

CHILD MARRIAGE LAW

and freedom of choice

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THE government of Bangladesh is presently contemplating a move that would permit girls to marry at 16 with parental consent and/or approval from courts. If the law is passed, it would mark the first occasion that the legal age of marriage has been lowered in the Indian subcontinent since the "Child Marriage Restraint Act" came into effect in 1929.

Despite significant progress in improving gender equality and declining poverty in recent years, Bangladesh has one of the highest rates of child marriage among girls in the world: two-thirds of women marry before the age of 18. The current law forbidding the marriage of minors (below the age of 18 for girls and 21 for boys) is frequently ignored and rarely enforced.

The Bangladesh government argues that denying parents the legal mandate to marry off their daughters can, paradoxically, lead to a higher incidence of child marriage and create further social problems. The logic rests on the idea that with an increasing number of adolescent girls attending secondary school in rural areas and working in the industrial sector, they are more likely to encounter situations where they may be taken advantage of by men, pressured into sexual relationships or persuaded to elope. In traditional society, marriage provides social protection to girls against these threats and, therefore, the reasoning goes, denying parents the legal right to marry off daughters before 18, not only undermines parental agency but also increases the vulnerability of adolescent girls. A junior health minister remarked last year that the government's proposals to modify the existing child marriage laws were a response to an increased 'tendency to elope' among girls, and 'pressure from rural areas'.

The Bangladesh State minister for Women and Children's Affairs is convinced that a lower age limit, combined with a harsher punishment for breaking the law would be easier to enforce and, ultimately, be beneficial for women. The bill under consideration would increase the maximum penalty from two months to two years in jail. The financial penalty for forcing children into marriage will be increased and changing the bride's official age using a notary public will be prohibited.

This is not the first attempt by the

Bangladesh government to amend child marriage laws. Last year a bill was introduced in the parliament to lower the legal minimum age of marriage for women from 18 to 16.

Following strong opposition from both local activists and international organisations -- including Human Rights Watch -- the government announced last October that the legal minimum age of marriage for girls will remain at 18.

The modified bill currently under consid-

eration was also criticized by human rights activists in Bangladesh on the occasion of International Women's Day earlier this month.

These repeated attempts to amend the law suggest that Bangladeshi lawmakers are genuinely concerned about the social challenges caused by the practice of child marriage and the laws governing such marriage. At the July 2014 Girl Summit in London, the government of Bangladesh made a com-



pleted the "Women's Life Choices and Attitudes Survey" (WILCAS) that interviewed over 6,000 women aged between 20 and 39 years living across 64 districts of Bangladesh and hence provides a unique perspective to the debate.

About 83% of the married women in our survey had their marriages arranged by their parents or other relatives; 38% were married by the age of 15, and 77% by the age of 18. In response to the question 'what was the

most important reason for the marriage?',

only 3% mentioned 'parental concern about my physical safety'. By contrast, 72% answered that their 'parents felt it was too good a proposal to refuse'.

Only 14% of women in WILCAS sample met their husbands without arrangement by their parents. These women were less likely to marry by age 15 (32%) than those who had arranged marriages (39%); and less likely to say that they 'would have preferred to delay their marriage'.

These pre-conditions and institutions do not exist in Bangladesh. The country is consistently ranked at the bottom in cross-country ranking in terms of rule of law index. Lack of governance has undermined the credibility of all institutions including those that are supposed to provide checks to the practice of child marriage.

Our figures and reasoning suggest a different approach to the issue. It is not lack of parental agency, but the lack of agency among adolescent girls themselves which is the main source of their vulnerability. Increased agency among adolescent girls regarding marriage decisions is likely to translate into delayed marriage. Furthermore, it is an important goal in its right, consistent with Amartya Sen's view of 'development as freedom'.

Therefore, any changes in child marriage law should aim to improve the capacity of adolescent girls to exercise their own choice rather than circumvent it.

The writers are Professor of Development Economics & Deputy Director of the Centre for Poverty and Development Studies (CPDS) at the University of Malaya and Senior Lecturer in Economics at the University of Kent, respectively.

These figures contrast sharply with the narrative of the Bangladesh government that parents tend to marry off their daughters early out of concerns for their safety. Rather, it suggests that women who make their own choice of partners -- which access to education and employment opportunities makes possible by providing increased social contact -- are prone to marry later, and more satisfied with their timing of marriage.

In justifying the present bill, the government has pointed out that that legal minimum age of marriage in most developed countries is below 18 years. But it is important to recognise that in most of these societies, arranged marriages are not the norm and the age of marriage is not dictated by social custom. Therefore, children and parents have greater capacity to exercise their agency on the issue. At the same time, functional courts, transparent birth and marriage registration system, life skills training at school, a culture of dialogue at home and child rights protection agencies at the community level further provide checks and balances to ensure that the legal right to marry young is not abused. In this setting, the legal sanction of early marry does not infringe on the human rights of adolescents.

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Providing DSL broadband internet to Upazilas

GAZI MIZANUR RAHMAN

A vibrant mobile telephone market has shot up in Bangladesh within a short period of time. The market had only 10.80 million subscribers in December 2005, but by the end of April 2015, the number rose to 124.70 million, covering 80 percent of the country's population. This growth in the mobile telephone sector, however, could not make any impact on its fixed phone lines (PSTN) counterpart, which covered only 0.7 percent of the population with 1.07 million subscribers by the end of April 2015. Ours is the lowest rate in fixed phone line use in South Asia. It is, therefore, necessary to boost up the fixed-phone (PSTN) market. This can be done by providing broadband internet services over PSTN phone lines, along with voice and fax services. Providing broadband internet over PSTN lines is known as Digital Subscriber Line (DSL), which is popular all over the world.

Bangladesh got submarine cable connection in 2005 which eased the availability of internet bandwidth. There were only 500,000 internet users in 2007. Now we have an internet market of 45 million users that covers 29 percent of the population. But unfortunately, most internet users are using low speed 2-G non-broadband mobile internet, which cannot keep pace with the

fast growing digital world. Since 4-G and 3-G mobile broadband services are not available in the Upazilas, people living there have no alternative but to use low speed 2-G mobile internet. Thus, there is a vacuum for blue-chip investments for DSL by the BTCL.

DSL technology uses traditional phone lines, which requires a modem to be fixed at the user's telephone set and a Digital Subscriber Line Access Multiplexer (DSLAM) to be fixed at the telephone exchange. The phone lines can then provide high-speed internet without intervening the voice telephony. The global telecom market proves that DSL is still a major competitor in broadband internet market. Most of the developed countries in the world have been using this technology for quite a long time. Compared to other two fixed line internet services, i.e. cable Internet (internet over coaxial satellite TV cables) and FTTH (internet over optical fibre lines), DSL is the most affordable and thus is best suited for lower and mid-income groups.

Currently, the BTCL is able to provide DSL internet services from 55 district exchanges and 32 non-district exchanges. Many Upazila exchanges are not yet capable of providing this service, because they are either not connected with an internet backbone or are not yet upgraded with DSLAM or are equipped with in-built DSLAM system. As soon as an Upazila

exchange is connected with fibre optic internet backbone, the BTCL will be able to introduce DSL broadband internet services to land phone users within the command area of an exchange. An upazila exchange consisting of 500-1000 telephone lines will be able to provide up to 1-2 Mbps-speed internet connection to an equal number of households within 4-5 kilometres of the telephone exchange. The present economic condition of rural Bangladesh suggests that a good number of household owners living in upazila headquarters are capable of subscribing DSL internet services.

Fibre optic backbone connection up to upazila headquarters is being conducted under certain projects. When that is done, the BTCL will have to provide the cost of upgrading the exchanges with DSLAM along with the cost of providing the end users' copper cable line with a modem. The rest is maintenance and marketing service costs. The BTCL can invest its own resources or can start the business by adopting the model of partnership with other private sector telecom companies or ISPs. The UK, for example, has opened government-owned telephone exchanges to private companies on revenue sharing basis. We should remember that government owned companies have no valid reasons for keeping national properties unutilised, where there is ample scope to use it

for public good. We should also remember that giving fibre optic lines to some publicly used community centres or offices is not sufficient for the growth of the ICT industry in rural areas.

An Industry-friendly atmosphere requires sufficient number of household connections which can ensure round-the-clock use of internet by the inhabitants, relatives and friends of a household. When households are connected with the internet, family members can socialise over the net, can earn money by doing out-sourced jobs and can even be self-employed by staying at home. Moreover, commercial connections can create job opportunities for young people.

When developed countries, particularly European countries, are still using DSL despite the presence of fibre optic and cable technology, there is no reason why the BTCL should not capture the market first with its currently available infrastructure with only some up-gradation work. The question of existence for publicly owned land line telephones should also be taken into consideration. When the public views firsthand the prospect of getting internet connection through PSTN phones, they will definitely apply for new connections. This may give a new life to the fixed phone lines.

The writer is a former Joint Secretary to the government.

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QUOTABLE Quote

Some people come in your life as blessings. Some come in your life as lessons.

- Mother Teresa

CROSSWORD BY THOMAS JOSEPH

ACROSS

- Allure
- Office aides
- Like colanders
- Director Kurosawa
- First-string players
- Head, in slang
- Game fish
- Stunned wonder
- Coal source
- Discussion group
- Fourth-yr. students
- Polk's successor
- Deadly
- Said
- Backtalk
- Outpouring
- Court feat
- First número
- Chestnut horse
- Re-strained
- Fleet related
- Be penitent
- Pol's concern
- Yellow-gray
- Useful skill

DOWN

- Title takers
- Bombast
- Tips off
- Authentic
- "I got it wrong"
- Scot's cap
- out a living
- La Scala setting
- Hawkish
- Less loony
- Tidies up
- Willia Cather book
- Suffering
- Gift tag word
- Bach piece
- Nucleus part
- Caterpillars, e.g.
- Pleistocene period
- Bit of shot
- Brass band members
- Farm fathers
- Wrap up
- Susan of "L.A. Law"

YESTERDAY'S ANSWER

B	A	S	S	I	A	P	S	E	S
A	S	P	I	C	A	P	R	I	
S	K	A	T	E	T	R	A	I	N
		N	U	D	E	I	N	N	S
F	L	O	S	G	A	N	G	S	T
A	B	H	O	R	U	S	H	E	R
G	O	O	N	I	E	S	A	T	E
R	E	E	L	P	E	R	M		
E	C	L	A	T	A	B	A	T	E
A	R	E	N	A	T	I	D	A	L
M	U	T	E	D	S	T	A	R	K

BEETLE BAILEY by Mort Walker

WHAT HAPPENED TO YOU? COOKIE HAD A FIRE IN THE KITCHEN. WHAT WAS HE COOKING? YOU SMELL DELICIOUS!

BABY BLUES by Kirkman & Scott

HEY MOM! LOOK AT THIS! HOW UNUSUAL! YEAH, IT'S KIND OF PRETTY. MAYBE THERE ARE SEEDS INSIDE. I WONDER WHAT WOULD GROW IF WE PLANTED IT? BOOGERS GROW WHEN YOU PLANT THEM? IF YOU'RE LOOKING FOR MOM, SHE'S IN THE KITCHEN BLEACHING HER HANDS.