an “interventionist” approach, in which groups take on a vigilante role to prevent marriages, with the use of the police. This was almost universally opposed by the groups interviewed for this research for a range of reasons.

The discussion thus far has touched on some of the effects, including the phenomenon of hasty marriage and the migration of families out of villages when there is risk that the power of the State will be brought into play. Marginalized communities most often experience the State as a form of violence. An interventionist approach in such conditions serves to alienate an NGO or community-based group from its constituency. Another reason for distancing oneself from the interventionist approach is that while it might lead to the prevention of a few marriages (which would be recorded and counted as evidence of success of a given project or scheme), it does not bring about long-term change in the practice or attitudes toward it. This point was made in several interviews—that a marriage might take several months to organize, with a series of processes that go into establishing kinship. If an organization intervenes on the last day, it hasn’t really engaged with the conditions in which a child marriage became desirable, necessary or even possible. Rather than changing practices and thinking, this requires an apparatus of constant surveillance, sanction of the State and the threat of violence.

### 4.3.2 Collective deliberation approach

**The collective deliberation approach treats early and child marriages in a broader struggle for gender justice. It enables processes for the social realization of gender injustice, the conditions for it, the recognition of impediments and the identification of local strategies.**

The “collective deliberation” approach is best represented in the work of the Centre for Health and Social Justice (CHSJ). Their work on early and child marriages is part of a larger process of integrating critical understandings of gender into men’s spaces and into the collective thinking and actions of men. Working in rural communities around India, the CHSJ approach centers on *charcha*, or deliberation. The development of gender charters through deliberation enables collective and individual reflection on what men would consider a gender-just society, what they want for their children and for their girl children in particular and to establish something like a manifesto for action locally to bring these “gender dreams” to reality.

In the first year that this was carried out, child marriage was recognized as an impediment to gender justice, as articulated by these groups of men. Some groups decided that they would not allow child marriages in their villages.

Within a year, this changed drastically, with the realization that what this interventionist approach meant was a new form of policing. This would lead to scuffles and more protracted tensions, to hasty marriages, to isolation, alienation and migration. This strategy was neither sustainable nor desirable. Further deliberations on the reasons why early and child marriages were sought led to recognizing the economic and financial conditions under which a *rishta* (which typically means a “relationship” but, in this context, it refers to a match arranged by the family) took on an urgency, reflected in the idiom of *ladka haath se nikal jayega* (which means “the boy will slip through your hand” but refers to the opportunity costs of letting go of a “good match”) and thus the affordability of dowry. This led to the assumption of a collective responsibility and collective forms of action.

The processes included engagement by men and their groups with young women and girls of the village to enable the former to understand the latter’s aspirations and dreams and the impediments to them. One of the main reasons for early marriage is the anxiety around female sexuality and caste purity. These anxieties manifest in the restriction of mobility and withdrawal from school. During the deliberations, it emerged that these anxieties in a village arose from the *chhed-chhad* (teasing of a sexual nature)<sup>37</sup> by boys from “the other village”. This other village is, at least in part, a code for caste. In this case, it was determined that the *panchayat* (form of local self-government) would discuss the matter with the *panchayat* of the other village to resolve the tensions arising from this situation.

Another reason given for discontinuing girls’ education in villages that do not have a high school is the safety in transit, with bus services being less than regular and crowded. In some villages, collectives bargained with local transport

departments for an increase in bus services and, in some cases, departments provided buses exclusively for young women.

An interesting element in the CHSJ story is the use of the discourse of constitutionalism. In these communities, the Constitution, as the guarantor of fundamental rights, is

already in common use in the context of other struggles relating to land, education and food. Once the question of early and child marriages was expressed as an issue of fundamental rights, it became one of legality and constitutionalism. It was then possible to argue that the power of the Constitution would be weakened if it is disregarded in the context of early and child marriages, thereby weakening the other struggles. We might consider this a “pedestrianization of the Constitution”, or making the principles of constitutionalism circulate in everyday processes.

A final moment in the CHSJ story is when these processes of deliberation on rights and gender bring communities to the point of changing their manifestoes to support young people in their life choices, especially on the issue of when, who and how to marry, irrespective of caste and age.

### 4.3.3 Muskaan and the strategies of stubborn kids

**The identification of social norms and values as the core problem and the focus on changing attitudes of decision-makers reinforces the structures through which they exercise control. This approach diverts attention from the structural and material conditions for the phenomena of early and child marriages.**

The understanding that early and child marriages are the product of social norms is writ large in the development interventions, especially in programs designed in the West. Apart from the continuity with the colonial frame, whereby non-Western cultures were deemed as unenlightened, the focus on changing attitudes of decision-makers reinforces and legitimizes the precise structures through which they exercise control. At another level, the understanding that the problem is of attitudes and norms disavows the economic and political conditions for the phenomena. This also diverts attention from the shifts taking place in the political economy at the macro level and implications of these at the micro level.

Muskaan began working with young people and children from the poorest communities in the city of Bhopal, with children engaged for livelihood in manual scavenging. Its work moved on to urban settlements where a large number of residents belonging to one of three Adivasi communities

<sup>37</sup> This is often translated as sexual harassment, or “eve-teasing”. But these contexts obliterate the sexual agency of young women; often, what is seen as harassment is, from another point of view, mutual flirting. For an excellent ethnographic account of the phenomenon in the context of flirting and the dissolution of the otherwise firm positions of caste in interactions between young people, see Osella and Osella (2016), especially chapter 5, pp. 99–118.

(historically nomadic tribes now engaging in construction work). Muskaan's objective has been to use education as a mode of social mobility and has worked toward developing leadership among the young folk in these communities. The practice of *aata-saata*, or marriages of exchange, that was discussed earlier are prevalent in these communities. The key objective of this practice is maintaining kinship ties and thus coherence of a community in conditions of precarity (in relation to the anxieties around caste purity in Hindu communities).

### Enabling young people to act collectively in changing their conditions of being has been found to be much more effective than working with decision-makers within structures of power.

Muskaan recognized early and child marriages as impediments to the continuity of education and tried a series of strategies to address them. In these situations, even though boys in this arrangement tend to be older than the girls, the age difference is minimal. The question for Muskaan was whether to work with families and with adult decision-makers and convince them of the need to change their attitudes (focus on social norm change) or to work with young people. Both strategies were tried. They found that generally, the work with families, with all the energy and time spent on negotiation, resulted in two marriages being postponed, while working with young people and enabling them to be stubborn about not wanting to get married resulted in 10 marriages postponed.

The phenomenon of the *ziddi bachche*, or "stubborn kids", worked far better than focusing on either negotiating with family and community or focusing on changing social norms. Strategies for Muskaan included providing the space for intensive engagement with issues of social justice and processes of collective action outside of the family and community, through residential workshops, education and also through the provision of hostel facilities, which allowed young people to get away from the imperatives of the family and community and develop aspirations, skills and abilities to continue on a path to social mobility.

Given an approach not fixated on the legitimacy of the family over decisions of their children, there have been moments of tension and conflict for Muskaan. One related to a girl who refused the *aata-saata* arrangement. Other young people joined in her struggle for self-determination. This collective

action and stubbornness was successful. And though Muskaan has occasionally faced attrition from these communities, the commitment of young people to changing their conditions has meant that they have found ways to continue the engagement with Muskaan, sometimes in subversive ways.

One crucial element in this strategy is its irreverence to the assumption that the structures of patriarchal control are permanent. Rather than tinkering with that structure, this strategy creates the conditions for making the structures irrelevant. It is necessary to point out, however, that there is much inter-community romantic coupling in the specific context where Muskaan works primarily with Adivasi communities, which (unlike in Hindu society) does not open up the threat of violence or death, and there is less anxiety around sexuality.

### 4.3.4 Sexual rights, gender justice and the gender equality approach

The themes of sexual rights, gender justice and gender equality are closely related and form a triumvirate of conceptual and practical approaches followed by several organizations. This is not the description of one approach but rather a broad framework that emanates from the work being done on early and child marriages in the context of men and boys. Early marriage here is addressed as part of a larger feminist strategy rather than decontextualized as a particular evil.

The issue of sexual rights, of the right and ability to decide when, how and who to engage with sexually, whether in the context of marriage or otherwise, does not feature in any of the approaches discussed previously in this paper; this is one of the main critiques that was offered in several interviews. The approaches of gender equality and gender justice, though related, are distinct. The gender justice approach has the ideology and apparatus of patriarchy as its focus. If a given practice serves to reproduce or strengthen patriarchy, it becomes a focus for work in the community. This has been recognized with the phenomena of (forced) child and early marriages because it reinforces the naturalized power of fathers and other male figures (relatives, community leaders, religious leaders, etc.) to force life-changing decisions on women and girls, which undermines their political and economic participation and seeks to reduce them to subjects of patriarchal control.

At the same time, if a phenomenon challenges patriarchy, such as elopement and marriage of choice across caste and

religion, the approach would be one of support for the exercise of that agency. The approach of gender equality is closer to human development and the capabilities approaches, in which the focus is on the equality of opportunity to realize one's capabilities and one's potential as a fully empowered member of society, of the economy and the polity. This is similar to the Amartya Sen and Martha Nussbaum approaches to development and to gender. Early or child marriage, in such an approach, becomes actionable when it hinders precisely the achievement of "central capabilities", such as life, bodily health

and integrity, thought, play or control over one's environment (Nussbaum, 2011). The difficult question arises when an early marriage might indeed bear the potential for the achievement of central capabilities.

The consideration of all three approaches—sexual rights, gender justice and gender equality—brings together the problems of structure, of agency and of bringing these two together. The interview discussions reflect that the work of most of the organizations resonate at this precise juncture.

SECTION  
05

# MASCULINITIES AND EARLY AND CHILD MARRIAGES: STRUCTURAL CONDITIONS

Almost all the organization members interviewed emphasized larger ideological commitments to gender justice, based on understandings of structural conditions of patriarchy they had gleaned from years of working with communities. This section explains some of the common themes in this context. The section does not look at structural causes of early or child marriage but instead turns to the structural conditions that need to be examined to understand the phenomena as they relate to men and boys and to masculinities.

## 5.1 The politics of caste and religion

The most emphatic learning of this research is the deep connection between caste and masculinity and between caste and the phenomena of early and child marriages. Caste forms the underlying structure of the political economy in India and elsewhere on the subcontinent. It forms an omnipresent logic of hierarchy that animates and controls almost every social and economic

transaction. This logic is not limited to the Hindu population but extends into Dalit, Muslim, Christian and Adivasi communities.

**There is a deep relationship between caste, masculinity and early and child marriages. Anxieties of masculinity related to caste and religion instigate early or child marriage. As well, the law and other forms of social control are activated most often when young people choose partners across lines of caste and religion.**

The imperatives of caste and masculinity are central to the phenomena of early and child marriages. The single greatest threat to a man's masculinity is seen to be the risk that his daughter might either be sexual prior to (an appropriate) marriage with a man of the same caste and religion or marry a person outside of her community. The moment the girl is seen to be capable of being sexual, she becomes a threat to the very masculinity of the men in her family. Extreme surveillance over girls and young women, control over mobility and thus



education, participation in the economy, in politics and in the public sphere are mechanisms for managing this threat. The way in which this risk is eliminated, however, is through marriage. At the same time, laws relating to child marriage are activated most often in contexts of inter-caste or interreligious romantic coupling. Thus, anxieties of masculinity related to caste and religion instigate early and child marriages. As well, the law and other forms of social discourse around early or child marriage are actively used against young people who are exercising their right to choice, typically in a way that reinforces precisely that same caste and communal ideology.

The rise of Hinduvta draws on these anxieties as a way of communalizing politics. The most obvious of these instances is the notion of “love Jihad”, a political instigation to violence by Hindu men against Muslims based on the rumor that young Muslim men are being trained by terrorist organizations to seduce and entrap gullible young Hindu women in a web of love. The strategy of these men, aggressive Hindutva groups argue, is to convert the Hindu women to Islam, marry them and produce Muslim children, leading to a swelling of the numbers of Muslims, which ultimately will reduce Hindus to a minority in India. Hindutva uses violence as a mode of politics, and there is invariably a huge spike in communal violence when elections approach. Of 600 instances of communal violence (riots and organized mob attacks) on Muslims in Uttar Pradesh State in the first half of 2015, for instance, more than 400 occurred in areas where by-elections were to take place. Of these incidents of violence, more than 15 percent were instigated by elopements of young men and women from Hindu and Muslim communities.<sup>38</sup> In almost all research locations, inter-caste and interreligious couples have faced extreme violence, including murder. There is a gendered asymmetry in this violence, depending on who was a Hindu and who was from a marginalized community. If the girl was from a “lower” caste or a Dalit, Muslim, Christian or Adivasi, while the boy was from a dominating caste, the level of violence would be less than if the case was the other way around. This notion of “our women”, that women are the property of the men of the given caste, highlights the articulation of patriarchy.

The point is that the use of the law or the use of the moral discourse against early and child marriages is the action of caste ideology and of communal politics. To treat all instances of marriage among two people younger than the legally identified age in the same manner in such a context is to reinforce the ideology that is a core structural cause of early

and child marriages. What must be addressed instead is the articulation of caste and communalist ideology with notions of masculinity and the phenomena of early and child marriages.

The relationship of caste, masculinity and early marriage, however, cannot be understood only in terms of spectacular or obvious violence—the relationship is quotidian, embodied and written into the organization of physical spaces (Vikalp’s experiences described in the following section provide insights into this). Muskaan’s work with Adivasi communities, however, sets it apart as an outlier in this context. As discussed previously, the driver of early and child marriages in these communities (in the form of exchange marriages) is not anxiety around purity but the desire for precarious communities to survive. In the practice of *aata-saata*, the penalty for breaking a promise of a marriage in exchange is not violence or exclusion but a fine imposed by the *panchayat* of the community. There is also much more ease around intercommunity couplings and marriages, especially between Adivasi folk, Dalits and other communities oppressed by Hindu society.

### 5.2 Caste and gender—Analysis of Vikalp’s experiences

During a warm-up game involving boys for a workshop on early and child marriages organized by Vikalp and Nirantar, the boys, aged 14–19, were asked to take turns stepping into the center of a circle, say their first name only and do some type of action. The name and the action would then be repeated by the entire group. Even after they were reminded to state only their first name, none of the boys seemed capable of letting go of their surname, considered a primary marker of caste. The boys were all from one of two main castes, either Rajputs (the local dominant caste) or Yadavs (a “lower” caste classified as Other Backward Class legally). Each Rajput boy did an action stereotypically attached to the image of Rajput masculinity, such as wielding a sword, riding a horse or twirling a moustache (a striking image on adolescent boys with sparse facial hair). It was definitely the performance of a fantasy of masculinity. The Yadav boys, however, universally did actions that demonstrated a supplicant masculinity, such as bending down with hands folded, bowing in courtesy or touching feet of an invisible superior. The dynamics between the boys, even though friendly with each other, were clearly structured by their relative caste positions.

<sup>38</sup> See Bhatnagar, 2015, available at <http://thewire.in/12409/bjp-rss-leaders-caught-using-love-jihad-bogey-to-fuel-communal-polarization/>; and see Suresh, 2015, available at [http://indianexpress.com/article/india/uttar-pradesh/express-investigation-part-i-over-600-communal-incidents-in-up-since-ls-results-60-near-bypoll-seats/#.U-Cr53OC\\_NY.facebook](http://indianexpress.com/article/india/uttar-pradesh/express-investigation-part-i-over-600-communal-incidents-in-up-since-ls-results-60-near-bypoll-seats/#.U-Cr53OC_NY.facebook).

The same exercise done with a group of girls did not demonstrate caste in this way. The girls stated only their first name, and their actions were more abstract and did not demonstrate firm positions in a social hierarchy. Most significantly, the nature of interaction between them seemed more intimate and playful. This is not to say that there was no caste dynamics at play in the room but, rather, that it was not the sole idiom, as was the case with the boys.

In another exercise to look at caste, gender and public space, Vikalp staff compared two villages, one mixed caste and the other a predominantly Yadav village with a few Rajput families. While the Yadav village has one village square, the most occupied public space, the mixed village has multiple nodes of public activity. The mixed village demonstrates an anxiety around the intermingling of boys and girls from different castes, most often manifesting in fights around *chhed-chhad*, or “eve-teasing”. The visibility of girls to boys from other castes is a point of tension and conflict. In the single-caste village, young people occupy the public space with relative ease, till much later in the evening and with less scrutiny. This contrast reflects the ways in which caste ideology is part of the everyday processes through which children and young people are formed as citizens, in the processes through which they might develop confidence, might interact, might be able to negotiate new ways of being.

Much more research needs to be done on the micro articulations of caste, but a few educated guesses can be made from this vignette. First, that the boys in this context are brought up to occupy public spaces and interact across caste as part of formal livelihood. They are thus brought up, foremost, as subjects of caste, which then becomes the primary identity through which they are expected to engage with the world. This is not the case for girls, whose presence in the public space is restricted and mediated through the presence of a male. Here we see the co-constitution of caste, gender and sexuality. Second, that caste is not simply in terms of one’s name or livelihood but one’s embodiment and being. This implies that what it means to be a “man” is actually constituted of caste (and other elements, no doubt) in a physical way. Third, the articulation of these different masculinities in relation to each other brings into question the theoretical framework of hegemonic masculinity that is popular in development discourse. There is no one form of masculinity, and dominant forms of masculinity generate the conditions for subservient expressions of male personhood.

### 5.3 Transitions in political economy

The literature on early and child marriages features scant analysis of the political economy and the processes it engenders—except in terms of the relationship between poverty and the incidence of child marriage. This tells us little about the impact of capitalist expansion on the issue of both marriage and masculinity.

**Economic transition in rural India (sale of land, entry into a cash economy, coupled with the emergence of notions of masculinity pegged on an imperative of consumption) has led to new forms of precariousness and impoverishment that generate crises of masculinity.**

Most rural contexts in which the research interviews were conducted share a narrative of fundamental transitions of the economy. There is now taking place a monetization of local economies and a shift in both livelihood and forms of agricultural organization. People are selling off their land, bit by bit, and entering the cash economy. Modes of consumption shift with such monetization, with cash being more readily available, as well as consumer goods. As Anand Pawar of Samyak pointed out, previously the brand shops for shoes, bags and televisions used to be located only in the city or maybe in towns. Today, the brands and their shops have arrived in the village.

When interviewed, Satish Kumar of CHSJ related an interesting twist on the implications of economic transitions on masculinity, from Bundelkhand, an area described as presenting an extreme form of masculinity. Such is the expectation of an unemotional masculinity that even for a married couple to be seen together on a motorcycle is considered an emasculation of the man. According to Kumar, there are three notions of property—land, buildings and sons. Among the dominant Thakur wealthy caste, daughters are allowed and even encouraged to pursue higher education, often in cities such as Gwalior, if not further afar. This evidence of modern cosmopolitanism is seen as a status symbol. There are stories of a girl who has been allowed to choose her own spouse (as long as he is caste appropriate). In contrast, the sons are expected to join the family business or other line of work, are not allowed to study beyond a certain level and are expected to fulfil the role of carrying on the family line through arranged marriage and protecting the unscathed masculinity of the father.

There is an emergence of the imperative of consumption—to be masculine is to demonstrate the ability to buy and to show one's consumption. Simultaneously, there is the rise of a new form of precarity, which is cash in hand (rather than having land as a resource). Weddings, which have been sites for demonstration of status through excessive spending, have become a part of this process of drawing out the resources from erstwhile agricultural communities. Nonetheless, once the transition to the cash economy has led to impoverishment, more than one person interviewed suggested, there comes a crisis of masculinity.

Subhash Mendhapurkar, of the Social Uplift Through Rural Action NGO, described an account of aggressive masculinity in Hindutva through an analysis of shifts in the political economy. Reflecting on the disposability of land and shifts from agriculture to small businesses and services in the village economy, he argued that the early responsibility toward participating in agriculture is no more on the shoulders of young men. At the same time, young men in this context are not poor and have, at the very least, a roof over their heads and food. Yet, there are challenges in personal social mobility and frustration in underemployment. It is this combination of frustration and the lack of pressure to pursue a career that makes these young men available to religious extremist forces, such as those of Hindutva. In this context, Subhash Mendhapurkar argued, early marriage might be preferable to a delayed one because it inaugurates a sense of responsibility toward a family or the imperative of a livelihood early on. This might, he explained, lead to frustration within the marriage and its responsibilities and might instigate domestic violence, but “we know how to deal with domestic violence. We don't know how to deal with communal violence”.

There are, doubtless, several more stories and patterns to be recounted. The key point is that there is a deep relationship between the political economy (in terms of form and structure, expectations from participants and in terms of transitions) and masculinity. Understanding this relationship is crucial to understanding the conditions for early and child marriages. Yet, there is a big gap in research on this relationship.

### 5.4 Women's right to property and demography

A structural relationship between women's right to property and the phenomena of early and child marriages was made in at least two interviews. This is significant because there is silence on this issue in both literature and in activism. The unequal right to inheritance of property in the natal home manifests in many ways, including the practice of dowry and related violence, but also in terms of reinforcing son preference. Son preference, in turn, is directly related to skewed sex ratios. As previously discussed, this is a structural cause for hasty early marriage and forced migration of women from poorer districts in the country to relatively more affluent parts that have a “marriage squeeze”. The crucial link between right to property and early and child marriages is thus sex ratio. As Satish Kumar argued when interviewed for this research, addressing the question of equal right to property is crucial for addressing coercion in early marriage. And while the relationship between demography and early and child marriages has also been documented in the literature reviewed (UNICEF and ICRW, 2015), the right to property has been ignored.



**IT IS UNFORTUNATE THAT ACTIVISTS ADDRESSING SEX RATIO AVOID RAISING THE ESSENTIAL STRUCTURAL QUESTION OF THE RIGHT TO PROPERTY, WITH THE FEAR THAT DEMANDING STRUCTURAL CHANGE WOULD FURTHER SOLIDIFY SON PREFERENCE. BUT WE NEED TO LOOK AT MARRIAGE, DOWRY AND THE RIGHT TO PROPERTY TOGETHER—THIS IS THE ONLY WAY. IT IS ONLY WHEN LAND IS REGISTERED EQUALLY IN THE NAMES OF GIRLS AND BOYS THAT PEOPLE WILL STOP TREATING GIRLS AS A BURDEN.”**

SATISH KUMAR

## 5.5 Sexuality, masculinity and the reproductive imperative

Sexuality is rarely addressed in the literature on early and child marriages, especially where the framing is one of pure victimhood of young girls. Issues of desire, of heteronormativity and expectations of sexuality, however, figured heavily in several of the interviews. Previous discussion touched on sexual desire as a drive in the phenomena of elopement and arranged marriages of choice. Although, as one informant noted, marriage is a big price to pay for the desire to go on a date.

The research for this paper reinforces heteronormativity (the organization of the political economy, attitudes, spaces and life experience around a norm) as an intersection between sexuality, caste, religion and class. Almost all the organizations included in the research provide support to young couples facing violence because of non-normative desires, whether it be inter-caste or interreligious couplings or indeed same-sex desire.

There is much work around heteronormativity in relation to women and girls but barely any understanding of the landscape of normativity as it relates to male sexuality or to sexuality of other genders. The understanding of male sexuality, outside of the work relating to men who have sex with men, is altogether flat. If we are to recognize, for instance, that for boys, caste is a central marker of self and a crucial modality of interaction with the world in general, how does it then articulate in the nature of sexual desire? If girls' embodiment is already marked in terms of what is "appropriate" (body, aesthetic, behavior, expression of desire), might there be something similar for boys? What are the spaces in which young men and boys learn about sex, about relationships and about power? This is not to say that there is no literature on this context, but rather, the literature relating to male sexuality rarely conceptualizes sexuality as a structural question.

The assumption in literature that looks at non-queer boys and young men is that marriage is the achievement of manhood. Manhood is thus imagined as a sexual (hetero) category, one that is reproductive in the final instance. The informants for this research challenged this assumption and its generalizations. While marriage brings a child or young person into the realm of adulthood, does adulthood necessarily translate in the context of boys and young men into the gender category of "manhood"?

Many questions on marriage and masculinity emerge through the previously highlighted story of a young working-class queer male (an informant in previous research) who wanted to marry a woman so that the constant surveillance of heris<sup>39</sup> movements (because of heris queerness) would cease and s/he could spend more time with heris male lover. It is as if heris queerness would disappear from public visibility after the marriage. The flip side of the highlighted story is that queerness raises anxieties related to marriage. The additional pressure to marry someone of



**THE NEED IS FOR THE NORMALIZATION OF THE SEXUAL AND THE ROMANTIC... FOR YOUNG PEOPLE TO BE ABLE TO ENGAGE WITH EACH OTHER WITHOUT THE IMMEDIATE IMPERATIVE OF COMING WITHIN THE NORMATIVE FOLD."**

MANISHA GUPTA

<sup>39</sup> The pronouns "heris", "herim" and "s/he" are used in this paper to introduce a multiplicity of gender into the imagination of the political subject. Rather than "her/his", etc., which maintain a male-female binary and create space for gender diversity only insofar as "transgender" implies a movement between the two, these terms allow for other genders that the development industry, for the large part, resists recognizing.

the “opposite” sex is widely experienced among queer folk. But does this somehow result in early marriage? Is the pressure on queer folk to marry particularly high? Or is it instigated by a different set of concerns? These questions surfaced in several of the interviews, especially with Vinay Chandran of Swabhava and Raina Roy of Samabhabana, who have worked extensively with queer folk in various contexts.

Vinay Chandran, who has provided counselling to queer male-bodied folk for nearly two decades, argued that the pressure to marry is not reflective of an anxiety around sexuality or masculinity. With barely any discourse of sexuality-as-personhood in the Indian context (whether one is homosexual, heterosexual or bisexual), the pressure to marry on young men and boys is not about providing evidence of heterosexuality. Neither is it an anxiety around proving that one is a “man”. The performance of queer personhood is not the point of tension. The tensions instead are about performing normativity—about being able to carry out the “responsibility” of getting married and reproducing.

As long as this is done, what one does outside of the norm is not a core concern. It is in this sense that the pressure of marriage is not a matter of personhood but rather a matter of structure and its performance. “Marriage is not a proxy for ‘becoming a man,’” explained Vinay Chandran, “but a thing in itself, creating a form of adulthood that is not equivalent to the gender category of ‘man.’”

Another interesting discussion in the research interviews centered on strategies used by queer males to avoid the pressure of marriage. Referring to the experiences of Jogappas,<sup>40</sup> Vinay Chandran wondered whether working-class queer males choose to identify as Jogappas to avoid harassment, violence and the pressure to marry. Jogappa is a non-normative gender identity that receives religious recognition and sanction. To go through the Jogappa process of being dedicated to the goddess Yellamma, one has to be claimed, or possessed, by her. A large number of Jogappas are claimed by the goddess in the period of adolescence, and the ritual and idiom through which one becomes a Jogappa is marriage. Whether this fits the framework of early and child marriages is an issue of definition.

### 5.6 Technology

The most striking (and largely unprovoked) feature in all the interviews was the significance of technology as an element of material conditions. The mobile phone has become a central feature in narratives of sexuality, romance and aspiration as well as a marker of masculinity. The most obvious connection is that it has enabled intimacy and relationships between young people in ways that escape the mechanisms of surveillance that have thus far attempted to contain those possibilities. A common phenomenon, for instance, is that a boy or young man gives a girl or young woman a phone or SIM card exclusively for communication between them.



**MARRIAGE IS NOT A PROXY FOR ‘BECOMING A MAN’ BUT A THING IN ITSELF, CREATING A FORM OF ADULTHOOD THAT IS NOT EQUIVALENT TO THE GENDER CATEGORY ‘MAN’.”**

VINAY CHANDRAN

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<sup>40</sup> A third-gender identity in Karnataka, similar in space and logic to the better-known Devadasis, these are (often male bodied) queer folk dedicated to the goddess Yellamma. For an excellent study carried out by the queer community, see Aneka, 2014.

While this allows for relationships in secret, it also introduces a new form of surveillance—it is the young man who tops-up the phone credit every time it runs low. There are, of course, ways in which young women avert the surveillance, from lovers or intimates and the family.

### **Information and communication technologies, especially mobile telephony, are core to the materiality of masculinity, of politics, desire and, increasingly, to citizenship. The aggressive demonetization in November 2016 makes digital migration a matter of survival and livelihood.**

There are currently three levels of mobile telephony that form a sort of hierarchy. The first is the basic phone that allows for phone calls and SMS communication. The second is a grade ahead, which allows for the use of WhatsApp. The third is the smart phone, which allows for access to the internet, the making of videos and the setting up of local networks. What phone one has is a marker not only of status but of gender. For instance, it is increasingly seen as necessary for boys and young men to have a smart phone to get a job, make financial transactions, circulate in the new public sphere and promote their business on Facebook. And even as these phones become cheaper, people are willing to sacrifice their savings or other resources to ensure that the son has a smart phone.

A connected issue is the hierarchy of masculinity related to pornography access. A boy or young man with a smart phone having access to a world of sexual images and videos rises in the ranks of male bonding but also becomes a source of access for young women and girls with whom he might be intimate. Cities, villages and small towns all have shops where one might buy pornography on SD cards or get videos and images loaded onto them, with packages starting from 50 rupees. At the same time, the ability to create and circulate sexual images and videos has rearticulated power in relationships, while generating new forms of moral panic, with the emergence of the phenomenon of localized multimedia messaging service scandals. The realms of intimacy and sexuality are being radically reconfigured through the advent of new technological forms. Little is known or analyzed about the actual nature of these reconfigurations and their implications.

Having a phone that allows for the use of WhatsApp brings one into a range of political processes, identities and communities. WhatsApp and SMS, for instance, are central elements of the propaganda machine of the government and the Hindutva forces more broadly. This is not merely in terms of messages from the prime minister but more subtly in terms of communally coded humor and nationalist jingoism circulating on mass WhatsApp groups and their extended networks. The ease of rumor circulation, which is a crucial mechanism for instigating communal violence, and the ease with which images and videos can be manipulated are all instances of the centrality of technology in the making of aggressive Hindu masculine identity.<sup>41</sup>

The mobile phone also creates tensions and possibilities of autonomy for young women. Indeed, the question of when and what phone a girl or young woman gets is an extensively negotiated one in which the desire for surveillance and control is balanced with the “risk” of possible intimacies and access to information and images. And in keeping with the function of marriage as a rite of passage to adulthood, it is common that young women are upgraded into the world of smart telephony when they get married. This again connects with the issue of desire and early marriage.

The broad point is that technologies of communication and information are a core element in the very materiality of sociality, politics and economy that connect closely to the phenomena of early and child marriages. They must be treated as structural elements that need to be understood and engaged.

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<sup>41</sup> WhatsApp has had a significant role in the circulation of rumors and discourse of “love Jihad”, the rumors of beef eating that led to the lynching of a man and his son in Dadri in 2016, and several repeat incidents since, and the Muzzafarnagar riots. WhatsApp also enables the naturalization of violence, as we see cow vigilante groups putting evidence of their violence into circulation with impunity—and with pride.

SECTION  
06

# RESEARCH FINDINGS AND WHAT WE NEED TO KNOW MORE ABOUT

The multiple phenomena that come under the rubric of early and child marriages are more complex than the current literature and strategies in the development industry make room for. Through analysis drawn from the interviews, we have identified particular gaps in the body of literature, research, interventions and approaches. These gaps form a useful basis for a recommended research agenda, if the issues of early and child marriages and those related to masculinities are to be brought together.

Much of the literature reviewed attempted to make the phenomena appear coherent and capable of being seen as a “problem” that might be demonstrably addressed through localized interventions based on generalized principles and assumptions. From the review of literature, we detected a trajectory of the early and child marriages issue: first is the process through which “early and child marriage” becomes a singular object, followed by a period of interventions, then followed by monitoring and evaluation

of projects and strategies to the point when international organizations claim to have found “the correct way” to address the “phenomenon”. This has meant the narrowing of the field to particular instances, thus losing out on the bigger picture of shifts in the political economy, of cultural and technological conditions and of the diversity of embodied experiences that relate to each phenomenon. Many discussions during the interviews relocated “early and child marriages” in the broader context and within larger feminist struggles for justice, for structural change and for rights. The following summarizes the findings of the research and then offers suggestions for what research needs to be done and what needs to be kept in mind while designing such research.

## 6.1 Findings

- There is little literature that looks at the experiences of boys or men in relation to early or child marriages. The concern with early and child marriages in development, until the early 2000s, was

as an incidental issue in relation to population control, health and children's rights. The early 2000s marks a shift from a position in which early or child marriage is an incidental issue around other concerns to a position in which the other issues become incidental to it. Programmatically and in terms of priorities of civil society organizations, concern with early marriages forms part of a larger mandate because it impacts more broadly on women's rights and feminist projects or undermines work on access to education, reproductive health rights and masculinities.

- The current literature (as of 2010) is dominated by toolkits, manuals and policy briefs that signal a position that the "phenomenon" has been understood, strategies attempted and a normative or effective combination of strategies identified. Men in the toolkits, manuals, etc. feature either as decision-makers or as religious leaders, and there is a general tendency to pathologize working-class masculinities, thereby reducing early and child marriages to a problem of ignorance and attitudes of working-class men.
- There is a range of distinct phenomena typically bundled as a singular object. These include elopement, hasty marriages, marriages in exchange and arranged marriages of desire. Disregarding the multiplicity of realities and phenomena that relate to early and child marriage and fitting them all into the abbreviation ECM can lead to policy, law and strategy acting *against* the interests of young people sought to be empowered. The term "early and child marriage" must thus be disaggregated and addressed in its plurality as "early and child marriages".
- The research shows that young people see marriage as bearing potential for the expression of sexual desire, the desire for inclusion into realms of modernity and adulthood, the desire for release from parental control, desire for privacy and, in some cases, desire for further education and a career. These elements go unrecognized and unanalyzed in the literature, in policies and in interventions. Conceptually, the literature that does look at masculinity and early and child marriages assumes that marriage is a proxy for becoming a man. This assumption was contradicted by participants in the research who argued that marriage creates a form of adulthood that is not equivalent to the gender category of "man".
- There is a deep relationship between caste, masculinities and early and child marriages. Anxieties around masculinities related to caste and religion often instigate early or child marriage, and the law and other forms of social control are

used most often when young people choose partners across lines of caste and religion.

- Although caste emerged as a central factor in the phenomena of early and child marriages, the reviewed literature rarely addressed or sought to examine it. In the rare instances in which caste was considered, marriage was looked at as necessarily endogamous and failed to recognize that anxieties around caste purity instigate the phenomena of early and child marriages in the first place.
- A significant amount of literature on early and child marriages in India related to laws, the politics around the laws and the limitations of enforcement. Legal pluralism and diversity in social norms have been identified as reasons for the limited efficacy of the laws. Yet, the analysis of case law and of experiences of the law in the field largely indicated that the Prevention of Child Marriage Act and other provisions of criminal law are used in cases of parties choosing to marry each other of their own will, such as cases of elopement by young people near to the legal age of marriage. And this is most often across caste, religion or class. The threat of the use of criminal law, along with the emergence of a translocal marriage industry responding to a skewed sex ratio in particular districts, has contributed to the phenomenon of hasty marriage. The law, in this sense, acts as a tool for reinforcing caste ideology and heteronormativity.
- The interventionist approach of vigilante activism, drawing on the force of criminal law, has proved not only ineffective but has increased violence against marginalized communities and alienated organizations from their constituencies.
- There is a deep and complex relationship between transitions in the political economy, masculinities, desire and practices around early and child marriages. This was severely understudied in the reviewed literature, which limited its understanding of political economy to a causal relationship between poverty and child marriage.
- Many of the informants described a structural link between the denial of women's right to inheritance of property and the phenomena of child and early marriage. Yet, there is silence on this in activism, in policy and in literature.
- Information and communication technologies, especially mobile telephony, are core to the materiality of masculinity, of politics, desire and increasingly to citizenship. Yet, there is a complete absence of research in this regard.



- In terms of the policies and interventions of large international NGOs, most approaches consider social norms and values as the core problem. The focus on changing attitudes of decision-makers reinforces the structures through which they exercise control. This approach diverts attention from structural and material conditions for the phenomena of early and child marriages.
- A range of approaches exist in the field that bring together focus on sexual rights, gender justice and gender equality. These include the collective deliberation approach, which treats early and child marriages in a broader struggle for gender justice. It enables processes for the social recognition of gender injustice, the conditions for it, the recognition of impediments in correcting this injustice and the identification of strategies locally. Another approach seeks to enable young people to act collectively in changing their conditions of being. This has been found to be much more effective than working with decision-makers within structures of power.

## 6.2 Recommendations

The following reflects conclusions of the analysis of what was found and revealed in the literature review, interviews and group discussions in terms of what we need to know more about and what needs to be kept in mind when designing a research agenda.

**Disaggregate early and child marriage**—There needs to be a disaggregation of early and child marriages into the various phenomena. Disaggregation would help in understanding the disparate conditions that young people and children are brought into or that come into relationships of marriage. Hasty marriages, elopements, marriages of desire, marriages of exchange and other types each need to be researched in their own terms, with a focus on understanding their structural conditions and the dynamics of power involved.

**Recognize multiple subject positions**—The assumption of pure victimhood for girls or young women and the assumption of boys and young men as perpetrators of patriarchal processes precludes a more nuanced understanding of the phenomena they are faced with. There needs to be recognition of a range of subject positions for girls, for boys and for young people of other genders, which includes understanding the modes of exercising agency, the formation of aspirations and the impediments to developing central capabilities.

**Recognize and focus on caste**—There must be a recognition of caste ideology and logic as underlying the social, political,

economic and cultural conditions for early and child marriages and for masculinities. This will open up a large field of research that is both important and urgent. This would involve research into the dynamics of caste within normative marriages (whether early or not) and in non-normative couplings. Research on the relationship between caste and desire and between caste and masculinity are also needed.

**Take a more grounded approach to criminal law**—The notion that the criminal law could be part of the solution as long as it is properly enforced, with political will, should be relinquished. The focus instead should turn to the social experience of the law and its relationship with caste and patriarchy. We need a more ground-level understanding (rather than simply an interpretation of judgments) in different contexts, about the ways in which the Prohibition of Child Marriage Act is used and experienced, as well as other laws used in the context of early and child marriages. There is already a rich tradition of legal anthropology and critical legal studies that could be drawn upon in this context.

**Take a feminist approach to political economy**—A broader feminist approach that engages with the political economy at the macro and micro levels and that would include acting on the connection between women's right to property and early and child marriages needs to be made clearer and supported. Such research would also bring into focus the complex ways in which transitions in the political economy relate to transformations of masculinity, the aspirations of young men and boys, the imperatives and expectations placed on them and opportunities open to them.

**Understand the landscapes of normativity around male sexuality**—Understanding the range of norms and how they relate to life choices, possibilities and experiences of young men and boys is another crucial element that needs to be understood in the context of early and child marriages. The work on normativity relating to sexuality and gender, for instance the approach of sexual hierarchies, has largely focused on the regulation of female sexuality and that of non-mainstream forms of sexual identity. This relates to the emphasis on violence, exclusion and victimhood rather than understanding the imperatives of masculinity and the complexity of located privilege. Normative systems, in other words, apply differently on differently located bodies, be they in terms of gender, sexuality, caste, class or other sociopolitical elements.

The application of normative systems relating to sexuality and gender have been least understood in the context of young

men and boys. An attempt to address this gap should include the understanding of how and when male privilege allows for the subversion of norms as well as the ways in which male privilege is brought to work toward the reinforcement and reproduction of normative systems. Such an exercise must pay as much attention to the “crevices” in the structure (the spaces that the non-normative finds, occupies or creates in the structure of norms). Similarly, this would entail understanding the processes through which non-normativity is ignored or incorporated into structure. Rather than a broad generalization of men and boys, this exercise must be committed to an intersectional analysis, considering that the locations of diverse young men and boys are most often defined in terms of caste, class, region and the like.

**Conduct life-cycle analyses**—There is a tautological problem in the notion of early and child marriages insofar as a concern with the cultural understandings of a child and of marriage. This is in the context in several places in India in which marriage marks the transition to adulthood—a person is not an adult until marriage. In this context, an understanding of the life cycle, the mechanisms of transition and rites of passage need to be understood in greater depth. This understanding would be crucial for informed and effective intervention into the phenomena of early and child marriages.

**Understand the changing ideas of marriage**—Somewhat similar in approach to the point on the changing desires and aspirations, there needs to be an understanding of how ideas of marriage and of what it means are changing. For instance, in many communities of the urban middle class, marriage is

emerging as a crucial performance of status and a mechanism for demonstrating a renewed commitment to being religious, in tune with the political climate of Hindutva. Is the function of marriage as a mechanism of social reproduction changing with changes in the political economy? Is the meaning of marriage changing with the demographic transitions relating to sex ratio and with the emergence of a more diverse and yet singular public sphere in terms of information and communication technologies? How might shifts in the ideas of marriage then impact on early and child marriages, either as resource or as hurdle in addressing the problem?

**Look at technology in the context of gender and sexuality**—Technology, and in particular technologies of communication and information access and circulation, form a key part of the material conditions for aspirations of young people as well as their romantic, intimate and sexual engagements. Technology mediates the ways in which sex and sexuality are imagined, what is expected in sexual engagements and the sense of cosmopolitanism, status and gender. While there is an increasing amount of research on the role of technology in the lives of the urban middle class, the research on these technologies in rural contexts around the world have been limited to such things as business and value chains. Looking at technology in the context of gender and sexuality will open up a plethora of interesting and important questions; something as basic as asking what pornography that the young people in small town India are watching will raise a range of questions that might begin to give us insight into the re-articulations of gender, sexuality and desire in contemporary India.

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# ANNEX: ORGANIZATIONS ENGAGED FOR THE RESEARCH

**CENTRE FOR HEALTH AND SOCIAL JUSTICE, NEW DELHI**—The Centre for Health and Social Justice (CHSJ) is a leading organization working on masculinities and has rich experiences of working with men and boys from a wide range of contexts. For the research, an in-depth interview was conducted with Satish Kumar, whose long experience in the field laid out the history of the concern with early and child marriages in development, the range of different approaches in addressing issues, the range of different phenomena that are brought within the framework of early and child marriages and the organization’s learning from working with different approaches. Currently, CHSJ works with an approach of deliberation among groups of men, with a strategy that combines gender justice, gender equality and sexual rights frameworks. See [www.chsj.org](http://www.chsj.org).

**MAHILA SARVANGEEN UTKARSH MANDAL, RURAL MAHARASHTRA**—With headquarters in Pune, Mahila Sarvangeen Utkarsh Mandal (MASUM) has been working for more than three decades on a range of issues relating to social justice and gender, primarily in drought-prone districts in Maharashtra State. Although it is a feminist collective with a human rights approach, MASUM works with men and boys and addresses the phenomenon of early and child marriages as well. The engagement with MASUM for this research involved a focus group discussion with activists, an interview with Milind Chavan and an in-depth interview with Manisha Gupte. MASUM has developed a forced, early, child and hasty marriage framework that has in some ways instigated the argument made at the beginning of this paper—that there is a need to disaggregate the singular object of early and child marriage to address the peculiarities of different forms of marriage involving young people. See [www.masum-india.org.in/index.html](http://www.masum-india.org.in/index.html).

**MUSKAAN, BHOPAL**—Muskaan works primarily with young people from Adivasi communities in working-class settlements in the city of Bhopal. Although it began with a focus on education for children in the poorest pockets of the city, it has gone on to work with a strategy of collectivizing young people and a range of programs that address the conditions under which education remains a challenge for them. Muskaan’s work on early and child marriages stems from its work around education, recognizing that marriage becomes an impediment to continuity. The insights from the engagement with Muskaan for this research proved vital in understanding the conditions for early and child marriages in Adivasi communities in comparison with contexts dominated by the Hindu caste-related anxieties and the experiences of Dalit communities. A different narrative based on the precariousness of tribal identity in the context of urban poverty emerged. Muskaan is also part of an action research project on early and child marriages that I am part of, and the engagement for this research included a workshop on sexuality that was part of that project. In addition, it included one focus group discussion with field workers and an in-depth interview with Mahesh Jharbhare, an Adivasi community leader. See [www.muskaan.org/about/history/](http://www.muskaan.org/about/history/).

**SAMABHABANA, KOLKATA**—Samabhabana is a collective of working-class transgender people based in Calcutta, working on issues of livelihood and shelter for their community. A collective of NGO members dealing with men who have sex with men, third gender, transgender and gender queer folk, its work provides insights into gender ideology more broadly through the recognition of processes of exclusion. The engagement for the research was an in-depth interview with Raina Roy, a core member of the collective. See [www.facebook.com/Samabhabana-1179257202103195/](https://www.facebook.com/Samabhabana-1179257202103195/).

**SAMYAK, PUNE DISTRICT, MAHARASHTRA**—Samyak works on issues of masculinity. Although the group has not worked directly on early and child marriages, it has been useful in understanding the evolution of work around masculinity in India, the difficulties of working on masculinity, the challenges and pitfalls of economic transition in the context of gender justice, the relationship between caste and patriarchy and the particular history of Maharashtra as a political space. The engagement with Samyak was through an interview with Anand Pawar, founder of the group. See [www.samyakindia.org](http://www.samyakindia.org).

**SWABHAVA, BANGALORE**—Swabhava is one of the oldest groups in the country working directly with queer males across a range of identities. The group provides a range of services to LGBTIQ folk in Bangalore, carries out research and advocacy on sexuality, gender, mental health and discrimination relating to non-normative genders and sexualities in the context of health. The engagement with Swabhava was an in-depth interview with Vinay Chandran, founder of the group. The engagement offered analyses and narratives of the nature of the imperative of marriage and the experiences of gay men and other queer folk in relation to imperatives of masculinity.

See <http://swabhava.org>.

**VIKALP, UDAIPUR DISTRICT, RAJASTHAN**—Vikalp is a NGO that has worked with young people since 2004 toward creating a violence-free society based on equity, peace and justice and empowering youth by creating alternative ways for them to voice their concerns and opinions and to integrate into the process of social development. The engagement with Vikalp was through an interview with Usha Choudhary, a social activist who has been working on child marriage for 17 years, and Yogesh Vaishnav, one of the founders of Vikalp. This research was also informed by observations and discussions based on an action research project on early and child marriages that I have been involved with in the capacity of consultant.

**SOCIAL UPLIFT THROUGH RURAL ACTION, RURAL HIMACHAL PRADESH**—Social Uplift Through Rural Action (SUTRA) is an NGO that was established with the support from the Social Work Resource Centre in Tilonia. SUTRA works primarily on decentralized governance, reproductive health, issues of single women and gender-just governance. The organization works through its network of village-based Mahila Mandals and women representatives of *gram panchayats* spread across Himachal Pradesh State. The engagement with SUTRA was through an interview with Subhash Mendhapurkar, its founder.

**YOUTH PARLIAMENT FOUNDATION, NEW DELHI**—The Youth Parliament Foundation works for young people's human rights and helps in building up their leadership skills and strengthening youth-led initiatives and movements. The organization works primarily in supporting and enabling programs and policies on gender, sexuality, health, education, the arts and governance. The engagement with the Youth Parliament Foundation was through an interview with Manak Matiyani, its executive director.

**NIRANTAR, NEW DELHI**—Nirantar is a feminist NGO that has worked on issues of education, gender and sexuality for more than two decades and is a leading NGO in this field. Nirantar's work has been pathbreaking in terms of bringing issues of sexuality to areas of feminist activism that hitherto have avoided even acknowledging these issues. It is currently carrying out an American Jewish World Service-funded action research project on early and child marriages in collaboration with three other NGOs (included in this research) and using theatre as a methodology. My insights as a consultant to this project, helping primarily with research methodology and as a resource person in workshops relating to this project, helped shape the research process for this paper. See [www.nirantar.net](http://www.nirantar.net).

# ABOUT THE AUTHORS

## **akshay khanna**

is a social anthropologist, political activist, theatre practitioner and amateur chef based in New Delhi. Its first book-length ethnography, *Sexualness* (New Text, 2016) tells a story of Queer activism in India and offers a theoretical frame that demonstrates what it looks like to look at the sexual from the south. akshay's current research relates to the erotics of political authority and unruly politics. It is co-director of RAPT (Research Activism Performance and Theatre), which is developing theatre as a methodology of research.

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## **Akhil Kang**

is a lawyer and researcher based in New Delhi, associated with the Queering Dalit Collective and currently working on discrimination relating to gender and sexuality in politics.