

SPOTLIGHT

Very recently, a law drafted by the Ministry for Women and Children's Affairs stated that if a 16-year-old female gets married with the consent of her parents or the court for justified reasons or under special

circumstances, she would not be considered underage or a minor. However, the authorities do not define what they mean by special circumstances.

A girl is said to have reached adulthood at the age of 18 – an age when she is said to be free to decide for her self, choose her suitor (if she feels she needs one) and in a nutshell, be

responsible for her own thoughts and activities. Hence, the age of 18 is also said to be legal for a young female to choose a partner and marry – which is the generally accepted law. However, to add to it all, doctors and health specialists also say that at the age of 18, not only is the female mind old enough to make decisions of her own, but also the female body is strong enough to

building, married off her 12-year-old daughter a couple of years ago," says 28-year-old Tahira Tasnim, a research analyst in Uttara. "Today, her daughter is 14 years old and a mother of a two-year-old baby girl. Moreover, she was soon divorced from her husband (who also happens to be her first cousin) and now is a single mother without any formal or informal education, nor a job to support the baby." A common scenario in many parts of the country even today, marrying of the minor girl child for reasons like lack of security and finance is almost a daily occurrence.

A female at the age of 16 is by definition a child and child marriage is clearly a major violation of human rights, whether it's done with consent of the child's parents or not. In the last many decades, Bangladesh has significantly developed in areas of female education, employment and to an extent, also in the field of property distribution amongst brothers and sisters in a family. Compared to some of the countries in the Sub Continent, female infanticide has greatly reduced in Bangladesh, thanks to the awareness created by the government. Allowing a child of 16 to marry under 'special circumstances'

conceive and ultimately deliver off springs.

Not to be mistaken, the marriageable age of girls still remains at 18, however with parental consent this can be lowered to 16. Despite a torrent of criticism, the government plans to move with this strategy.

"The cleaning lady who works in our

THE DEBATABLE DRAFT LAW

ELITA KARIM

PHOTOS: PRABIR DAS



When girls marry as children, the impact on their health and that of their family is severe. Complications in pregnancy and childbirth are among the leading causes of death in girls aged 15 to 19 in low- and middle-income countries; 90 per cent of adolescent pregnancies take place within the context of marriage. Where girls survive childbirth, they are at increased risk of injury and other complications: 65 per cent of all cases of obstetric fistula, for example, occur in girls under the age of 18. Their children, too, are more vulnerable. Deaths among babies in their first few weeks of life are 50 per cent higher among those born to mothers under 20 years of age than among those born to mothers in their 20s. Likewise, the risk of birth defects, as well as developmental delays and long-term disabilities related to low birth weight, are also higher for mothers under 20. Bangladesh has made impressive progress in improving maternal and child health over the past decade, but this progress will be hindered if the proposal to reduce the age of marriage goes forward.

– An excerpt from an open letter to the Prime Minister of Bangladesh – Kofi Annan, Chair of The Elders, warns of the dangers of lowering the minimum age of marriage for girls, their communities and the whole country. (girlnotbrides.org)

would push the country back a few decades.

Today, a middle class family in Bangladesh comprehends the need to contribute equally by both partners irrespective of their genders – financial, household and taking care of the children. "Dhaka is probably one of the most expensive cities in the world," says Dr Mirfath Chowdhury, a 35-year-old dentist. "Expenses increase by the week,

especially if you have children to take care of. To add to it all, the traffic has worsened in the last few years, hence slowing down the work pace as well. Under these conditions, if the female in a family quits earning, the family will face major difficulties financially. It's only because that both the husband and wife work together to earn, that they are able to make ends meet and probably save a little bit of money as well!"

Clearly, the working women (both outside and inside their homes) have been contributing enormously to the economic development of Bangladesh. The women today are working to eliminate poverty – a top reason behind the existence of such archaic ideas of marrying off children in the first place. As it is, cases of child marriages are increasing every day in Bangladesh. One wonders how the Kazi or the appointed

official who registers marriage ceremonies, ignores the age-factor and in some cases, goes to the extent of ignoring fake identity documents prepared by family members – stating the girl to be a non-minor – just to get her married off. The confirmation of this draft law will only make the existing issues worse, and in turn, provide a legal platform to perform these unlawful actions. ■