

Ending the practice of child marriages in Nepal: viewpoints and suggestions from children's rights activists

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Abstract

The thesis aimed to answer the research question: ‘What are the possible interventions measures to prevent child marriages in Nepal?’ by analyzing six in-depth semi-structured interviews of people working for children’s rights. The earlier studies of child marriages and discussions of children and human rights has been used to analyse the data. Child marriage is a practice that occurs across regions, cultures and religions which impacts the lives of the child brides and grooms and their children because of several adverse consequences including maternal death, poverty, and gender inequality. Some of the main causes of child marriages are poverty, gender discrimination, and weak law enforcement. The study found that strong enforcement of laws, illegalizing dowry, supporting poor families, keeping children in school, ending caste based discrimination, awareness about the legal and negative consequences of child marriage, the role of media and civil society, and mobilizing religious leaders are some of the prevention measures of child marriages. Thesis concluded that preventing child marriage is very challenging but achievable when multiple stakeholders coordinate, collaborate and work together genuinely. My findings corroborate with previous researches. However, it also has some new angle about the causes and prevention measures of child marriage in Nepal.

Key words: Child marriage, Dowry, Children’s rights, Enforcement of laws, Prevention measures, Child love marriage, Arrange marriage, Poverty.

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TERMS AND CONCEPTS

Arrange marriage: a marriage planned and agreed by the families or guardians of the couple concerned.

Brahmin: As per Hinduism, the upper caste people who engage in specializing as priests, teachers and protectors of sacred learning across generations.

Child love marriage: formal or informal marriage when both or one of the partner is a child and they decided to marry because of a love affair.

Child marriage: A legal or customary union between two people, in which one or both spouses are below the age of 18. In the Nepalese context, given that the legal age of marriage is 20 years for both parties to the marriage, for the purposes of this publication, child marriage is referred to as marriage below the age of 20.

Dalit: Laboring classes and lower-caste communities who are often treated as untouchables and impure. It is the lowest rank of the four types of caste division in Hinduism which includes Brahmin, Kshatriya, Vaisya and Shudras respectively.

Dowry: Property or money brought by a bride to her husband on their marriage.

Girls Not Brides: It is an international non-governmental organization with the mission to end child marriage throughout the world.

Rupees: Currency of Nepal.

Vedic period: It is the period in the history of the northern Indian subcontinent between the end of the urban Indus Valley Civilization and a second urbanization which began in the central Indo-Gangetic Plain. i.e. 1500 BCE to 500 BCE.

Acronyms

CEDAW: Convention on the Elimination of all forms of Discrimination Against Women

CRC: Conventions on the Rights of the Child

INGOs: International non-governmental organizations

MOWCSW: Ministry of Women, Children and Social Welfare

NGOs: Non-governmental Organisations

SAARC: South Asian Association for Regional Cooperation

SAIEVAC: South Asian Initiative to End Violence against Children

SDGs: Sustainable Development Goals

UN: United Nations

UNFPA: United Nations Population Fund

UNICEF: United Nations Children's Fund

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1. Introduction

There are various factors and areas in violence against children. According to United Nations, millions of children live in extreme poverty, 250 million children live on the street, 115 million have never been to school, thousands are exploited as child soldiers and 211 million must work for livelihood. Millions of children have been forced into trafficking, marriage, rape and other forms of sexual violence (Freeman, 2017, p. 50). Unfortunately, child marriage still persists in 21st century around the globe but the situation is worse mainly in South Asian and African countries (Beattie et al., 2015, p. 2). Child marriage is illegal in Nepal and has ratified almost all of the major international human rights treaties. Nepal ratified the Convention on the Rights of the Child in 1990, which sets a minimum age of marriage of 18, and the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in 1991, which obligates states to ensure free and full consent to marriage (“Girls Not Brides,” 2019).

Article 39 of the Constitution of Nepal, 2015 protects children from child marriage by prohibiting child marriage as a punishable offense and establishes victims right to compensation for violations from perpetrators. The constitution also guarantees children’s right to identity and birth registration; right to protection from hazardous work; and right to education and health care. It also protects from any form of physical, mental, or sexual abuse or exploitation in the name of religious or cultural practices. Article 38 recognizes women’s right to be free from all forms of violence and guarantees reproductive health rights as fundamental rights. Other guarantees against child marriage, which is also a form of gender-based discrimination and violence, include the right to equality and nondiscrimination, the right to live with dignity, and the right to protection from exploitation (“Constitution of Nepal,” 2015).

1.1. Background

Internationally child marriage is understood as both formal marriage and informal union before age 18. Most of the authors have followed the notion of this international understandings. Historically, child marriage was a common practice around the world. However, with a better understanding of the adverse health consequences in 20th century, researchers and policymakers began questioning the practice of early marriage. Since then, child

marriages have subsequently decreased in developed world and many countries have legislated the minimum legal age of marriage to be 18 years and over. Yet, millions of child get married every year, mostly in Asia and Africa (“Human rights watch,” 2016).

According to Nepal's Marriage Registration Act of 1971, the minimum legal age for marriage is 20 for both women and men. With consent from parents, girls and boys may marry after attaining 18 years of age (“Marriage Registration Act,” 1971). Child Marriage is illegal in Nepal since 1963. However, according to a study by United Nations Children's Fund (UNICEF) in 2012, Nepal has the third highest rate of child marriage in Asia after Bangladesh and India. 37% of girls in Nepal are married by age 18 and 10% are married by age 15. Boys also often marry young in Nepal, though in lower numbers than girls i.e. 34% get married before age 19. According to law, adults who marry children, family members, religious leader who perform wedding, guests who attend the ceremony are also punishable by imprisonment and fines. However, the fines and imprisonment are not severe and weakly enforced (“Human rights watch,” 2016).

According to Nepal census 2011, 138015 people got married when they were below age 10. 22865 were boys and 115150 (86%) were girls. Similarly, 1363107 got married when they were in between 10-14 years old. 261223 were boys and 1101885 (81%) were girls. 6517281 got married when they were below age 19. 66% who got married below age 19 are girls. Approximately 75% were married before their 20th birthday, Nepal’s legal age of marriage. Also, the child marriage is very high in rural areas (“Nepal Census,” 2011, pp. 131–132). The risk for child marriage is higher among less educated, rural, Low Caste Hindu, and Madeshi women than among more educated, urban, and High Caste Hindu women (Pandey, 2017, p. 245). According to the national statistics on marriage 2011, 85% got married before they reached 18 in Dhanusha district of Nepal (Bhandari, 2019, p. 4). This shows the problem is very critical in some rural districts and among Dalits and it disproportionately affects girl child.

Child marriage has a long history in Nepal and it is still widely practiced mainly by indigenous and lower-caste communities who were marginalized for centuries. Nepal and

other South Asian countries jointly adopted the Regional Action Plan to End Child Marriage in South Asia in 2014. Nepal also hosted the first regional convening of representatives from SAARC member states and key stakeholders in 2014 focusing on the use of the law to promote legal accountability to end child marriage by strengthening national laws and addressing married girl's reproductive health needs. Similarly, in August 2014, at the first Girl Summit hosted in London, the government of Nepal made a pledge to end child marriage. Following that, it organized the first Girl Summit in Nepal in March 2016, where it announced the adoption of the National Strategy to End Child Marriage in Nepal. However, the implementation of existing laws and commitments that has been made is still weak resulting little progress ("Ending Impunity," 2016, p. 18).

Government of Nepal in 2016 endorsed a national strategy to end child marriage by 2030 in line with the Sustainable Development Goals (SDGs). Nepal has obligations under both international and regional human rights laws to protect the rights of children by ending child, early and forced marriage within 2030. United Nations Population Fund (UNFPA) and United Nations Children's Fund (UNICEF) are also implementing the Global Programme on Ending Child Marriage. The programme represents an important collaboration with the development partners such as Girls Not Brides to support countries in ending child marriage. It focuses on adolescent girls aged 10 to 19 years who are at risk of marriage or who has already married. It is implemented in 12 countries including Nepal where child marriage rates are high. 17,000 girls have received social and financial skills training, 2000 girls have gone back to school, more than 14,000 parents received an orientation on the social and financial skills, and 128 health posts in programme areas are implementing guidelines for adolescent-friendly health services ("End child marriage," 2018).

Nepal is a member of the South Asian Initiative to End Violence against Children (SAIEVAC) which adopted a regional action plan to end child marriage from 2015-2018. At the 2014 Girl Summit, the government signed a charter committing to end child marriage by 2020. Representatives of the South Asia Association for Regional Cooperation (SAARC), including Nepal, asserted the Kathmandu Call to Action to End Child Marriage in Asia in 2014. As part of its commitment, Nepal ensured access to legal remedies for child brides and established a uniform minimum legal age of marriage of 18. Nepal has also co-sponsored the

2013 Human Rights Council resolution on child, early and forced marriage (“Girls Not Brides,” 2019).

The government of Nepal launched its National Strategy to End Child Marriage in 2016, with support from UNICEF and Girls Not Brides Nepal to end child marriage by 2030. The six components of the strategy that has particularly focused on the most-affected districts are empower girls (including economic empowerment), provide quality education for girls, engage men and boys, mobilize families and communities to change social norms, strengthen and provide services, implement laws and policies. Government of Nepal, NGOs and INGOs, local organisations, child and mother clubs and many other stakeholders have been working to prevent child marriage. In spite of everything that has been done to prevent child marriage, the problem still persists. Laws are not giving expected results in Nepal. Some intervention measures are partially working and some doesn't (“Girls Not Brides,” 2019).

1.2 Problems and relevance of the topic

The causes of early marriage in Nepal are quite well researched, and the adverse health effects are fairly well documented, but in spite of a slight decline in child marriages over the last years, the problem still persist, especially among the most vulnerable and marginalized groups, and a new problem of ‘child love marriages’ is emerging. Child marriage is a violation of human rights and has lifelong adverse effects. It violates both national and international laws and child brides normally become pregnant before understanding the responsibilities of being parents. A child cannot take care of a new born child. So, they are not ruining their own future but also the future of a new borne child and future generation. Also, there is a rise in child marriages after the 2015 earthquake in Nepal. The initiatives over the last two decades have resulted in a significant decline in child marriages of girls under 15. This indicates that traditions and customs can be changed, and education, awareness campaigns and group pressure have some impact (Anita Raj et al., n.d., pp. 1–2). However, there is relevance to study child marriage because the problem still persists and the new challenges such as ‘child love marriages’ are emerging.

1.3 Aim and research question

There are many challenges to prevent child marriages in Nepal, especially among the most marginalized and vulnerable populations such as Dalits. I am interested to study activist's experiences and opinions about policies and prevention measures of child marriage. My aim is to find out possible interventions measures to prevent child marriages that could be successful. So, I want to contribute to the existing literatures by studying children's rights activists who have been involved in researching and working to prevent child marriage in Nepal. I hope my study can generate some suggestions for prevention policies of child marriage.

Research question: - What are the children rights activist's experiences of interventions to end child marriages? Based on these experiences, what do they regard as the most successful or promising propositions for interventions, especially with regard to the most marginalized populations, such as the Dalits?

Also, the topics that has been mainly covered as an interview guide during semi-structured interviews with some experts in the field were child marriage, Dalits, dowry practice, poverty, laws and its enforcement, and children and human rights. The primary data was collected during a field study in Kathmandu, the capital city of Nepal. I have also collected reports, and communicated with various stakeholders via email. The data has been analysed using critical studies on the topic, as well has the human rights framework.

1.4 Disposition

Chapter 1 is an introduction which briefly presents the background, problem and relevance of the thesis topic, aim and research question of thesis, and disposition. Chapter 2 has a

combined literature review and theory chapter. Chapter 3 introduces the methodology. Chapter 4 is about the findings and analysis. Finally, chapter 5 has a conclusion.

2. Literature review and theory

This section comprises a combined literature review and theory chapter. It offers a necessary background knowledge and provides an overview of previous research on child marriage in Nepal. However, I do occasionally refer to older influential studies from other countries. The aim of the literature review is not only to offer an overview of previous relevant studies but also to identify possible gaps in earlier researches. Most of the authors in previous researches has analysed from children and human rights perspective. In general, the literatures about child marriage has been divided in adverse consequences, causes and prevention measures of child marriage. Also, I have categorized the earlier studies of child marriages and discussions of children and human rights in to several concepts which has been used to analyse my primary data instead of a specific theory.

Researchers discussed about the mix factors such as poverty, religion, and tradition for contributing child marriage in Nepal, also around the globe. There are many books, journals, reports from government, NGOs and INGOs about child marriage. However, there are not many academic books or articles focusing child marring among Dalits in Nepal. So, I did not confine myself in to recent research publications. Also, most of the previous studies on Child marriage in Nepal have focused mainly on general causes and did not focus on the recent challenges and prevention measures. This is why I want to contribute to previous studies by finding out possible measures to prevent child marriages.

2.1 Adverse consequences of child marriages

Child marriage reflects gender inequality and the way that girls are disempowered and entrenched in poverty in many communities (Pandey, 2017, p. 246; Mukherjee and Sekher, 2017, p. 75; Beattie et al., 2015, p. 2). Child marriage is a violation of human rights because they are at an increased risk of violence from their partners, and are typically cut off from

family and social networks. Also, it has adverse consequences for the wellbeing of a child as it reduces the opportunity to participate and get support from community activities. The girls and women affected by child marriage are some of the most marginalized in the world (Svanemyr et al., 2012, p. 2). The young brides and grooms suffer the most and are more unlikely to succeed later in life (Mukherjee and Sekher, 2017, p. 75). The comparative studies in 34 countries including Nepal by Raphael Kidman also showed that child marriages increase the risk of domestic violence and sexually transmitted diseases as they are often in weak position to defend themselves (Kidman, 2017, p. 663).

Regardless of various causes of child marriages, it has adverse social, economic and health consequences for girls. School dropout, early pregnancy, still birth, maternal mortality, risks for physical and sexual violence, more likely to suffer from depression and suicide contemplation, higher risk of remaining economically and socially disadvantaged are few of the adverse consequences of early marriages. Most of the girls who get married before 18 are forced to accept the situation without their consent (Pandey, 2017, p. 242). I have noticed that most of the earlier researches ignored the aspect that child marriage is also a form of child labour. Also, child marriage is equally disadvantageous to the newborn child as their parents are not physically and mentally ready to handle the circumstances.

2.2 Causes of child marriages

Many authors have gathered very interesting and invaluable resources for those working to eliminate child marriages. They have identified many causes of child marriages such as poverty, culture, religion, and patriarchal society.

2.2.1 Poverty

Most of the researcher agree that extreme poverty, unequal distribution of resources are the root causes of child marriages. Some poor families believe that early marriage can decrease their financial burden as they do not have enough food for all children. Also, dowry is illegal in Nepal but it remains throughout the country. So, child marriages are more likely among poor families for no or little dowry. In this way, girls from poor families are more likely to marry than those from the rich families (Anita Raj et al., n.d., pp. 1–2 ;Pandey, 2017, p. 246

and Svanemyr et al., 2012, p. 2). The earlier researches shows that poverty is one of the major cause but in my view it is not the only cause because girls are more likely to get married in poor families comparing to boys which shows gender discrimination.

2.2.2 Patriarchal mentality

Pre-existing unequal gender relations make women poorer and more vulnerable than men. In most of the poor societies, girls are never sent to school or more readily taken out as parents believe that education is wasted on a girl whose destiny is to marry and leave home. These are because of social injustices and discriminations against girls and women. Mostly girls and women are kept in subordinate social positions in Nepal that limit their capabilities to exercise their full potentials. For instance, girls have limited or no right to choose whom and when to marry. The deep-rooted gender inequalities and norms and discriminatory attitudes towards women must be changed (Pandey, 2017, pp. 242-243).

2.2.3 Weak Law enforcement

The enforcement of laws that prevents child marriage and punishes those who are involved in child marriages is weak in most of the poor countries including Nepal (Pandey, 2017, pp. 246). I partially agree with Pandey because strong law enforcement is vital. However, the law enforcement by itself is not self-sufficient to prevent child marriages as there are various reasons where police necessarily do not have much control. For instance, they can file a case in court where violators might get fine and jail sentences. But, the question is it possible to punish hundred thousands of citizens who are already vulnerable?

2.2.4 Sexual activity among teenagers

Sexual activity among teenagers, a phenomenon already common in West is increasing in other parts of the world as well. Some authors recommended encouraging safe and protected sex but it can easily turn in to child marriage in a society where sex outside marriage is prohibited (Sagade, 2005, p. 2). Sexual relation among teenagers within or outside marriage can have equal adverse health effect but in my opinion it is not as serious as child marriage. However, moral and reproductive education to teenagers about the adverse effect of sexual

activities due lack of complete physical and mental growth can be more effective in countries like Nepal. Only few researchers have raised the new challenges sexual activity among teenagers resulting child marriage.

2.3 Prevention measures of child marriages

Girls education is believed to be one of the best means of reducing girl child marriage globally. However, in South Asia, where the majority of girl child marriages occur, substantial improvements in girl education have not corresponded to equivalent reductions in child marriage. Primary education is likely insufficient to reduce girl child marriage in South Asia, outside of India (Anita Raj et al., n.d., pp. 1–2).

Schooling for girls can increase their social networks and acquire skills to convince their parents about the adverse effects of early marriage (Susan LeeRife et al., 2012, p. 293). However, the study shows varying effects of education on girl child marriage across South Asia by nation and age of girls at marriage. In India both primary and secondary education were effective across all minor ages but primary education was not very effective in Nepal, Bangladesh, and Pakistan. Secondary education has helped to reduce risk for child marriage in Nepal but it is insufficient to achieve the global goal of elimination of girl child marriage by 2030 because it's effects are lesser for older adolescents (Anita Raj et al., n.d., pp. 1–2).

I agree with Sagade that no excuses can be allowed for child marriage in the name of religion or tradition as it is a violation of human rights because they are not mature enough physically, mentally, and socially for marriage (Sagade, 2005, p. 13). Educating people about the drawbacks of the child marriage can help to transform their attitudes towards child marriage and to eliminate unjust cultural institutions. So, programs supporting girls, reducing extreme poverty, educating parents and so on are required in conjunction with girl education to prevent child marriage.

According to Sagade, marriages were effected when couples reach a mature age and girl used to choose her life partner freely in Vedic period. The practice was same among Hindus until

7th centuries. The situations changed after the influence of Brahmanic culture and Muslim invaders. Girls were often kidnapped and sexually abused. So, as a solution society started marrying a girl before her menstruation cycle starts. Later, it remained as a culture when the practice was continued for centuries. Even today, keeping old daughter at home is still seen as matter of shame or sin by many families (Sagade, 2005, p. 4). I have a doubt that the practice of child marriage began in Indian subcontinent only after the arrival of Muslim invaders. However, people should be made aware that religious text prohibits the practice of child marriage and girls are free to choose their life partner. Most of the researchers including Sagade did not give much attention about the role of religious leaders who are often charismatic to change people's attitudes.

For years, there has been various research dealing with the causes and risk factors of violence against women and girls. Most of the interventions has been dealing mainly with response, rather than prevention (Ellsberg et al., 2015, p. 1555). The self-defense and vocational trainings helped to empower adolescent girls to avoid early marriages. Also, support for basic school supplies and an economic incentive for families helped to keep girls in school, resulting the delay in the age of marriage (Ellsberg et al., 2015, p. 1560). Community based education programmes that address a range of issues, including health, literacy, and human rights have also been used successfully to reduce child marriage in many countries around the globe (Ellsberg et al., 2015, p. 1563).

In context of Nepal, I did not find any previous researches which focuses on expert opinions who has been working in field to find out the intervention measures that are working and possible measures that could work. Also, literatures lack the prevention measures to tackle 'child love marriages'. So, I hope my findings can contribute to the existing literatures.

2.4 Focus on the child bride

Comparing to boys, girls are more likely to get married at an early age and suffer the most. The prime reasons for such a high margin is because of cultural beliefs like wife should be younger than husband, poverty, dowry practices, illiteracy, gender discrimination, and so on. Many writers including Sagade admit that a girl child is the worst victim of child marriage because they remain excessively disadvantaged for life time such as school dropout,

economically dependent, premature pregnancy, domestic violence, pregnancy complications, stillbirth, and pregnancy-related death (Sagade, 2005, p. 4). Also, it prevents them from getting opportunities to uplift themselves economically, socially, and politically. Thus, the practice of child marriage violates several human rights.

Most of the researches in child marriages has been oriented towards adverse consequences in health, social and economic wellbeing of a child bride and ignores the condition of child groom. There is no doubt that child bride suffers more than child groom due to various reasons discussed above. However, some authors like Mukherjee and Sekher studied the impacts on groom child and argue that child grooms can no longer be ignored to address the problem of child brides (Mukherjee and Sekher, 2017, p. 75). I agree with earlier researches that girl child is the worst sufferer of child marriages but it also affects child grooms.

2.5 More common among Dalits

The research by some authors in Karnataka, India concluded that low caste adolescent girls are at increased risk of child marriage, school dropout, entry into sex-work, early pregnancy and adverse maternal and child health outcomes. Extreme poverty, unemployment, illiteracy, gender inequality, school drop-out, and migration has been recognized as the main causes of child marriages (Beattie et al., 2015, p. 2).

Dalits and indigenous are at a higher risk of marrying as children compared to High Caste Hindus in Nepal. Compared to the High Caste Hindu, Madeshi women are 73% less likely to have married after attaining age 20. And low Caste Hindu women (Dalit women) are 52% less likely to have married after attaining age 20 compared to the High Caste Hindu. However, Hill indigenous women are more likely to marry after attaining age 20 compared to High caste Hindus (Pandey, 2017, p. 244). Keeping children in school, supporting financially to reduce extreme poverty are some prevention measures for child marriages among low castes children in India. The multi-level intervention with key stakeholders such as low caste children and their families, schools, policy makers, policy implementers, village communities helps to

change social norms regarding child marriage, girl's education and gender roles (Beattie et al., 2015, pp. 2-3).

There is some disagreement whether the high prevalence of child marriages among Dalits is more as an effect of poverty and marginalization or it is due to social practices and traditions of Dalits. Most of the researchers avoided using the lens of ethnicity when studying child marriages in Nepal. This is why I did not find any specific literature focusing child marriage among Dalits in Nepal. There is lack of academic articles which provide concrete evidence of measures that helped to reduce child marriages and those which didn't among Dalits in Nepal. Also, I found very little exploration of the perception of activists working for prevention of child marriage in the literature I have read. This is why I think my research findings can contribute to previous researches. So, my study aims to fill the gap by focusing in the understudied topic of child marriages among Dalits.

2.6 The discussions of children and human rights

According to the World Health Organisation, 70% of people in extreme poverty are women, women are paid 30-40% less than men for comparable work, and two-thirds of illiterate are women. Universal Declaration of Human rights prohibited discrimination against women and UN charter have guaranteed the equal rights of men and women. Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), 1979 was adopted. Due to simultaneous pressure, UN human-rights bodies began to include gender issues in their work but women's groups and commission members are dissatisfied with the slow progress in uplifting the status of women. Also, it is recognized that the situation of women can only be improved by empowering women through participation in decision making. However, the status of women has not improved as expected due to underfunding and reservations from culturally conservative states (Freeman, 2017, pp. 46-47).

The Vienna Declaration acknowledged that gender based violence and all forms of sexual harassment and exploitation as human rights violations. Also, Declaration on the Eliminations of All Forms of Violence Against Women, 1993 requires states to prevent and punish acts of violence against women by the State or by private persons (Freeman, 2017, pp. 47-48). There are about two dozen international legal texts focusing the protections of

women's right but implementation and enforcement mechanism has been very weak (Freeman, 2017, p. 49). Unfortunately, women are discriminated and oppressed by different degree across the world, mainly in private sphere. This is why Feminists have challenged the dominant interpretations of human rights and claim that they are biased against women. Feminist argue that dominant interpretations focuses on human rights violations by states and ignore the violations women suffer in private sphere (Freeman, 2017, pp. 47–48).

The Convention on the Rights of the Child (CRC) 1989, has several articles with provision calling for the abolishment of traditional practices. It also gives guidelines on the rights that the child has and what must be done to ensure that the child is protected from harm. Article 24.3 of CRC requires states to take appropriate measures to abolish such practices but it also recognizes the importance of traditions and cultural values (CRC, 1989). So, CRC is ambiguous about traditional practices harmful to children's health. It is a positive side that Optional Protocol to CRC on the Involvement of Children in Armed Conflict has prohibited the use of child soldiers. However, CRC does not refer specifically about harmful traditional practices such as child marriage.

Several articles in CEDAW, has provision in protecting a girl child from child marriage ("CEDAW," 1979). Although not sufficient, there has been significant improvements in the situation of children's right. CRC provides a helpful framework and a form of legitimation but it suffers from many reservations, less resources, weak implementation system and no investigative capacity. It is argued that CRC fails to address the causes of children's suffering, and its vague language allows governments to evade their responsibilities (Freeman, 2017, pp. 52-53). In context of Nepal, child marriage is illegal but the implementation is weak and the authorities are under-resourced. This shows that both national government and inter-governmental organisations are less sensitive towards the sufferings of children.

2.7 Less commitments towards girls and women issues

Nyamu Musembi argues that the human rights movement has neglected the rights of women in developing countries, mainly in rural areas. Some feminists criticize that equality in human rights discourse fails to recognize the difference of women's experience because cultural groups often justify the mistreatment of women on the ground of cultural differences. Also, women's access to legal redress is often barred by male-dominated and discriminatory legal

systems (Freeman, 2017, p. 49). Some of my interviewees also raised the same issue. For instance, one who kills cow will get more punishment than someone destroying a child's life by marrying them. They stressed that the case of child marriage is insignificant for most of the people holding power because of male-dominated legal systems.

Male dominated legal system and political institutions is one reason for placing child marriage less significant. She stresses the role of women's perspectives and opinion in national and international laws to dig out the root causes of child marriages and to provide measures for both national and international actor working to prevent child marriages. The government is not enforcing laws for creating awareness about child marriages and budgets are generally inadequate, which increase doubts on commitment of politicians. Sagade is questioning the commitment of government and international communities by highlighting the gap between ideal laws that protects everyone and the reality where status of girls and women is very poor. She discusses about the lack of gender sensitivity in political level and loopholes in national and international laws. She believes women's perspectives and their experiences must be considered while making laws, policies, and programs (Sagade, 2005, p. 2).

3. Methodology

It is the duty of a good researcher to explain the purpose, aim, potential risks, its procedures and benefits of the research (Bryman, 2012, p. 9). In this section I have explained the reason for choosing qualitative semi-structured interview. This chapter presents limitations, ethical considerations and my own position as researcher. Also, I have explained how thesis contribute to the research area of child marriage in Nepal.

3.1 Selection of interviewees

Snowballing can be purposeful in the sense that the contacts identified are in the relevant field and most likely have information pertaining to the aim of the study (Bryman 2012: 424). I have read several papers where researcher struggled to find relevant people who were willing to do interviews. However, getting access to interviewees went smoothly in my fieldwork due to my previous contacts with some human rights activists and journalists in Nepal. So, the

identification of the interviewees relied on snowballing; my two established contact pointed me to other relevant persons for my study. The selection of interviewees was guided by my need for a variety of opinions, their expertise as well as the accessibility. What binds them together is their engagement in the field of children's right and child marriage in Nepal.

I have also checked the backgrounds of my participants to ensure their engagement and commitment towards children's right. Right now, they are university professor and human rights activists working in different NGO's and INGO's in Nepal. Two interviews were conducted in a university library, one in interviewee's office and three of them in a cafe. The location was chosen by the participants and the interviews were held between the 19th and 26th of February 2018.

I became very careful to ensure the reliability and validity of my primary data. I have selected renowned and widely praised figure for their work to avoid the risk of getting biased opinions and to increase the reliability of collected data. Also, I have formulated the questions as clear as possible so that respondents understand the questions thoroughly and provide comprehensive answers. I repeated the same questions and pattern to all of my interviewees. I will not claim that my respondents are representative of expert opinions in Nepal. However, they certainly illustrate a range of high profile commentators as they have engaged in the issues of child marriage across the country for a long period of time. So, I believe my respondents opinions can be taken as a representative of expert opinions in Nepal.

I took 6 semi-structured interviews as my primary data. At first, I introduced myself and provided an overview of my research plan. I asked permission for note-taking and tape recording. Then, I asked to introduce themselves briefly about their job and responsibilities. It served as a warm up to get the interviewee in interviewing mindset. I explained measures taken to protect their confidentiality and anonymity. Additionally, I often write newspaper articles in Nepalese media about various issues including politics and social injustices which helped to gain access and trust from my interviewees. Also, participants were requested to share their thoughts and valuable information about child marriage if research question doesn't cover it.

I believe that child marriage can only be tackled when both men and women understand the adverse consequences of child marriage. So, I have chosen three men and three women as my interviewees to get the opinion and information from different perspectives. Hem Thapalaiya, Minendra Shah and Bikash Tharu are men and Sita Pandey, Renuka Thapa and Nikita Paudel are women. Tharu, Pandey and Paudel are children's and human rights activists who work for different reputed NGOs and INGOs in Nepal. Shah is a professor in one of the reputed universities and a human rights activist in Nepal. Thapa and Thapalaiya are journalists in reputed national dailies and human rights activists in Nepal. All of my interviewees are in their 40s and 50s. They are against the practices of child marriage and suspicious about the role of government and other stakeholders. The interviews were recorded and the language of communication was Nepali. Later, I translated it into English. Each interview took 30- 50 minutes. I have respected the choice of my interviewees by not mentioning in details background about them and their working institutions because of privacy and confidentiality.

3.2 Why semi-structured interview?

During the methodology course I learned that no method strategies are necessarily superior or inferior than other. However, certain methods are more effective and efficient while doing research about some issues. Also, the challenges for the researcher is not only to show which or what data are collected but also how data are collected, interpreted and analysed. Sifting through the various kinds of methodological pathways, semi-structured qualitative interviews best suited my thesis because I wanted to find out the viewpoints and opinions about child marriage from various activists. Despite limited time and resources, qualitative interview was efficient and effective.

In simple word, interview is a method of generating conversation which yield people's experiences, values, attitudes, feelings and opinions about specific topic. It is one of the key methods of social research. There are different forms of interviews such as journalistic interviews, research interviews, therapeutic sessions, legal interrogations and so on. Research interviews have the purpose of producing knowledge. Semi structured interview can be understood as a conversation that has a structure and a purpose of obtaining descriptions of

the life world of the interviewee in order to interpret it's meaning (Kvale and Brinkmann, 2009, pp.2-3).

Structured interview, Semi-structured interview, the unstructured or focused interview, and the group interview are basically four types of interviews used in social research. Unstructured and semi-structured interview are often termed as qualitative interview by the researchers. Researcher can formulate a survey type of structured interview questions but an unstructured and semi-structured interview allows the interviewee to answer without being confined by pre-formulated questions with a limited range of answers (Bryman, 2012, pp. 469-470).

Structured interview is designed to answer clearly specified set of research questions that are to be investigated and measured but qualitative research is open, flexible and give space for interviewees own perspectives. The researcher has a list of questions or specific topics to be covered as an interview guide, but questions not included in the guide can be asked during the interview to get in-depth information in semi-structured interviews. However, the designed question or theme give less change for interviewee to talk freely on whatever comes up (Bryman, 2012, pp.470-471). This is why I have chosen semi-structured interviews as I wanted to know the perspectives of different stakeholders within child marriages. The relevant information from the interview shall be collected and analysed to dig a better understanding of causes and prevention measures of child marriages.

Findings from the academic interview can contribute substantial new knowledge to a field but researcher should be aware about the technical and conceptual issues of an interview project. For instance, researcher should acquire skills to avoid influencing the interviewees with leading questions, not to harm them, to select appropriate number of interviewees, to interpret their viewpoints genuinely and so on (Kvale and Brinkmann, 2009, p.15). According to Kavle and Brinkmann, thematizing an interview project, designing, interviewing, transcribing, analyzing, verifying, and reporting are the seven stages of an interview investigation (Kvale and Brinkmann, 2009, p.20). I followed these stages. At times, I had to remind them the research question and topics so that they do not get carried away. So, semi-structured

interview was efficient and effective.

3.3 Challenges

I did not face such obstacles in my study as my primary sources were from interview and it was not difficult to contact them. However, I was very worried that no one might care or give importance about my thesis topic since large sections of society in Nepal is accepting child marriage not as a severe human rights violations. Luckily, I felt comfortable during interview because I found all my interviewees committed and serious about child marriage.

Also, I was worried that interviewees might feel uncomfortable to share their information and opinions. Fortunately, it was an additional advantage to be a Nepalese citizen as my interviewees trusted and accepted me as an insider. Child marriages is predominately high among Dalits in Nepal. Historically, Dalits lack access to resources, knowledge, and education. They have been discriminated and exploited for centuries. So, I became more sensitive towards their socio-economic and cultural contexts. Also, I convinced them that their opinion and information will not be misinterpreted and will be kept anonymous.

3.4 Limitations

Normally, a good fieldwork demands the full time involvement of a researcher over a lengthy period of time and it involves distinctive methods and techniques, sustained involvement with people of own or other culture (Chaudhuri and Chaudhuri, 2014, p. 1). I only had one-month time for field work in Nepal. However, one month was sufficient to conduct qualitative interviews for a master's thesis. Also, additional information was collected via Skype and email. Language skills is very important for good field work (Chaudhuri and Chaudhuri,

2014, p. 127). I had required language skills as my first language is Nepali and I interviewed people whose mother tongue is also Nepali. However, another limitation was that there are some words which do not have proper English translations. So, I became very careful while reporting and transcribing their information and opinions in English.

Researchers may not be detached, impartial and distant expert as they might have certain personality and perceptions on different issues (Crawford et al., 2017, p. 5). I am aware about that power dynamics are evident in the fieldwork between researchers and researched, mainly when research is associated with class, ethnicity, gender, sexuality and so on (Crawford et al., 2017, p. 7). I was honest to clarify that I am against the practice of child marriages because it has several adverse consequences and violates human rights of children. Also, I acknowledged the challenges in prevention of child marriage. I assured interviewees of not being biased intentionally while transcribing and analyzing their opinions and information.

3.5 Risks

Dangers in fieldwork are unpredictable and no researcher should underestimate the potential threat and violence to you and the participants. There can be uncontrollable factors and different types of threats (Crawford et al., 2017, pp. 158–159). There were no dangerous risks while doing field work in Nepal. Child marriage is widely discussed matter and is not sensitive enough either politically, religiously or culturally to harm myself or my interviewees. However, some of my interviewees has actively engaged in filing child marriage cases at police station and often they fail to do so. They get pressure from police and politicians to negotiate. So, I was careful to avoid any possible rare risk from conservative people who supports child marriage. This is why I have kept my interviewees anonymous to avoid any possible risks in future. Also, I was very careful in not hurting or blaming my interviewees for the existing situation as they might feel offended or lose their temper.

3.6 Ethical considerations

I became careful in Bryan's four main points while considering ethical issues i.e. no harm to participants, informed consent, no invasion of privacy and deception (Bryman, 2012b, p. 41).

Child marriage is illegal and punishable up to 3 years in prison and fines. So, interviewing child bride and groom and their parents has many ethical considerations. However, I only interviewed various children rights activists. So, comparatively there were few ethical considerations. I introduced myself, provided an overview of my research plan and explained my aim prior to the interview session. Also, I took verbal consent for interview. I assured that their information and opinions shall not be misinterpreted and their identity shall not be disclosed to avoid any possible harms in future.

The ethical concerns should be taken in considerations from the interview investigation to the final report. In other words, consent, privacy and confidentiality should be guaranteed and the transcribed text and its analysis should not be misinterpreted. Also, interviewer should be careful in not hurting the feelings of interviewees as a part of ethical and moral concerns (Kvale and Brinkmann, 2009, p. 16). Interviewees are kept anonymous to maintain confidentiality and privacy. I neither criticized nor blamed them for their role in preventing child marriages and became careful not to make them feel guilty. I hope that the findings of my thesis will help policy makers and activists to take necessary action in vulnerable areas and communities in future.

4. Findings and analysis

The earlier studies of child marriages and discussions of children and human rights has been used to analyse my primary data as a theory. As mentioned earlier, I interviewed 6 people who are working in the field of children's right. In this chapter, I have presented my main findings and analysed the interventions measures that were successful and propositions for interventions that could be successful. Also, I have organized the opinions of my interviewees in to several different themes. The themes have been discussed, analysed and evaluated against the earlier literatures with in a human rights framework.

4.1 Support to vulnerable brides, grooms and families

According to my interviewees, some poor families believe that early marriage can decrease their financial burden as they do not have enough food for all. However, they stress that the law prohibiting child marriage alone will not be sufficient to change the deeply rooted

understanding about child marriage. The government of Nepal should work together with other stakeholders to support vulnerable families who are more likely to marry their children at a young age. The support can be in various ways such as offering job to one member of poor family, providing paid scholarships to the children for schooling and so on. My interviewees accepted and appreciated that there are already some welfare benefits to marginalized and poor people in Nepal. However, the benefits should be increased gradually and the government should make sure the benefits taken are being utilized properly (Pandey, 2018; Tharu, 2018 and Shah, 2018).

“I have personally met many parents who regretted that they married their daughter at an early age. Many child brides suffer from domestic violence... Some of them come back to their parent’s home. They are forced to remain in desperate economic situations. Issues like dowry and extra-marital affairs are also common, worsening the situation of bride and their parents... These examples can be used nationwide to convince people about the consequences of child marriage” (Pandey, 2018).

The poor families often conduct marriage with the family of their own standard, meaning their daughter still suffer in the new family. So, my interviewees believe that government should work at the community level in the most affected region with association of Dalit leaders and activists to raise awareness about the importance of education and negative consequences of child marriage to convince that their daughters life will be ruined when they marry her at early age (Tharu, 2018; Shah, 2018 and Thapa, 2018). Most of the earlier researches focuses on poverty and argues that poor people are more likely to marry their children at early age. This is also true in context of Nepal as per my interviewees. However, they also raise the issue of patriarchal society and discriminatory mentality that fuels for child marriage rather than poverty.

In Nepalese society, once a child got married, most of the government authorities do not try to separate them as they worry that mainly a girl child will suffer more when separated. There is

high chance that the bride will be neglected by her own family and the probability of second marriage decreases because still many people want their wife to be virgin. Often, society blame a little girl for being incapable of handling family. When a child marriage is made void. It is much challenging for a child bride compared to groom because of social structure and gender discrimination in Nepal. Some earlier researches categorize this kind of gender based discrimination raised by my interviewees as a result of patriarchal mentality (Pandey, 2017, pp. 242-243 and Sagade, 2005, p. 2).

Similar to the earlier researches, my interviewees believe that government must have support mechanisms for victims who want to leave their child marriage. Beside compensation from the guilt party, the government should have shelters for girls and women if their parents do not accept them for disobeying parent's decision for marriage. Counseling, legal aid, financial support, education, life skills trainings, employment opportunities, and health services are some support programs which might be necessary for victims who want to leave child marriages. The support mechanisms will also help victims to seek legal remedies (Anita Raj et al., n.d., pp. 1–2 ;Pandey, 2017, p. 246 and Svanemyr et al., 2012, p. 2).

There are many projects from government of Nepal, NGOs and INGOs which have been launched to prevent child marriages, but with little results. In line with previous researches, my interviewees also regarded poverty as one of the major cause and the support to the needy families in various ways helps to prevent child marriage. However, one must keep in mind that a girl child is more vulnerable than a boy among poor families as a result of gender based discrimination. This shows that poverty alone is not responsible for child marriage.

4.2 Amendment and enforcement of laws

“It is very unfortunate that when someone kills a cow, they receive more punishment than someone marrying a child... Considering the seriousness of offense..., there should be more imprisonment and fines for child marriages” (Pandey, 2018).

My interviewees claim that there are few cases registered in police for child marriage than

actual. And only few of them reach to the court because of barriers in accessing legal remedies as it is time consuming and expensive. In most of the cases child bride and groom are compelled to drop out from school and work for livelihood. Some families give pressure to their sons to marry for domestic help and child bride working like a domestic servant is not considered as a child labour. So, they strongly argue that child marriage should also be recognized as a form of child labour. Several previous researches also shows that the enforcement of laws requiring marriages to be registered is weak in Nepal (Pandey, 2017, p. 243). However, most of the previous literature hasn't recognized child marriages as a form of child labour. My interviewees regarded that child marriage is also a form of child labour because they are often forced to work in house and agriculture field, depriving them from education.

Sexual intercourse with a girl below age 16 is defined as a rape and is punishable up to 15 years of jail sentence according to civil code of Nepal. The child marriage exposes young girls in to early sexual intercourse. However, it is generally not reported as a rape because physical relation with wife despite her age is considered as normal. So, the government should punish the guilty party as a rape if bride is younger than 16 (Pandey, 2018). At first, I was not sure about the law but I found having sexual intercourse with a girl below age of 16 is defined as a rape when I checked the civil code of Nepal ("Muluki Ain," n.d., p. 388).

My interviewees insist that child marriage should be made illegal and punishable despite religion, custom, or traditional practices. Also, premature sex with individuals younger than 18 should be considered as rape because they are not mature enough to give consent for it. Sexual intercourse with a child with or without their consent should be taken and prosecuted as a rape to discourage child marriage. The issue of child marriages has been debated for more than a century but unfortunately it has remained a low or no priority subject for those who are in power. The practice of child marriage is a genuine problem in Nepal which is against both the national laws and the international treaties such as CRC and CEDAW. However, my interviewees strongly consider that the politicians and law enforcement officials in Nepal haven't been sensitive to prevent child marriage which shows less commitment towards women's issues as discussed by previous researches (Freeman, 2017, pp. 47–48).

I requested my interviewees to share some of their experiences and the ground reality is heart touching.

“I have witnessed many police officers denying or discouraging to file an official complaint of child marriage. Police try to persuade victims not to punish their own parents. They help to settle down the disputes in the name of family honour and family matters through negotiation. So, there must be a legal provision to take actions against law enforcement officials who deny taking child marriage complaint or who do not take necessary action to prevent it” (Pandey, 2018).

“I have seen some parents who marry off their young daughter in exchange of no dowry. Sometime the bride parents even accept money from the groom if she is very beautiful. And not all family do so because of poverty. They are confident that they can bribe local government officials and police to avoid any punishment. Also, people and organisations working against child marriage receive threats not to file an official complaint” (Tharu, 2018).

Nepal is a member of the South Asian Initiative to End Violence Against Children (SAIEVAC), which adopted a regional action plan to end child marriage. Also, The Government of Nepal, under the leadership of the Ministry of Women, Children and Social Welfare, began to develop its strategy in March 2014 with the support of UNICEF Nepal and Girls Not Brides Nepal. At the Girl Summit in March 2016, the Nepal Government committed to strive to end child marriage by 2030. However, the implementation plan hasn't been finalised yet. This shows that the government of Nepal do not have any problem to sign treaties and promise to end child marriage as they do not have obligations to put into action. Many years has passed making laws and giving promises to end child marriage. Now, it is time for practical actions (Pandey, 2018).

The three-month time limit is insufficient for reporting a complaint from the date of child

marriage. In some cases, the child victim is not in a position to file a complaint within the required timeframe due to lack of knowledge of legal procedures. So, the government should amend laws so that one does not require to file a complaint within limited timeframe. (Thapalaiya, 2018). Sagade stresses the insufficient role of women's perspectives and opinion in national and international laws (Sagade, 2005, p. 2). The situation is similar in context of Nepal as mostly the legal and political mechanisms is dominated by men resulting weak implementation of laws prohibiting child marriages.

Child marriages may be declared void by either party to the marriage after he or she turns 18 years old, but only in cases where the couple does not have any children from the marriage ("Muluki Ain," n.d., p. 399). This legal requirement that individuals should be at least 18 years of age and cannot have children at the time of initiating legal proceedings to void a child marriage constitutes a major practical obstacle. So, there should be legal provision that explicitly declare child marriage as void despite having children. Also, the government should establish a protection and support scheme for children wishing to void their child marriage (Pandey, 2018). During the interview sessions, I clearly noticed the pain and sadness of Pandey and her helplessness for not being able to protect child brides. Also, comparing to my men interviewees, women were more vocal about strict laws and its implementation.

According to my interviewees, there have been several court decisions which issued directives to the government of Nepal to amend inconsistencies in legal provisions and eliminate child marriage through effective enforcement of the law. Many court decisions directed the government of Nepal to adopt awareness raising, legal, financial, and institutional measures against traditional practices such as child marriages, dowry. Also, Nepal has signed many international human rights treaties that condemn the practice of child marriage and requires government to take all actions to eliminate it. Unfortunately, government of Nepal has been busy in signing treaties and making policies but fails to enforce it. Also, the report by Human rights watch shows the negligence of police officers and government officials by not registering the child marriage complains ("Human rights watch," 2016).

"The government of Nepal has not fulfilled the commitments because politicians and law makers where men are in majority positions are not

serious about the consequences of child marriage. Politicians has been slow to act sincerely for thousands of children..., mainly girls whose sufferings are legitimized in the name of religion, custom, and tradition. It is less significant for men law makers and law enforcement officials” (Thapa, 2018).

Strong laws and its proper implementation can play a vital role to change the social behavior and attitude of people. However, as argued by Sagade, majority of law makers in Nepal are men and they have been slow to act sincerely for hundreds of thousands of girls and women whose sufferings are legitimized in the name of religion and tradition. The weak enforcement and insufficient laws against child marriage, and mild punishment for violators of laws proves less commitment towards gender equality and women empowerment (Sagade, 2005, p. 2). Unfortunately, CRC does not even refer specifically about harmful traditional practices such as child marriage and it has weak implementation system (CRC, 1989). It could be because male dominated legal system and political institutions are less sensitive towards women’s issues as argued by Sagade. This is why countries like Nepal keeps signing international human rights treaties and amends national laws but are not obliged to obey it.

The government of Nepal has introduced several bills to change civil and criminal laws aimed at child marriages and sexual violence in the Parliament. However, the implementation of the laws and action plan has been very weak which reflects less commitment of government to address the socio-economic causes of child marriage. The government must fulfill its duty to initiate investigation and prosecution against child marriage.

4.3 Awareness of the legal and negative consequences of child marriage

"Although not sufficient, there are some cases where court has given fine and jail sentence to the groom marrying a child bride, priest performing the wedding and other guests attending the wedding ceremony. I have personally helped in some of the cases in Dailekh district..." (Thapalaiya, 2018).

In most cases, victim or other people do not report child marriage to the police because it is widely considered as private and family affairs. Also, many cases of child marriage are settled informally through negotiations because of social and political pressure. The victim or the person supporting on their behalf are often forced either not to file a complaint or withdraw it. Many people mainly from marginalized communities are not aware about the legal age of marriage. Some people are not even aware about the legal consequences of child marriage. So, Government of Nepal should work together with different stakeholders to educate people that child marriage is not only evil practice but a punishable crime (Paudel, 2018 and Thapalaiya, 2018). As discussed by Freeman, those who are in power ignores violations women suffer in private sphere such as child marriage (Freeman, 2017, pp. 47–48).

Ministry of Information and Communication should work together with mass media and other stakeholders to launch legal awareness-raising programs with particular focus on the districts and communities where the practice of child marriage remains high. The ministry should work to promote awareness about the legal age of marriage and legal protections against child marriages. For instance, Dalit population should be targeted. Ministry of Education should lobby to keep chapters in school about information about the legal age of marriage, punishments and the adverse consequences of child marriages. Ministry should also work with teachers and student leaders to increase awareness in school and community by enhancing their capacity and funding them (Pandey, 2018 and Thapalaiya, 2018).

Sometimes there is a very thin line between good practices and harmful practices which are discriminatory towards girls and women or anyone. My interviewees acknowledge with the previous studies that the Dalit communities should be made aware about the negative consequences of harmful practices child marriage so that they change their traditional mentality towards it. Any traditions or practices which are degrading towards anyone should be taught as harmful practices to the communities who have been marginalized and excluded from education for centuries (Ellsberg et al., 2015, p. 1555).

“I have come across many parents and local political leaders who consider child marriage as completely normal which everyone does... They have repeatedly performed and attended child marriage ceremony. They do not have any fear of possible fine and jail sentence for breaking law” (Thapa, 2018).

All of my interviewees has stressed the need of changing attitudes towards child marriage as they have witnessed many people including teachers, politicians, and government officials attending child marriage. Although not enforced properly, there is a law that can punish the attendees in a child marriage. The first step towards solving any problem is to acknowledge that there is a problem. The insensitivity of those people who are in power towards child marriage proves that they do not categorize it as a serious human rights violation and punishable crime. However, it is high time to enforce the law and categorize people attending in child marriage as immoral, socially unacceptable and punishable.

4.4 Keeping children in school

According to my interviewees, the number of children enrolling in class 1 has significantly increased in Nepal in recent years. Unfortunately, school dropout has been very high. There are several reasons for it including poverty, lack of commitment in girl's education, child labour, child marriages and so on. Keeping children in school can help to reduce child marriage. Government of Nepal is giving some scholarships to Dalit students but they are not enough. Giving breakfast and lunch at school has also been helpful in some cases to attract children from poor communities. Providing job opportunities or financial support for poor families who are dependent on the income of their young children can be useful too. The government must support Dalit communities to encourage them to send their children in schools. Lack of education is one of the reason for persistent nature of child marriage. So, government and other stakeholders must work for keeping Dalit children in school by using different means such as by the cost of education including tuition fees, uniform, book, pens bags and other necessities. Also, the government of Nepal should also work with different stakeholders to ensure that child bride or groom continues their education.

Most of the previous research and the recent studies by Nub Raj Bhandari published in Journal of International women's studies also agrees the role of schooling in preventing child marriages (Anita Raj et al., n.d., p. 4 and Bhandari, 2019, p. 7). Nepalese women are married by age 17 on average and nearly 48% of the women who married before their 16th birthday had no formal education. Also, girls having primary education are 29% more likely to marry after attaining age 16 than those without any education. And girls with higher secondary education are 38 times more likely to marry after 16 (Pandey, 2017, p. 244).

Keeping children in school can be very influential to prevent child marriage in Nepal but it doesn't automatically guarantee that keeping children in school will prevent child marriages as there are still many factors that can be problematic. For instance, girls have little or no power to go against family decisions in many circumstances. Also, most of the previous researches knowingly or unknowingly escaped the role of infrastructure as one of the major reason for school dropout which increases the chances of child marriage. For, instance, it is difficult for children to attend school due to physical distance as there are only few schools in rural areas. Also, motivating young children to continue their education sincerely as it increases the chance of getting independent and honest life partner can also be beneficial.

The newly elected government of Nepal has initiated a campaign to enrol children in to school to increase the existing 97.2 percent of enrolments. The campaign is mainly focusing in districts in plain region where child marriage is very high. The prime minister and many celebrities promised to help at least one out of school children ("School enrolment," 2018). However, it is very early to judge government's motives because the major problem is not in enrolment of children in to school but keeping them. So, I hope government will bring plans and policies such as scholarships for poor families, free day meals, free books and other stationaries to reduce school dropouts. All of my interviews are doubtful about the implementation part because of high corruption and inadequate budget in education.

4.5 Illegalising and discouraging dowry

Girls from the poorest families marry earlier than those from the wealthiest because of poverty. There is a trend that guardians of a young bride can avoid higher dowry price. The demand for dowry tends to increase with girls age and education level. Demanding dowry, forcing someone to pay a dowry or violence for not paying a dowry has been recognized as

domestic violence and punishable by law with imprisonment and fine. However, poor family members are often unable to seek legal remedies. Unfortunately, the government of Nepal has not systematically acted with impartial investigations and prosecutions to address the dowry related crimes. Hence, some end up with marrying at early age to avoid higher price in dowry. Dalits are already economically backward and the dowry practice is one of the reason for the high child marriage rate among them. Unfortunately, law makers haven't been sensitive enough to understand the relationship between dowry and high child marriage rate among Dalits. The awareness campaign against dowry practice and a law with severe punishment for someone asking dowry by force is required (Pandey, 2018; Shah, 2018 and Thapa, 2018).

All of my interviewees mentioned about the connection between dowry and child marriage. They stressed the urgent need of discouraging and criminalizing dowry in order to reduce child marriage. I asked them to share some examples about how dowry has relation with child marriage. One of the answer was very interesting that resembled both dowry as well as gender discrimination.

“Once I met a couple in a village who had five daughters and one son as a last child. The couple were expecting for a son, because of which they kept giving birth to a new child. They did not have strong economic situation to give proper education to the daughters... So, they decided to marry them as early as possible to avoid extra financial burden for their upbringing. And the trend that less or no dowry is required when bride is young convinced them furthermore for child marriage. On the other hand, their son got good schooling and all facilities that were not available to daughters...” (Pandey, 2018).

Previous literatures collaborate with my interviewees opinion that strictly prohibiting and discouraging dowry will help to prevent child marriages as child marriages are more likely among poor families for no or little dowry (Anita Raj et al., n.d., pp. 1–2 ;Pandey, 2017, p. 246 ; Svanemyr et al., 2012, p. 2 and Bhandari, 2019, p. 5). In my opinion people who seeks dowry or ask for it by forcing girls and their families should be severely punished. However, any materials that has been given by girls or boys family member willingly for the betterment

of their grownup daughter or son should not be considered as punishable crime. So, the distinction between the practice of dowry where most of the girl's family member are forced to pay groom's family member and any financial help given willingly should be considered.

4.6 Preventing 'child love marriage'

According to interviewees, some families have stopped marrying their children due to fear of 3-year imprisonment and shame. However, children marrying themselves calling it as 'love marriage' is another challenge which needs to be addressed as well. There are same consequences whether it is 'arrange or love child marriage'. Due to poverty young girls from poor communities such as Dalits are more likely to marry themselves at young age.

Upon my request, my interviewees shared their experiences in field relating to 'child love marriages'.

“When I was in field work in Bajhang district, I asked the reason of early marriage to a child bride who was 15. She eloped with an unknown guy who used to do telephone call... She described about the struggle in a poor family for livelihood and her hope that husband can fulfill her basic needs” (Thapalaiya, 2018).

“Few years back, child bride used to get married to a much older man but today the age gap is decreasing. Also, I have noticed that there are many child bride and child groom, mainly when they marry themselves. Love child marriage is increasing... and again the situation is worse among Dalits and indigenous communities in Nepal. Some people blame movies for the cause of child love marriages” (Thapa, 2018).

My interviewees claim that there is no evidence that movies and social media are responsible for misguiding children for early marriage. Also, most modern society in the West do not marry at early age. However, even if there is any kind of relation between movies, social

media and child marriage in Nepal; it should be used as a tool to educate teenagers about the negative consequences of child marriage and the physical and mental risks of premature sex. So, necessary reproductive and sexual health education should be provided to the children in schools.

I personally know many children who got married before they turned 18 calling love marriage. Also, there are other researches which verify the role of love marriage. The report shows that 32% of the child marriages are through their own desire which mainly includes love marriage and some agree for arrange marriage for various reasons including sexual desire (Bhandari, 2019, p. 3). The study shows that the children from poor families are more likely to have child love marriages (Bhandari, 2019, p. 6). It is impossible to end teenagers involving in sexual activity but it can be reduced with reproductive health education. For instance, they should be taught about adverse consequences of early physical relation. Most of the previous researches ignored the new challenge of ‘child love marriage’. Also, the cases of ‘child love marriages’ are in large numbers than I imagined. So, it is very vital to work from different perspectives to prevent child love marriages.

4.7 Ending discrimination and conservative mentality

“Birth, marriage and death are three vital events in most people’s lives. However, only marriage is a matter of choice. Unfortunately, many people are denied to exercise the right to choose their own partner which has been considered as a matter of human rights” (Shah, 2018).

There is a patriarchal mentality in Nepal that younger wives are more obedient towards husbands and it is necessary to secure male dominance in the household. There is a belief that child brides can adjust to the husband's family more easily. It is often perceived that wife will have less harmony and respect towards husband if husband and wife are of same age than. Comparatively, it is easier to dominate and exploit younger wife, both physically and sexually. Also, some consider daughter as other’s property and it is better to marry at early age to complete the guardian’s duty. The child marriage will continue to prevail in society

until and unless there is change in discriminatory mentality between son and daughter. My interviewees suggest that stakeholders should work with Dalit and other communities where child marriages are high to promote positive attitude towards girls (Tharu, 2018 and Shah, 2018).

“Although the trend is changing slowly, many are bound to marry to a person chosen by their parents... at any age and they lack courage to raise voice against it. Mainly, girls are the worst victim of this practice as fathers, brothers or male members of the family mostly decide in their favour. And girls denying parent's decision for marriage and expressing opinions about the choice of a life partner are seen as unsocial and dis-obedient” (Tharu, 2018).

“Parents marry their daughter at early age in order to escape from the burden of raising their daughter because of poverty or fear of premarital sexual relations. However, the burden transfers from parents to child bride as she suffers the most from the new role in husband's home, both physically and mentally. We need to convince parents among the Dalit communities about the sufferings of their daughter” (Thapalaiya, 2018).

In a patriarchal society, it is true that girls are more likely to suffer from child marriage. However, even groom suffer a lot. Most of them have to stop their schooling and struggle to feed their families. In this way, both bride and groom will suffer throughout their life. So, it is also the responsibility of civil society in democracy to make government accountable for strong enforcement of laws and to educate society that girls are as valuable as boys.

Article 16 of Universal Declaration of Human rights, 1948 states that the decision to marry must be made with free and full consent of the intending spouses and they must be at full age to enter marriage (“Universal Declaration of Human Rights,” 1948). The recent findings showed that women with more education are more likely to control over their choice of

husband. So, family members, society, neighbors, relatives and religious leaders start pressuring to marry daughters starting as early as thirteen because the tradition requires no or little consent of girls (Bhandari, 2019, p. 5). Furthermore, several earlier researches shows that poverty is not the only cause of child marriage because girls are disproportionately more likely to get married than boys even in poorer families. The gender-based discrimination between son and daughter, social norms such as younger wife will be more obedient are interlinked for child marriage (Sagade, 2005, p. 4).

“I have encountered several times in the field with angry Brahmin parents shouting about the consequences if their daughter will do love marriage with a lower caste partner” (Thapa, 2018).

People from higher and lower caste worry about their daughter’s premarital sexual relations, which is seen as sin and stigma to the family. So, conservative family member from both lower and higher caste gives pressure to their daughters to marry at young age to avoid any premarital sex. This is also a matter of gender inequality because they do not care much about the premarital sex of their sons. So, Parents often arrange child marriages to avoid inter-caste marriage in future because when they are adults they are more likely to choose their own life partner (Thapa, 2018 and Tharu 2018).

The practice of child marriage is decreasing among high caste population. However, the child marriage rate is still terrifying among Dalits and indigenous who are economically and socially marginalized because of their caste identities. For generations, Dalits got less opportunity to schooling. They were even denied to go to school and large section of Dalit population are still illiterate, ignorant and confined by age-old traditions. Some are unaware about the legal, health and social consequences of child marriages. The discrimination and isolation for them makes it difficult to refrain from inhuman practices such as child marriages. There are some practices like kidnapping a child and marrying her as a tradition in some Dalit communities and rulers from higher caste did not bother about it. So, caste based discrimination must be reduced to end traditions such as kidnapping a child to get married (Thapa, 2018 and Tharu 2018).

There are some earlier researches which confirms that caste based discrimination as fueling factors for child marriage. Despite the financial status of the families, the fear of parents that a daughter might choose someone beyond their caste and community is catalyst to early marriage (Bhandari, 2019, p. 6 and Pandey, 2017, pp. 245). However, most of the research papers about child marriage in Nepal did not focus caste based discrimination as one of the major cause of child marriage. Although I do not believe in caste discrimination. I belong to Brahmin family and I have heard my relatives and neighbors talking about possible love affairs of their children with low caste person. I do not believe in caste system and I revolted against it in my own family since childhood. One of my interviewee who is from Dalit community was very upset and was angry about the caste based discrimination and its connection with child marriage. All of my interviewees accepted that caste discrimination has direct and indirect influence for child marriage.

4.8 Adequate punishment and compensation

“The enforcement authorities are less willing to punish against child marriage and take it as a social problem due to poverty. However, I have never seen a poor thief or murderer being unpunished because of their economic condition” (Tharu, 2018).

An adult who marries a person below the age of 20 or who arranges a child marriage can be punished with up to three years of imprisonment and a fine of up to 10,000 rupees (approximately USD 100). Punishments for priests, matchmakers, and others who knowingly facilitate the child marriage are less stringent, with up to one month of imprisonment or a fine of up to 1,000 rupees (approximately USD 10). Although child marriage often results in grave forms of physical and sexual violence, the sanctions associated with child marriage are considerably lesser than those prescribed for these forms of violence outside marriage. For example, rape is punishable with five to fifteen years of imprisonment. The punishments specifically prescribed for child marriage are lower and do not correspond with the serious nature of the offense (Tharu, 2018 and Shah, 2018).

The victim might not receive any compensation if the perpetrator fails to pay fine and does not have property to compensate equivalent share of fine. So, there should be obligation on the state party to compensate the victim if a guilt party fails to pay the fine and do not have property to be compensated. This will help victim as well as it will discourage people from doing child marriage because of the high cost they have to pay as a compensation to the victim (Paudel, Nikita). I found that Article 38 and 39 of the Constitution of Nepal recognizes child marriage victim's right to compensation. However, it only requires to be compensated by the perpetrator ("Constitution of Nepal," 2015).

The adequate punishment and compensation is important to discourage aged-old traditions like child marriages and dowry. However, fines and jail sentences to all people from certain communities overnight is not practically possible. Also, people are less likely to change their attitude towards age-old practice if they are unaware about the legal obligations and adverse consequences of child marriage. So, the implementation of strong laws which includes fines and jail sentence alone will not eliminate child marriage. Thus, different stakeholders must collaborate with each other in implementing the compulsory education, compulsory marriage registration, and creating awareness about reproductive and sexual health. The strong political will is also required to eradicate child marriage.

4.9 Mobilising priests and religious leaders

“Priests supporting campaigns to reduce child marriage were praised and rewarded by many in Dailekh district and they became more responsible and committed when their participation was highlighted in both national and local newspapers” (Thapalaiya, 2018).

Most of the Nepalese use religious persons to perform marriage ceremony despite their religious belief on Hindu, Buddhist, Kirat, Christian, Muslim or other religion. The religious leaders should be made aware about the law that can punish the priest performing the wedding. Mobilising priests to educate parents can be very beneficial as most family respect and trust them. They can play a vital role to change the deeply rooted traditional belief that

marriage of a girl after their menstruation is a sin (Thapalaiya, 2018 and Paudel 2018).

Priest can play influential role to change the social norms that consider girls as someone who belong to their husband's family because of which parents are less obliged for their daughters schooling and career. Religious leaders and priest can be mobilised to convince the conservative parents that Hindu texts says nothing about 'marrying before menstruation is a noble practice' (Sagade, 2005, p. 4). Earlier researches also confirms my interviewees arguments that religious leaders can play a huge role in changing conservative mentality. Some girls are married before age 15 due to strong parental religious beliefs related to female puberty (Bhandari, 2019, p. 6 and Sagade, 2005, p. 13).

The law enforcement officials rarely act to stop child marriage and complaint is not filed normally as marriage is seen as a family matter. The awareness should be enhanced about the negative consequences of child marriage so that people will file an official complaint to punish the offender (Shah, 2018). Most of the literatures I have read did not focus on using the successful and unsuccessful stories of married couples. However, I believe with my interviewees that these kinds of strategy can be useful in context of Nepal. Also, the weak enforcement of existing laws shows lack of commitment towards women issues as discussed in the previous literatures (Pandey, 2017, pp. 246).

4.10 Fund and support for different stakeholders

There is always funding problem for organisations working against child marriage. There should be programs to enhance the ability and willingness of enforcement officials to take actions. The government must ensure the effective coordination, cooperation, advocacy, and allocation of technical and financial resources for different stakeholders to prevent, investigate, and prosecute child marriages (Thapa, 2018 and Thapalaiya, 2018). Mothers and Child clubs has been very effective in some districts including Dailekh. Toll free number to inform police about the possible child marriage has been useful. Rich families conducting child marriage as a tradition should be severely punished. However, one need to keep in mind that it is not possible to give jail sentence to all families who are in extreme poverty. So, there

need to be multiple strategies to reduce child marriage (Thapalaiya, 2018).

Engaging children by forming Children club can be beneficial not only to reduce child marriage but also to fight against other forms of children's rights violation such as child labour, child trafficking, domestic violence and so on. The reproductive and sex education can be useful to reduce premarital and premature sex among teenagers. So, the government should focus to train, assist and fund the children clubs. Members of mothers and children club can play significant role to create awareness about negative and legal consequences of child marriage. Also, not only girls but young boys should also be mobilized in child clubs against child marriages (Sita 2018 and Thapalaiya, 2018). When children gain their self-confidence, they can initiate dialogues with their parents about legal and negative consequences of child marriage (Thapa, 2018).

Empowering women and girls with trainings and resources they require helps to prevent child marriages. Public speaking trainings, lectures about the sensitiveness of child marriage organised by child and mother clubs can be very vital in preventing child marriage. This kind of exposures gives them confidence and knowledge to convince their parents and society. Some authors have mentioned the role of self-defense and vocational trainings (Ellsberg et al., 2015, p. 1560). However, most of the previous research about child marriages in Nepal and elsewhere has not paid much attention to consider mother and children club as tools to prevent child marriage.

Ministry of Education, Home Ministry, Health Ministry, and Ministry of Women, Children and Social Welfare blame each other but none of them are ready to take responsibility. The readymade answer for them to escape is that they have very limited resources and lack sufficient budgets (Shah, 2018 and Tharu 2018). As argued by my interviewees, child marriage can be only reduced by the collective effort from different stakeholders. So, the government of Nepal should cooperate with different stakeholders such as Civil society, child and mothers club, teachers and school management teams, Bar Association, National Human Rights Commission, Health Offices, local political and religious leaders, different NGOs and INGOs and so on to fight against child marriage

Police and Bar association can explain about the legal consequences of child marriage. Also, they can give legal assistance to punish one who is responsible for child marriage for free. Health offices can inform about the risks of early pregnancy, still birth, use of contraceptives to avoid pregnancy and so on. Government agencies and NGOs and INGOs can explain about different programs that support child bride and groom and their parents (Shah, 2018 and Tharu 2018). According to Human rights watch report, there is little evidence of the government of Nepal working effectively and authorities rarely intervene to prevent child marriage (“Human rights watch,” 2016). This shows the lack of cooperation and coordination between government agencies and private stakeholders to implement the laws against child marriages.

4.11 Media

"There are many successful stories where media played a vital role to reduce child marriage. Unfortunately, there are some cases where some greedy journalist take money from parents performing child marriage in return of not publishing the particular incidence in media. However, they should be punished according to law if found guilty" (Thapa, 2018).

Print, audio and television media as well as social media such as Facebook, Twitter can be very useful. First, to provide information and raise awareness about the illegality and negative consequences of child marriage. Second, to do investigating journalism and informing responsible authorities to stop possible child marriage by executing the legal punishment. Media can gather evidences of child marriage so that responsible one can be punished. Third, to reward, recognize and motivate people contributing against child marriage. So, a responsible media can be very useful to reduce child marriage (Thapa, 2018; Paudel, 2018 and Thapalaiya, 2018).

The government of Nepal should manage system so that people can call or SMS for free

where they can share their discomfort, experience, and lodge complains and ask for suggestions. It should also collaborate with Telecom and other stakeholders to send SMS message via mobile about the legal and negative consequences of child marriage. Also, the message should be sent in different languages beside Nepali or English as there are more than 125 languages in Nepal (Thapalaiya, 2018 and Paudel, 2018).

Most of the literatures I have read and my interviewees also escaped the relation between child marriages and natural calamities such as earthquakes. Girls Not Brides Nepal has been working together in the development of a transparent, inclusive and multi-sectoral national strategy to end child marriage with Ministry of Women, Children and Social Welfare (MOWCSW) in Nepal. It gathered evidence that the cases of child marriages dramatically increased after 2015 earthquake in Nepal. Criminals targeted poor and orphaned children for child trafficking. Also, some families married their children as fast as possible to protect their daughters from traffickers and to ease the financial burden. (“Girls Not Brides,” 2019). In my view, media and civil society can play a major role in reporting such criminal activities which could also be a possible prevention measures of child marriage. Also, responsible government authorities should be quick enough to punish offenders and support the needy child and their families. However, the focus of the thesis is not about the relationship between child marriage and natural calamities.

4.12 Registration of vital events and permissions for marriage

“One needs birth certificates to get admission in schools. People require clearance from Police and education department to go abroad for studies or work. Peoples degree certificate are checked before giving a job. So, the government must strictly register birth records. And why can’t government of Nepal introduce law which requires partners to apply for marriage permission?” (Thapa 2018).

My interviewees claim that the laws requiring marrying partners to apply for a marriage permission can be useful to prevent child marriage as well as forced marriage. The proper registration can enhance the reporting and prosecution of child marriage. So, the strong enforcement of this law can be very beneficial. Unfortunately, there are some parents and couples who issue a fake birth and marriage registration by bribing responsible authorities to

escape from legal consequences. Thus, Ministry of home affairs must develop a mechanism for scientific registration of birth and marriages to avoid fake birth and marriage certificates (Thapa, 2018; Paudel, 2018).

Article 39.1 of the Constitution of Nepal, 2015 guarantees compulsory birth registration of a child ("Constitution of Nepal," 2015). Article 16.2 of CEDAW clarifies that formal or informal marriage of a child shall have no legal effect and State Parties should set a minimum age of marriage and provide a system for compulsory registration of marriage ("CEDAW," 1979). Article 7 of Convention on the Rights of the Child, 1989 (CRC) requires state parties to register birth ("CRC," 1989). Both constitution of Nepal and international human rights treaties create obligations for the government of Nepal to register birth, marriage and other vital events which can be beneficial to prevent child marriages. It helps in ensuring a basis for seeking legal remedies. However, the implementation of the laws is weak which shows less commitment towards the seriousness of child marriage.

4.13 Stability of government and government officials

"There is new hope for the enforcement of laws and implementation of strategies to reduce child marriage now because it is most likely to have a stable government for 5 years now. Before we suffered a lot due to lack of elected local government for about two decades and instable government at the centre... However, now we have both local and central government for 5 years which increases the chance of proper implementation of laws and measures to reduce child marriage. They are reachable and can be held for more accountability and responsibility. Also, the frequent transfer of local government officials is one of the major reason for not getting the expected results in reducing child marriages shall be reduced after new stable government. The enforcement of laws requiring birth and marriage registration can be strongly regulated." (Thapalaiya, 2018).

Only 3 of my interviewees hope for stability of government under elected communist government. Pandey, Tharu and Thapa were skeptical about the stability of government because in the past government used to change every year because of greedy leaders. Also, they did not have much expectation because they claim that most of the elected members in the national and local governments are corrupt, unethical and less sensitive towards issues of women and children. Also, I did not find any earlier researches mentioning about the stability of government for proper implementation of laws to prevent child marriage. Mainly, local government offices and elected politicians can play an active role in raising awareness to prevent child marriage. So, the stability of government and the clean intention of elected members and government officials is very essential for implementation of laws.

5. Conclusion

There are many loopholes in the existing laws prohibiting child marriages and the enforcement of laws is very weak. However, strong enforcement of laws and more punishment for offender is very essential but not sufficient among Dalit population who are already vulnerable economically and socially. The high attention should be paid in convincing conservative family members, religious leaders, relatives, and neighbors as they are typically the initial persons to bring up the proposal of child marriage. The voice of children has little or no impact even if they are against the proposal of marriage. So, the awareness about the legal age of marriage and negative consequences of child marriage must be increased among Dalits.

Children and guardians should be taught about 'age-appropriate' sexual and reproductive health education and services should be made available for them. The proper sexual and reproductive health education helps children and guardians to understand the lifelong adverse consequences of child marriage. So, young children should be motivated to continue their education sincerely for their better future as it helps to avoid child love marriage. The government and other stakeholders should work together to change the mentality of people to

consider child marriage as a grave crime. Different stakeholders should collaborate with each other to reduce child marriage in targeted vulnerable areas and communities.

The study also found that arrange or forced marriage due to poverty or to reduce their economic burden is not the only reason for child marriage. However, there are challenges such as teenagers involving in unsafe sex and getting married by themselves in the name of 'love marriage'. Government, political and religious leaders, civil society, media, NGOs and INGOs, and other stakeholders should work together to educate people about the adverse outcomes of child marriage such as risks to child and mother due to early pregnancy, higher risks of domestic violence, limited opportunities to continue their studies and so on.

Poverty, un-education, unawareness, legal illiteracy, patriarchal society, dowry tradition, culture, adultery risks are few reasons for child marriages and they are often interlinked. In other word, there is no single reason for child marriage because every Hindus, poor or Dalit people do not marry off their child at early age. Likewise, there is no single formula or approach to prevent child marriages as multiple factors are associated with it. Also, preventing child marriage in Nepal is very challenging due to multiple contributing factors. However, the joint coordination and collaboration of different stakeholders can be beneficial. So, there must be multiple strategies to eradicate child marriage in Nepal.

I found out in this study that dowry and poverty are two interlinked major factors for child marriage in Nepal. Society is accepting dowry as an unavoidable aspect of marriage in which it costs more in dowry for educated girls due to which poor families marry off their daughter as young as possible. So, illegalizing and discouraging forced dowry can be very influential to prevent child marriages. Similarly, financial support or employment guarantee for the poor families is required so that they can uphold the cost of their children's upbringing which helps to prevent child marriage.

Ending the discriminatory and conservative mentality that girls are inferior to boys and discouraging caste based discrimination helps to prevent child marriage. The stability of government and the clean intention of elected members and government officials is very essential for strong laws and its proper implementation. This also helps to change the social behavior and attitude of people. Keeping children in school and supporting the needy families with scholarships and studies materials can be very helpful.

The study finds out that in a poor and traditional country like Nepal. Not every citizen has access and time to watch Television, Radio, Newspaper and other medias from where they can learn about the illegality and negative consequences of child marriages. So, different stakeholders should use multiple strategies such as street drama, chapters in school syllabus, drama relating to child marriage in Radios and Television about illegality and adverse consequences of child marriage. Awareness information via mobile SMS, local newspaper and radio can also be very useful. It is very challenging to reduce child marriage in a poor and traditional country like Nepal but it is doable. Unfortunately, Government of Nepal has not worked enough to use different strategies.

Mothers and children club can be very influential in preventing child marriage as it empowers them to speak up boldly, convince their parents and seek help with responsible authorities when required. Also, the religious leaders can play a major role in changing the conservative mindset about child marriage. The stories of couples who suffered from child marriage can also help to educate people. The proper and compulsory registration of vital events such as birth registration and marriage registration is vital to prevent child marriage. Today, most of the parents, religious leaders are aware about illegality of child marriage. So, the government should punish everyone involved in child marriage as per the law. However, fines and jail sentences alone are not sufficient to prevent child marriages.

Child marriage is a violation of human rights as it restricts a child from the right to education, the right to sexual and reproductive health, the right to live freely from all forms of abuses and violence, and right to attainable standard of health. The practice of child marriage disproportionately affects girls and women. It also has negative consequences on the economic, legal, social, cultural and health status of women. Harmful practices like child marriage must be eliminated to achieve gender equality and the empowerment of girls and women. So, the government of Nepal should work together with different stakeholders and respect the obligations and commitments made in international human rights treaties to eliminate child marriage.

References

- Anita Raj, Lotus McDougal, Jay G Silverman, Melanie L A Rusch, n.d. Cross-sectional time series analysis of associations between education and girl child marriage in Bangladesh, India, Nepal and Pakistan, 1991-2011. PLoS ONE Vol 9 Iss 9 P E106210 2014 e106210. <https://doi.org/10.1371/journal.pone.0106210>
- Beattie, T. s. (1), Davey, C.(1), Collumbien, M.(1), Watts, C.(1), Heise, L.(1), Bhattacharjee, P.(2), Isac, S.(2), Javalkar, P.(2), Nair, S.(2), Thalinja, R.(2), Sudhakar, G.(2), Blanchard, J. f. (3), Moses, S.(3), 2015. Supporting adolescent girls to stay in school, reduce child marriage and reduce entry into sex work as HIV risk prevention in north Karnataka, India: Protocol for a cluster randomised controlled trial. BMC Public Health 15. <https://doi.org/10.1186/s12889-015-1623-7>

- Bhandari, N.R., 2019. Early marriage in Nepal: prospects for schoolgirls. *Girls Brides*. [Online] Available at: <https://www.girlsnotbrides.org/resource-centre/early-marriage-in-nepal-prospects-for-schoolgirls/> (accessed 4.30.19).
- Bryman, A., 2012a. *Social research methods*. Oxford : Oxford University Press, 2012.
- Bryman, A., 2012b. *Social research methods*. Oxford : Oxford University Press, 2012.
- CEDAW. 1979. Convention on the Elimination of All Forms of Discrimination against Women 1979. [Online] Available at: <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CEDAW.aspx> (accessed 5.10.18).
- Chaudhuri, S.K., Chaudhuri, S.S., 2014. *Fieldwork in South Asia : memories, moments, and experiences*. New Delhi ; Thousand Oaks : Sage Publications, 2014.
- Constitution of Nepal, 2015. [Online] Available at: <http://constitutionnet.org/vl/item/constitution-nepal-2015-official-english-translation-ministry-law-justice-and-parliamentary> (accessed 5.10.18).
- Crawford, G., Kruckenberg, L., Loubere, N., 2017. *Understanding global development research: fieldwork issues, experiences and reflections*. Thousand Oaks, CA : SAGE Publications, 2017.
- CRC. Convention on the Rights of the Child [WWW Document], 1989. [Online] Available at: <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx> (accessed 11.8.17).
- Ellsberg, M., Arango, D.J., Morton, M., Gennari, F., Kiplesund, S., Contreras, M., Watts, C., 2015. Prevention of violence against women and girls: what does the evidence say? *The Lancet* 385, 1555–1566. [https://doi.org/10.1016/S0140-6736\(14\)61703-7](https://doi.org/10.1016/S0140-6736(14)61703-7)
- End child marriage: Time to act now, 2018. . *Himal. Times*. [Online] Available at: <https://thehimalayantimes.com/opinion/end-child-marriage-time-to-act-now/> (accessed 4.27.19).

Ending Impunity for Child Marriage in Nepal, 2016. . Cent. Reprod. Rights. [Online] Available at: <https://www.reproductiverights.org/document/ending-impunity-for-child-marriage-in-nepal> (accessed 5.2.18).

Freeman, M., 2017. Human rights, Key concepts. Cambridge; Malden, MA : Polity, 2017.

Girls Not Brides - Child Marriage Around The World. Girls Not Brides, 2019. . Girls Brides. [Online] Available at: <https://www.girlsnotbrides.org/child-marriage/nepal/> (accessed 4.30.19).

Human Rights Watch. “Our Time to Sing and Play”. Child Marriage in Nepal, 2016. . Hum. Rights Watch. [Online] Available at: <https://www.hrw.org/report/2016/09/08/our-time-sing-and-play/child-marriage-nepal> (accessed 4.26.19).

Kidman, R., 2017. Child marriage and intimate partner violence: a comparative study of 34 countries. *Int. J. Epidemiol.* 46, 662–675.

Kvale, S., Brinkmann, S., 2009. *InterViews: learning the craft of qualitative research interviewing*. Los Angeles : Sage Publications, cop. 2009.

Marriage Registration Act, 1971. Available at: <http://www.jafbase.fr/docAsie/Nepal/marriage-registration.pdf> (accessed 03.30.19).

Mukherjee, A., Sekher, T. v., 2017. “Do only girls suffer? We too!” Early marriage repercussions on boys in rural India. *Econ. Polit. Wkly.* 52, 75–82.

Muluki Ain, n.d. [Online] Available at: http://nepalconflictreport.ohchr.org/files/docs/1963-04-12_legal_govt-of-nepal_eng.pdf. (accessed 03.30.19).

Nepal Census, 2011. [Online] Available at: <https://unstats.un.org/unsd/demographic-social/census/documents/Nepal/Nepal-Census-2011-Vol1.pdf>. (accessed 03.30.19).

Pandey, S., 2017. Persistent nature of child marriage among women even when it is illegal: The case of Nepal. *Child. Youth Serv. Rev.* 73, 242–247. <https://doi.org/10.1016/j.chilyouth.2016.12.021>

Pandey, Sita. 2018. *Child marriage*. Interviewed by Suman Baral. Kathmandu, Nepal. 2018-02-19.

Paudel, Nikita. 2018. *Child marriage*. Interviewed by Suman Baral. Kathmandu, Nepal. 2018-02-24.

Sagade, J., 2005. *Child marriage in India : socio-legal and human rights dimensions*. Delhi ; Oxford : Oxford University Press, 2005.

School enrolment campaign starts on April 15, 2018. [Online] Available at: <http://kathmandupost.ekantipur.com/news/2018-04-07/school-enrolment-campaign-starts-on-april-15.html> (accessed 5.30.18).

Shah, Minendra. 2018. *Child marriage*. Interviewed by Suman Baral. Kathmandu, Nepal. 2018-02-20.

Susan Lee-Rife, Anju Malhotra, Ann Warner, Allison McGonagle Glinski, 2012. What Works to Prevent Child Marriage: A Review of the Evidence. *Stud. Fam. Plann.* 287.

Svanemyr, J., Chandra-Mouli, V., Christiansen, C.S., Mbizvo, M., 2012. Preventing child marriages: first international day of the girl child “my life, my right, end child marriage.” *Reprod. Health* 9, 31–31. <https://doi.org/10.1186/1742-4755-9-31>

Thapa, Renuka. 2018. *Child marriage*. Interviewed by Suman Baral. Kathmandu, Nepal. 2018-02-21.

Thapalaiya, Hem. 2018. *Child marriage*. Interviewed by Suman Baral. Kathmandu, Nepal. 2018-02-26.

Tharu, Bikash. 2018. *Child marriage*. Interviewed by Suman Baral. Kathmandu, Nepal. 2018-02-22.

Universal Declaration of Human Rights, 1948. [Online] Available at: <http://www.un.org/en/universal-declaration-human-rights/> (accessed 1.16.18).