

Declaration

Patterns and Determinants of Age at First Marriage of Women in Nepal

A thesis submitted for the degree of Doctor of Philosophy of
The Australian National University

Nepali Sah

Australian Demographic and Social Research Institute

The Australian National University

December 2010



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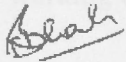
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Except where stated, this is my own original work undertaken during February 2007–December 2010 as a doctoral candidate at the Australian Demographic and Social Research Institute (ADSRI), the Australian National University.



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Despite the general increase in age at marriage of women in Nepal, early marriage persists in the Terai region, in particular, among many sub-populations of Terai-origin people. This study explores the patterns and determinants of age at first marriage of girls in Nepal. It had three specific objectives: i) to assess the extent and level of early marriage in Nepal, ii) to investigate the reasons for persistence of early marriage among some families in the Terai, and iii) to understand the mechanism of the dowry system, cross-border marriage migration, and ethnic mix, and their impact on age at marriage of girls in the Terai. Six major research questions and nine hypotheses were formulated to achieve the objectives of this study.

Five major data sets were analysed: the Nepal Demographic and Health Survey 2006, and Nepal Adolescents and Young Adults Survey 2000 were used for the analysis of patterns and determinants of age at marriage of women in Nepal. The Nepal Living Standards Survey 2003-04 and the Child Marriage Study 2004 were analysed to demystify the mechanisms and factors associated with dowry in Nepal. Census 2001 data were also used at various points along with available ethnographic information. Both bivariate and multivariate analyses were deployed.

Empirical analyses of data show three main patterns of age at marriage of women. First, early marriage especially prepubertal marriage of girls is declining in Nepal with a gradual increase in marriage age. Despite this decline, some of the Terai caste groups in particular, still marry their daughters before their fifteenth birthday. Second, the majority of girls among Terai caste and ethnic groups, Muslims and Hills lower-castes are still married between 15 and 17 years of age, that is, below 18, the legal age at marriage, which reveals the persistence of early marriage among these groups. Third, marriage is still universal and mandatory among women in Nepal. Most of the marriages among women are occurring between ages 15 and 24.

Bivariate and multivariate analyses reveal that age of girls, rural-urban place of residence (at birth), education of girls and their mothers, age at menarche, caste/ethnicity and religion, and dowry were significantly associated with age at marriage. The prevalence of dowry among the Terai caste groups, compounded with sociocultural factors has a strong influence on the marriage timing of girls.

Although geographic region was found to be associated with age at marriage both in bivariate and multivariate analyses, women from Terai caste-groups (Terai-origin) had much higher hazard of marrying younger than Hills caste/ethnic groups. At present Terai population represents people of three major types – Indigenous people of the Terai, Indian-origin people who migrated in different time periods, and Hills-origin people who migrated after the 1950s, so the Terai category seems inadequate and misleading in capturing demographic transitions including age at marriage and its determinants. The differences in marriage-related sociocultural norms and traditions between people of Terai-origin and of Hills/Mountains origin and the prevalence of dowry in the Terai further support this argument.

List of abbreviations

ACHR	Asia Centre for Human Rights
ADSRI	Australian Demographic and Social Research Institute
AusAID	Australian Agency for International Development
CBS	Central Bureau of Statistics, Nepal
CEDAW	Convention on the Elimination of all Forms of Discrimination Against Women
CPI	Consumer Price Index
DFID	[UK] Department for International Development
DoE/N	Department of Education, Nepal
DVD	Digital Video Disc
ESCAP	Economic and Social Commission for Asia and the Pacific
FAO	Food and Agriculture Organization of the United Nations
FGD	Focus Group Discussion
FHI	Family Health International
GDP	Gross Domestic Product
GNP	Gross National Product
HHs	Households
HIV/AIDS	Human Immunodeficiency Virus/Acquired Immune Deficiency Syndrome
ICDDR	International Centre for Diarrhoeal Disease Research, Bangladesh
ICPD	International Conference on Population and Development
ICRW	International Centre for Research on Women
IIPS	International Institute for Population Sciences
IRs	Indian Rupees
LACC	Legal Aid and Consultancy Centre
LRMP	Land Resource Mapping Project
MAHR	Minnesota Advocates for Human Rights
MCA	Multiple Classification Analysis
MDGs	[United Nation's] Millennium Development Goals
MoF	Ministry of Finance, Nepal
MoHP	Ministry of Health and Population, Nepal
MoLD	Ministry of Local Development, Nepal
NAYA	Nepal Adolescents and Young Adults
NDHS	Nepal Demographic and Health Survey

NGOs	Non-Governmental Organizations
NLSS	Nepal Living Standards Survey
NNDSWO	Nepal National Dalit Social Welfare Organization
NPC	National Planning Commission, Nepal
NRs	Nepalese Rupees
PARHI	Population and Reproductive Health Initiative
PRC	Population Research Centre, Patna
SAS/N	Sancharika Samuha-Nepal
SLC	School Leaving Certificate
SMAM	Singulate Mean Age at Marriage
STIs	Sexually Transmitted Infections
UNCRC	United Nations Convention on the Rights of the Child
UNDHR	Universal Declaration of Human Rights
UNFPA	United Nations Fund for Population Activities
UNICEF	United Nations Children's Fund
VCR	Video Cassette Recorder
VDCs	Village Development Committees
WHO	World Health Organization

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Introduction

1.1 Genesis of the problem

Dedicated to my late father Bilat Sahu, and my mother Mrs. Agarbati Devi for their commitment and aspiration for my education.

I would have never dreamed of achieving this level of education without their efforts for my schooling in spite of their illiteracy and difficult family economic situation.

The practice of girl family is questioned. "We do not arrange marriage for our daughter's young age" said Mahabir after completion of *Kanyashulkam*. "Do not ask about my happiness now, I am not stepping on the ground now". Despite the delay, he could arrange the marriage of his daughter in a lavish way. He was even happier because he could find a 12-year-old boy from a good family (Kishor 2007:1).



This is an excerpt from the news on early marriage published on the front page of the *Kashmir Daily*, the popular national daily vernacular newspaper in 2007. It shows that

¹ Girl's virgin girl is marriage.

Introduction

1.1 Genesis of the problem

Mahabir Malli was much worried about not being able to arrange the marriage of his nine year old daughter. But on Tuesday, he was much happier because the marriage of his daughter, Raja was being solemnized on that day.

‘The prestige of our family is questioned if we do not arrange marriage of a daughter at a young age’ said Mahabir after completion of *Kanyadan*¹. ‘Do not ask about my happiness now, I am not stepping on the ground now’. Despite the delay, he could arrange the marriage of his daughter in a lavish way. He was even happier because he could find a 12-year-old boy from a good family (Koirala 2007:1).



A boy aged 12 and a girl aged 9 married in Sarlahi, *Kantipur Daily*, 10 July 2007 (Koirala 2007)

This is an excerpt from the news on early marriage published on the front page of the *Kantipur Daily*, the popular national daily vernacular newspaper in 2007; it shows that

¹ Gift of a virgin girl in marriage.

parents feel proud in arranging the marriage of their daughters at an early age. Further, the feeling expressed by the parents indicates that even for a child aged nine they fear that marriage has been delayed and their family's prestige may be questioned by the society.

This is only one of the representative cases (see Appendix B) of early marriage in Nepal. Many such stories go untold and unheard. Despite the ban on early marriage in Nepal, many girls, and also boys, are married young. Many of them are even married before adolescence. Such stories are made public with pride. Unfortunately, there is no intervention or legal action taken by the government to protect children from violation of their rights.

In Nepal, marriage is still one of the most important events in the life of a woman. It is also a formal process that sanctions sexual gratification guided by the Hindu code of conduct (Aryal 2004). It also marks the important point in a woman's life at which childbearing becomes socially acceptable (MoH/N et al. 2002). In line with the Hindu tradition which dominates Nepalese thinking, marriage is virtually universal for both men and women. The arrangement of marriage is considered one of the most important duties of parents for their children; consequently, parents have a great obligation to make decisions about marriage, and they arrange most marriages with little involvement of the bride and groom (FHI 2000).

The average age at marriage of women has been steadily increasing over recent decades in Nepal. This is evident from the Singulate Mean Age at Marriage (SMAM²) of women in Nepal which has increased from 15.4 years in 1961 to 19.5 years in 2001. The data by geographic region show that the women of the Terai have the lowest SMAM in all Censuses, lower than the women from the Hills and the Mountains, and further below the national average (Table 1.1). This shows that in spite of the general rise in age at marriage of girls in Nepal, early marriage is common in the Terai region whereas late marriage is becoming the norm in the Mountains and the Hills.

² SMAM computed by Hajnal (1953) can be calculated as $SMAM = (15 + 5P - 50N) / (1 - N)$ where P is the sum of proportions never-married at ages 15-19 to 45-49 and N is the proportion never-married at exact age 50 (estimated as the average of proportions at ages 45-49 and 50-54). The assumption is that there is no marriage taking place before the age of 15.

Table 1.1: Singulate Mean Age at Marriage (SMAM) of men and women of Nepal over time

Source/Year	Mountains			Hills			Terai			Nepal		
	M	F	D.	M	F	D.	M	F	D.	M	F	D.
1961 Census	Na	na	-	na	na	-	na	na	-	19.5	15.4	4.1
1971 Census	Na	na	-	na	na	-	na	na	-	20.8	16.8	4.0
1981 Census	21.8	18.5	3.3	22.0	18.0	4.0	19.7	15.8	3.9	20.7	17.2	3.5
1991 Census	21.9	18.6	3.3	22.2	18.9	3.3	20.6	17.0	3.6	21.4	18.1	3.3
2001 Census	22.1	19.6	2.5	23.4	20.2	3.2	22.5	18.9	3.6	22.9	19.5	3.4

Note: na-not available, M=Male, F=Female, D.=Age difference between male and female.

Source: CBS 2003.

Comparison of SMAM for men with that for women shows that men generally tend to marry at a later age than women. Although there is a difference in SMAM of men by geographic region, and men did once tend to marry at an early age, now the difference is narrowing with a very little geographic difference in the SMAM of men. The SMAM of Terai men in 2001 was slightly higher than that of Mountain men but lower than that of the Hill men and the national average (Table 1.1).

Despite the general increase in age at marriage of men and women in Nepal, many girls are still married at a very early age, as is evident from the case presented in the opening example. Using another calculation which is based on the population composition (by age, sex and marital status) of the 2001 census and population projection for 2007, 23,502 girls aged 10-14 years were married in 2007, of whom 18,510 (78.9 per cent) were girls from the Terai. Similarly, 252,323 (53.5 per cent) of about half a million (471, 821) girls aged 15-19 who were married in 2007 were girls from the Terai. These estimates suggest that early marriage is still prevalent in Nepal with a much higher incidence in the Terai region than elsewhere in Nepal.

This study explores the patterns and determinants of age at first marriage of girls in Nepal. Particular attention is paid to assessing if any differences exist in the pattern among the geographic regions, and if so, why such differences exist.

1.2 Research objectives, questions and hypotheses

1.2.1 Objectives of the study

To address the broad aim of this study, I have formulated the following three specific objectives.

- i. To assess the extent and level of early marriage in different geographic regions of Nepal.
- ii. To investigate the reasons for persistent early marriage among some families in the Terai.
- iii. To understand the mechanism of the dowry system, cross-border marriage migration, and ethnic mix, and their impact on age at marriage of girls in the Terai region.

1.2.2 Research questions

To achieve the stated research objectives, the following five questions are formulated.

- 1) What is the pattern of age at first marriage of women in Nepal?
- 2) Is the tripartite (geographic or ecological) division of Nepal meaningful in explaining the pattern of marriage of women in Nepal?
- 3) What are the prominent sociodemographic and cultural factors or determinants that influence marriage timing of women?
- 4) Why are the Terai girls married younger than the Hills girls?
- 5) What are the mechanism and dynamics of dowry in Nepal?
- 6) Does the prevalent dowry system influence age at marriage of Terai women?

1.2.3 Hypotheses

The following nine hypotheses are tested in this study. A review of literature relevant to these is included in Chapter 2.

H₁: The standard differentiation of Nepalese society according to three geographic regions (Mountains, Hills and Terai) is problematic in describing and analysing socio-economic phenomena including marriage practice and age at marriage in the present situation.

H₂: Type of place (rural/urban) is associated with age at marriage. It is hypothesized that rural girls are more likely to be married young age than urban

girls.

H₃: It is hypothesized that caste/ethnicity is strongly associated with age at marriage of girls. Higher castes (Brahmin, Chhetri, Thakuri), lower castes (Dalits and untouchables) from the Hills, and middle castes and lower castes from the Terai, and Muslims have lower age at marriage than the Hills Janajatis and middle castes.

H₄: It is also hypothesized that religion is significantly associated with age at marriage. It is expected that Buddhist girls marry at higher ages than Hindus and Muslims.

H₅: Parental education has a significant influence on age at marriage of girls. We expect that girls whose parents are educated marry at higher ages than girls with uneducated parents.

H₆: Education of girls influences age at which girls marry. It is expected that girls with higher education marry at later ages than illiterates and girls with less education.

H₇: Age at menarche of a girl, a biological factor, is associated with age at marriage of girls. It is hypothesized that girls who menstruate at an early age marry at earlier than those who menstruate at later ages.

H₈: Economic status of the household is associated with age at marriage of women. It is hypothesized that girls from economically well-off families marry at later ages than women from poor families.

H₉: Dowry is a significant predictor of age at marriage of girls in the Terai. The higher the age of a girl, the more dowry parents have to pay, and hence parents are pressured to marry their daughters at an early age.

1.3 Importance and rationale of the study

1.3.1 Importance of study on marriage

Child brides are robbed of the ordinary life experiences other young people take for granted. Many are forced to drop out of school. Their health is at risk because of early sexual activity and childbearing. They cannot take advantage of economic opportunities. Friendships with peers are often restricted. Child marriage deprives girls of basic rights and subjects them to undue disadvantage and sometimes violence. Countries with a high percentage of child marriage are more likely to experience extreme and

persistent poverty, and high levels of maternal and child mortality (ICRW 2004, cited in EngenderHealth 2006:7).

The above quotation shows the profound negative consequences of early marriage that curtail several rights and opportunities of a girl married young. The consequences range from the individual to the national level, and affect many aspects of the lives of women. Broadly, the consequences of early marriage can be grouped into five categories: demographic, child and human rights, health and mortality, social and family well-being, and economic perspectives. Below, we look at some details of each of these consequences.

Demographic consequences. From a demographic perspective, early marriage has an important bearing on fertility. Owing to the effect of age at marriage on fertility (Bongaarts 1994), it has been studied extensively. Women who are married young have high fertility (Bongaarts 1994; Pathfinder International 2006; Rashad et al. 2005), due to their longer exposure to fertility by starting childbearing early. Another intergenerational demographic implication is that daughters of teen-aged mothers are also more likely to be mothers in their teens (Manlove 1997).

Child rights and human rights. Human rights are a set of common standards that every individual is entitled to enjoy by virtue of being human, because they are universal, indivisible and interdependent and enshrined in international conventions, agreements and declarations. Human rights help to shape an individual's reproductive and sexual liberty (Cook et al. 2003). But very young married women have a lower level of sexual and reproductive rights than those married at appropriate ages; this indicates the violation of their sexual and reproductive rights. The declarations of the International Conference on Population and Development (ICPD), held in 1994, and the Fourth World Conference on Women in 1995 committed governments to addressing sexual and reproductive health and rights as fundamental to human rights and social development. Early marriage is a serious violation of sexual and reproductive health rights recognized by these two fundamental declarations.

Early marriage also violates several child and human rights such as rights to 'full and free' consent to marriage, specified in the Universal Declaration of Human Rights, and rights to free expression of views in all matters affecting the life of the child (Article 12.1 of the UNCRC). Similarly, the rights of the child to protection from physical or mental abuse or violence (Article 19.1 of the UNCRC), and rights to education (Article

28.1 of the UNCRC) are seriously violated. Adolescent girls, after marriage, are withdrawn or drop out from school. Higher age at marriage correlates with higher rates of girls in school in many of the countries where transition to delayed marriage has taken place (UNICEF 2005).

Early marriage of girls snatches away many of the rights, entitlement and privileges related to the welfare and development of children. As Warner (2004) argues, this is because once a girl is married, however young she is, she is usually treated under domestic law as having reached the age of majority, and laws protecting children no longer apply; this is the case in many of the cultures in developing countries. Lack of birth registration and marriage registration further complicates this situation, as the exact age of a girl is not available and whenever a marriage is registered, age of the spouse is manipulated to meet the minimum age standard according to the prevailing law of the country.

Health and mortality. With regard to maternal health and mortality, early marriage has several consequences for women's health (Ram et al. 2008), and contributes to increased maternal deaths (Rashad et al. 2005; Save the Children 2001, 2004; United Nations 2001; Zabin and Kiragu 1998). Young women under the age of 18 are at a higher risk of maternal mortality than women aged 20 and above (Mukherjee 1992; Save the Children 2001, 2004). McIntyre (2006) reports that girls with less than two years of 'gynaecological age'³ are at higher risk of obstructed labour, which results into maternal death during delivery. This is basically due to the physical underdevelopment of girls who become pregnant at or just after menarche. According to the WHO (2004), the pelvis continues to grow after menarche, and so is generally not prepared well for early delivery.

Marriage is considered as a licence to have sex, and sex in marriage is considered as granted with *a priori* consent (UNICEF 2001). As a result, there is more chance that married girls will have exposure to sexual activity. Further, there is also pressure from the parents to conceive early to prove their fecundity with a perception that family planning is only meant for spacing of childbirths. All these lead to unprotected sex among young married women. For example, Haberland et al. (2006) reported from

³ Number of years since menarche.

DHS data that in 27 out of 29 countries, more than half of recent unprotected sexual activity occurs within marriage.

Early marriage also increases women's vulnerability to sexually transmitted infections (STIs). As there are larger age gaps in early marriage, it means that the men tend to be older and may have sexual experience with multiple partners. This leads to increased likelihood of young women to forced sexual relations which increase their vulnerability to STIs including HIV/AIDS (Glynn et al. 2001; ICDDRDB 2007; Lloyd and Mensch 2006; Mensch et al. 1998).

In contrast, recent work on the link between marriage age and HIV/AIDS from Sub-Saharan Africa suggests that late marriage increases the risk of premarital sexual activity and number of partners (Bongaarts 2007; Zabin and Kiragu 1998), and thus the spread of HIV/AIDS (Bongaarts 2007). Thus, with respect to HIV/AIDS, early marriage seems to be advantageous if there is no premarital and extramarital sex, and there is monogamous marriage. Some scholars have also pointed out that parents in Malawi encourage early marriage to shield their daughters from risks of STIs (Bracher et al. 2003).

Further, child mortality and child health is strongly associated with maternal age at marriage and at birth. Early marriage often leads to early pregnancy and early birth. Several studies have found a strong link between age at marriage of women, and infant and child mortality, and child health (Adhikari and Amatya 1996; Casterline and Trussell 1980; Ikamari 2005; Save the Children 2001, 2004; Zabin and Kiragu 1998).

Social and family well-being. Social and family well-being is a composite indicator of overall status of the individual and their family in the society; economic and social status is an important part of this. The implications of early marriage are summarized in four areas: (1) education and labour force participation, (2) domestic and sexual violence, (3) divorce and separation, and (4) the empowerment and decision-making ability of women, which are directly and indirectly linked to the social and family well-being of the women.

(1) Education and labour force participation: early marriage is associated with lack of educational development of women. Early marriage causes girls to drop out of school (Jones 2008; Pathfinder International 2006), and thus causes low educational

achievement (Kishor and Neitzel 1996), curtails educational opportunities (ICDDR 2007; Lloyd and Mensch 2006; Mensch et al. 1998; Trussell 1976) and ultimately results in low labour-force participation. It also diminishes their opportunity to acquire critical life skills (Forum on Marriage and the Rights of Women and Girls 2003). Field and Ambrus (2008) found in a study from Bangladesh that postponing marriage by one year (between ages 11 and 16) increases educational attainment by 0.22 years and adult literacy by 5.6 per cent. Another study from Bangladesh found that girls married before age 15 were at increased risk of completing eight or fewer years of education (ICDDR 2007). As a consequence of this, women married young are less likely than other women to be in the labour force (ICDDR 2007).

(2) *Domestic and sexual violence*: early marriage makes many women more vulnerable to domestic and sexual violence. Several studies have shown that there is an increased chance of sexual violence in the form of marital rape (Iswarini 2008; Jejeebhoy and Santhya 2003; Ram et al. 2008; Santhya et al. 2007; WHO 2005) among girls who are married at an early age, because sex within marriage is assumed as ‘*a priori consensual*’ (UNICEF 2001). This is partly due to their lack of power which leads to a weak bargaining position. Their limited knowledge about sexual matters, and lack of physical and mental maturity and readiness, are also associated with this.

Women married young are more likely to be beaten or threatened by husbands. For instance, UNICEF (2005) in its global comparative study reports that India has the highest (67 per cent) level of domestic violence among women married by age 18. There was a higher percentage of women married below age 18 among those who had experienced domestic violence in another eight countries⁴ as well. The same study also found that the ratio of experience of violence (experienced violence/not experienced violence) differed substantially with the level of child marriage of the countries. Ram et al. (2008) in a study in Maharashtra found that there was a higher incidence of physical violence by the husband among women who married below 18 years of age than among those who married at age 18 or above (35.6 per cent vs. 20.9 per cent).

(3) *Divorce and separation*: social norms that wife should be younger than the husband exist in many societies in developing countries; in early marriage, the husband is often

⁴ Cambodia, Colombia, Haiti, Kenya, Peru, South Africa, Turkmenistan, and Zambia.

much older than the wife. As the wives are not mature either physically or psychologically, and marriage is organized by parents without consent of the persons to be married, there is a risk of marriage incompatibility among those married at an early age (Iswarini 2008; Jones 2008; Pathfinder International 2006). This may be due to the high workload for the young bride at her in-laws' home, the low level of moral and emotional support in the new unfamiliar home, and marriage to a person she did not like (Pathfinder International 2006).

(4) Empowerment and decision making ability of women: women who can control their sexual activity and fertility are in a better position to use their skills and take advantage of opportunities that could mitigate gendered barriers that make them vulnerable in many aspects. The final say of women over household decisions can be used as a proxy indicator for women's empowerment and power *vis-à-vis* other household members. Women married young have less power in decision-making related to choice of spouse (Ram et al. 2008; UNICEF 2005) and other aspects related to marriage decisions and meeting the husband-to-be before marriage (Ram et al. 2008), which shows their lower empowerment level. The ability of a woman to decide herself about visiting family and friends is an indication of her freedom of movement. UNICEF (2005) found from an analysis of data from seven countries that women who were married below age 18 had less say over decisions related to visiting her family and friends.

Economic implications. Early marriage has economic implications for both woman and her family: these involve poverty, and dowry and marriage cost.

Poverty is a complex issue and has several factors. It may be associated with education status and opportunities for schooling, participation in the work force, and physical and mental well-being. As noted above, early marriage has several consequences that interfere with opportunities for schooling which ultimately can affect labour-force participation and employment opportunities. Physical and mental health is also associated with poverty through domestic and sexual violence (Morrison and Orlando 1999), and issues of dowry, divorce and separation are linked with poverty. These factors trap the women and their families in the cycle of poverty perpetuated from generation to generation. For instance, estimates from a 1997 survey in Chile and Nicaragua show low earnings among women who were abused; all types of domestic violence reduce women's earnings by US\$1.56 billion in Chile (about 2 per cent of 1996 GDP) and by US\$29.5 million in Nicaragua (about 1.6 per cent of 1996 GDP)

(Morrison and Orlando 1999). Adolescent mothers are more likely to live in poverty with lower monthly income than adult mothers (Buvinic 1998).

Besides these direct effects of early marriage on poverty, there is an indirect effect associated with lower levels of schooling and labour force participation. Research shows a link between level of education and earning (Blundell et al. 2004): a higher income with higher education.

Poverty has consequences for children in nutrition, health care and educational opportunities. Poor mothers are more likely to transmit intergenerational poverty to their children (Forum on Marriage and the Rights of Women and Girls 2003): children born to poor mothers are likely to be poor when they grow up. Children born to poor young mothers are disproportionately affected by the 'intergenerational transmission of poverty via nutrition' beginning from the time in the womb of the malnourished mother (Harper et al. 2003:542). This affects the nutritional status of children; such children are most often stunted and underweight with implications for cognitive development. Learning difficulties adversely affect their development through poor acquisition of life skills, which may result into low productivity and limited earning opportunities, and thus maintaining the cycle of poverty.

Regarding dowry, many families consider early marriage as a strategy to escape from increased dowry and marriage costs. Families that decide to postpone the marriage of their daughters are likely to face two types of economic loss or cost. First, the families have to spend money and resources to keep their daughters in school and maintain them until marriage takes place. Second, as the dowry increases with increase in the age of girls at marriage, the family has to pay more dowry and marriage costs. Studies in Bangladesh (Amin and Huq 2008; Field and Ambrus 2008), and India (Paul 1985; Reddy 1989) suggest that age at marriage of girls is associated with amount of dowry paid. Consequently, poor families struggle to accumulate the amount of money to meet the dowry and marriage costs may decide to arrange the marriage of their daughters at the earliest possible age.

Early marriage is one of the most fundamental issues that affects the lives of women and children, and hinders their overall social and economic development. Age at

marriage is also related to six out of eight of the Millennium Development Goals (MDGs)⁵ (United Nations 2009) which are not possible to achieve without delaying marriage. Thus, age at marriage is important not only from a demographic perspective, but also from human rights, child rights, sociological, and welfare and development perspectives.

1.3.2 Rationale of this study

As marriage age has a potentially long-lasting effect on the lives of women, children, family, and society as a whole, and women of the Terai caste groups are married younger age than women from the Hills caste groups of Nepal, this study is crucial for the future development of women and children in Nepal and the Terai region in particular. Although there are studies (Choe et al. 2005; Niraula and Morgan 1996; Thapa 1989; UNFPA 2002) and demographic surveys (MoH/N et al. 2002, 2007) which show regional differences in age at marriage of women in Nepal, there has been little attempt to identify the factors in this difference. Many sociological and ethnographic studies have been carried out in the Hills region which also capture the demographic transitions and changes (Bennett 1976, 1978; Fricke 1985, 1988; Gurung 1993; Levine 1981-1982; Luintel 2004; Macfarlane 1976; Panter-Brick 1986). These studies were mostly by European and English scholars after the opening up of Nepal to outsiders in 1951.

In contrast, the Terai has been neglected in research and tourism, which may be due to a lack of interest by travellers (Niraula and Morgan 1996) in spite of its importance in the national economy. Gaige (1975) explains that the Terai is hot, dusty, and topographically undramatic and until recently prone to malaria, although it has been most accessible owing to its flat terrain and accessible transport network:

The mountains of Nepal, or hills as they are called locally, and the 'hill' people of Nepal have attracted the attention of adventurous travelers, mountain climbers, and scholars since Nepal was opened to the outside world in the early 1950s. In contrast, the plains region of Nepal—the tarai—has received comparatively little attention from either Nepalese or foreign scholars, ... Consequently, little is known about the tarai's geographic,

⁵ The eight MDGs are: 1) Eradicate extreme poverty and hunger, 2) Achieve universal primary education, 3) Promote gender equality and empower women, 4) Reduce child mortality, 5) Improve maternal health, 6) Combat HIV/AIDS, malaria and other diseases, 7) Ensure environmental sustainability, and 8) Develop a global partnership for development.

historic, economic, or cultural characteristics, despite the fact that it comprises 15 percent [at present 23 per cent] of Nepal's land area and is home to 31 percent [48.4 per cent according to the 2001 Census] of Nepal's population. This neglect is particularly striking because the tarai is the backbone of Nepal's economy, producing about 59 percent of the nation's gross domestic product and about 76 percent of the government's revenue (Gaige 1975:xv).

The Terai region (Terai people or Madhesi in particular) differs in sociocultural traditions and customs as well as caste composition from the Hills and Mountains (Bista 1996; Rakesh 1994). The Terai is dominated by Hindus (of Indo-Aryan origin) and Muslims having similarities in sociocultural systems and traditions with people from the northern Indian States (Bihar and Uttar Pradesh). Another difference in the Terai (among Terai people) from the Hills and Mountains is that the dowry system is prevalent and cross-border marriage practice is widespread with the northern Indian States in particular.

In summary, this study will help to highlight the issue of dowry prevalent in the region which appears to be significantly contributing to perpetuation of the tradition of early marriage of girls. This research traces changing trends in age at marriage of girls in the Terai as described by existing demographic surveys and assesses whether inclusion of additional variables in these surveys would enable better analysis of these trends.

1.4 Study area: background context and social settings

This section provides some contextual information about the physical setting, geographic and administrative divisions, and socio-economic characteristics of Nepal. The purpose of this section is first, to familiarize the reader with the context of Nepal, and second, to provide some background information to develop an understanding about its tripartite geographic division. This division, although based on the physical characteristics of the country, has been used in the post-unification period but more prominently since 1971, first used in the Fourth Plan 1970-1975 and the 1971 Census (CBS 1987; NPC 1970) in the present form. Initially, although it was primarily used to report the population density and mobility of people from one region to another, nowadays it is in wide use to represent the sociocultural and development indicators of these regions; this seems inadequate in the present context, because of the high level of heterogeneity of the people in the Terai, which has further increased through the influx of Hills-origin people who are distinctly different in sociocultural characteristics from

the people living in the Terai. For example, the anthropologist Harka Gurung asserted that migration has a substantial effect on the sociocultural aspects of the Terai region: 'Migration has brought about significant changes in socio-cultural composition of the regional population. This change is most apparent in destination regions, the lowlands [Terai]' (Gurung 1988:72). He added 'Hill languages had a higher degree of dispersal in the lowlands than those of tarai languages in the highlands, an evidence of predominant highland-lowland migration' (Gurung 1988:75).

1.4.1 Physical and social diversity of Nepal

Nepal is a small land-locked country sandwiched between two Asian giants: China in the north and India in the south bordering three sides, east, south and west. It has a total land area of 147,181 km² with an average length of 885 km (east to west) and width of 193 km (north to south).

Nepal is predominantly a subsistence-agriculture economy with most inhabitants dependent on agriculture. Although 75 per cent of people report agriculture as their main occupation, agriculture accounts for only 38 per cent of Gross Domestic Product (GDP) (MoF 2006, cited in MoH/N et al. 2007).

Further, Nepal is predominantly a country with a rural populace. According to Census 2001, only 16.2 per cent of people live in urban areas. However, because of the urban focused development of education and health institutions, and more centralized government approach, urbanization is increasing substantially. Since the 1952/54 Census, the urban population has increased more than five-fold: from three per cent in 1952/54 to 16.2 per cent in 2001 (CBS 2003).

Physical and administrative description

Nepal, in spite of being a small country, about 200 km in width, has an amazing terrain ranging from a height (from sea level) of about 58m (Kechana Kabal of Jhapa district) to 8,848m (Mount Everest). Because of the dramatic variation in altitude and the presence of many hills and mountains, there are many climatic zones which support vividly different flora and fauna. On the basis of the types of flora and fauna, several geographers and botanists have divided Nepal into several zones for the purpose and convenience of study (Ives and Messerli 1989; Stainton 1972; Thapa and Thapa 1969). The number of divisions ranges from three to nine (see Table 1.2).

The lowland part on the foothills of the Churia or Bhabar hills which used to be known as plains in the past (Hamilton 1971; Hodgson 1971; Karky 1981-1982; Kirkpatrick 1969), is now known as the Terai. *Terai*⁶ means low land (Birodkar n.d.; Hodgson 1971; Kirkpatrick 1969). Although Terai is widely used in written form, Madhesh⁷ (or Madhes) is quite commonly used in general reference to the Terai. This term was, however, also used in the nineteenth century (Hodgson 1971). 'Terai' covers both Inner Terai (Bhitri Madhesh) – extending between the Chure forest to the Mahabharat range, and Terai – the flat area extending from the Indian border to the foothills of the Chure forest. This zone is the most fertile region of Nepal; it covers 23 per cent of Nepal's total land area and is at an altitude less than or equal to 610 metres above sea level (CBS 1995). This region accommodates 48.4 per cent of the total population enumerated in Census 2001.

Then follows the Hills (*Pahad*) region at an altitude ranging between 610 metres and 4,877 metres above sea level and occupies 42 per cent of the total land area of Nepal (CBS 1995). This area is characterized by valleys, river basins and fertile mid-hills which are very favourable for human settlement. Kathmandu valley, the capital of Nepal, also lies in this region. According to the 2001 Census, this region accommodates 44.3 per cent of the total population.

The land area at the altitude of 4,877 to 8,848 metres above sea level is considered the Mountains (Himalaya) region which constitutes 35 per cent of the total land area of Nepal (CBS 1995). Because of the rocky areas of the Himalayan range which are not suitable for human settlement, there is sparsely distributed population accounting for 7.3 per cent (Census 2001) of the population.

At present, for administration and development purposes, Nepal has been divided into 14 zones and 75 districts. These administrative divisions, however, were very different in the past. Until 1951, Nepal was divided into several administrative zones, some of

⁶ According to Hodgson (1971: Part II, 3) 'Tarai, tarei, or tareiani, equal to lowlands, "swampy tract at the base of the hills".... Tar in Tamil, Tal in Canarese means "to be low", and the affixes ei of Tar-ei, and ni of Tareia-ni, are, the former, Tamilian, and the latter, very general, in or ni being the genitival and inflexional sign of several Southern and Northern tongues of the Turanian group of languages'. According to Kirkpatrick (1969:40) 'Turriani [Terai] properly signifies low or marshy lands, and is sometimes applied to the flats lying below the hills in the interior parts of Nepaul [Nepal], as well as to the low tract bordering immediately on the [British East India] Company's northern frontier'.

⁷ Hodgson (1971) has used the word *Madhesiyas* to refer to the people of the plains (Terai) in Nepal.

them being self-governing states such as the *Baise* (twenty-two) and *Chaubese* (twenty-four) *Rajyas* (Kingdoms) in the middle and western regions, and *Kipat*⁸ in the eastern region (CBS 1995; Regmi 1976).

In the mid-1950s, the concept of administrative units such as 'district', was introduced and Nepal was divided into 54 districts first, then into 55 districts and accordingly, the 1961 census report was published on the basis of these districts (CBS 1995). While the districts were mainly based on administrative purpose, these cover areas with similar geographic and ecological features. In contrast, the zones are created only on the basis of administrative purpose, as a zone covers districts which fall in all three ecological regions, dividing the country into 14 zones vertically.

The physical regions which numbered eight during the 1952/54 census were reorganized into ten during 1961 (NPC 1965).⁹ In 1962, with the introduction of the 'panchayat system'¹⁰ by King Mahendra, further reorganization of the districts was made and the number of districts increased from 55 to 75. Of the 75 districts, 16 lie in the Mountains region, 39 in the Hills and 20 in the Terai (CBS 1987). The population census information of 1971 was reported according to these newly formed districts. Although these 75 districts were retained as administrative units in successive censuses up to the latest census of 1991, the boundaries and areas were changed in 1974 and 1982 (CBS 1995).

Another important division of Nepal is the development region. In 1972, the concept of development regions was introduced for the first time in Nepal. The districts and zones of Nepal were grouped into four development regions: Eastern, Central, Western, and Far-Western. After a few years (in 1980), the Far-Western region was sub-divided into two regions, Mid-Western and Far-Western (CBS 1995). Thus, at present Nepal has five development regions.

⁸ A communal form of land ownership under which a particular ethnic community has customary ownership of land and each member of the community has rights to exclusive use of the piece of land (Regmi 1976).

⁹ Eastern Hills, Eastern Inner Terai, Eastern Terai, Kathmandu Valley, Inner Terai, Western Hills, Western Inner Terai, Western Terai, Far Western Hills, and Far Western Terai.

¹⁰ Political system in which political parties were banned and independent candidates contested for election.

Tripartite physical category

As mentioned above, Nepal has been divided into three geographic or ecological zones or regions. Although the exact date is not traceable for the first-ever official use of the present form of tripartite geographic division into Mountains, Hills and Terai, different geographers have subdivided the country on the basis of geographical or ecological characteristics.

Historical evidence shows that different researchers have developed and used different ecological or geographical boundaries for various purposes. Some of the early historians (Hamilton 1971; Hodgson 1971) had divided Nepal into three to five regions. Hamilton in 1819 had divided Nepal into four zones: Terai, Dun or Straths, Mountain or midhills, and alpine region or Himaleh (Himalaya). According to Hamilton, the low region of Nepal was called Tariyani, Tarai or Ketoni, and was divided into five *zilas* (districts now): Subtuni (Saptari), Mohtuni (Mahatari, Mahottari), Rohuttut (Rohtut, Rautahat), Bareh (Baragarhi, Bara), and Persa (Pasara, Parsa) (Hamilton 1971:168). In contrast, Karky (1981-1982:59) maintained that the three regions used for taxation purposes from 1846 to 1923 were Terai, Baisi (flat areas surrounded by mountains in the Hills region), and Central Hills.

Historical evidence also shows that two major surface features, Hills or Himalayas in the north and Terai plains of the south, have been used since ancient times. Karan (1960) divided Nepal into two major surface features: the Himalayas in the north and the Terai plains of the south. However, he further recognized three major geographic regions: Himalaya, Inner Terai and Terai; and divided the Himalayas into three zones – sub-Himalayas or the Middle Range, the Inner or Great Himalaya, and the Tibetan zone (Karan 1960:15). Stainton (1972:16) divided Nepal into six areas in order to facilitate description of the vegetation.¹¹ Stainton (1972) further developed phyto-geographic boundaries and divided the country into six regions based on climate and vegetation. Several other scholars have divided Nepal into various regions based on their purposes (see Table 1.2). Some scholars even argue that Mountains (Himalaya or Himal), Hills

¹¹ a) Terai, bhabar, dun valleys, and outer foothills; b) the midlands, and the southern slopes of the main Himalayan ranges which lie north of them, - the West midlands, - the East midlands, -the Central midlands, - country to the South of Annapurna and Himal Chuli; c) The Humla-Jumla area; d) Dry river valleys; e) Inner valleys; f) The arid zones.

(Pahar), and Plain (Tarai or Madhes) are the native terms that have been in use since ancient times (Ives and Messerli 1989).

Table 1.2: Summary of physical divisions of Nepal adopted by various scholars

Source	Geographic or physical features of Nepal	
	No.	Name of the regions (from north to south)
Hamilton 1971	4	1) Alpine region or Himaleh [Himalaya], 2) Mountain or midhills, 3) Dun or Straths, 4) Terai (p.168)
Hodgson 1971	3	1) Upper, 2) Middle, 3) Lower. The Lower further divided into three: a) sandstone range with its contained Dhuns or Maris, b) Bhaver or Saul forest, and c) Tarai (p. 9)
Karky 1981-1982	3	Three regions used for taxation purposes from 1846 to 1923 in Nepal: 1) Central hill region, 2) Baisi region (plain areas surrounded by mountains in the Hill region), 3) Terai region (p.59)
Hagen 1960 ^a	7	1) Tibetan Marginal Mountains, 2) Inner Himalaya, 3) Himalaya, 4) Midlands, 5) Mahabharat Lekh, 6) Siwalik Zone, 7) Tarai
Karan 1960	3-5	Two major surface features, Himalayas in the north and Terai plains of the south, and three major geographic regions: Himalaya, Inner Terai and Terai (p.91); divided Himalayas into three zones – sub-Himalayas or the Middle Range, Inner or Great Himalaya, and Tibetan zone (p. 15).
Stern 1960 ^b	3	Three zones based on three major river systems (Koshi, Gandaki, Karnali) into Eastern, Central and Western regions.
Gurung 1971 ^a	9	1) Border Range, 2) Trans-Himalayan Valleys (<i>Bhot</i>), 3) Himalaya (<i>Himal</i>), 4) Temperate (<i>Lekh</i>), 5) Sub-tropical (<i>Pahar</i>), 6) Mahabharat <i>Lekh</i> , 7) Inner Tarai (<i>Dun</i>), 8) Chure, 9) Tarai
Rose 1987	3-5	Three regions noted in 1920 and 1952/54: Hills, Inner Tarai and Tarai (p.81), whereas five in 1961-1971 census comparison of population: Mountains, Hills, Kathmandu valley, Inner Tarai, Tarai (p.82)
Stainton 1972	6	1) The arid zones, 2) Inner valleys, 3) Dry river valleys, 4) The Humla-Jumla area, 5) the midlands, and the southern slopes of the main Himalayan ranges which lie north of them: the West midlands, the East midlands, the Central midlands, country to the South of Annapurna and Himal Chuli, 6) Terai, <i>Bhabar</i> , <i>Dun</i> valleys, and outer foothills (p.16)
Nelson 1980 ^a	5	1) High Himalaya, 2) Transition Zone, 3) Middle Mountain, 4) Siwalik, 5) Tarai
Aryal et al. 1982	3	1) Trans-Himalayan, 2) Middle, 3) Terai
Kemp 1984	7	Precipitation zones: 1) Tibetan Plateau, 2) Inner Himalaya, 3) Himalaya, 4) Midlands, 5) Mahabharat range (or <i>lekh</i>), 6) Siwaliks (or Churia Hills), 7) Terai (p. 12).

Table 1.2: Contd...

Source	Geographic or physical features of Nepal	
	No.	Name of the regions (from north to south)
Baidya 1984	4	1) Northern Great Himalayas, 2) Central Hill complex, 3) Southern Mountain Ranges of the Churia and the Mahabharat, 4) Southern Terai Plain (p.40)
HMG 1986 ^a (Kenting Surveys) (LRMP)	5	1) High Himalaya, 2) High Mountain, 3) Middle Mountain, 4) Siwalik, 5) Tarai
Karan et al. 1994	4	Geo-ecological zones: 1) Great Himalaya (High Himalaya), 2) Middle Himalaya (Middle Mountains), 3) Outer Himalaya, 4) Tarai (p.15)

Note: ^a Ives and Messerli 1989:23, LRMP-Land Resource Mapping Project; ^b FAO 1999.

From the list of scholars' divisions of Nepal (Table 1.2), it becomes obvious that Tarai or Terai has been one of the categories since early times. It is the Hills region which most often has been either treated as a single region or subdivided into various regions by scholars to fulfil their purposes. Similarly, the Terai has also been treated differently by various scholars. While some scholars use single Terai regions, others have treated two or more categories (Terai, Inner Terai or *Duns*, Siwaliks). It is also obvious that there is overlap of various regions which may be based on different categories or purposes.

As noted above, the present 75 districts and 14 zones were established in 1962 with the introduction of the *panchayat* system by King Mahendra. The National Planning Commission (NPC) of Nepal emphasized in its Fourth Plan (1970-75) the regional disparity and importance of regional development and integration (NPC 1970). In this plan, three regions – the Himalayan region (which includes temperate highland and trans-Himalayan Bhotia Valley), the Hills region or *Pahar*, and the Terai region (including Inner Terai) with Kathmandu Valley in an additional special category. Because of the regional disparity in population density and economic growth, the concept of regional development based on spatial dimension was initiated. As the Census of 1971 also fell into this development plan which for the first time ever used three geographic regions for the reporting of population and other socio-economic development indicators (CBS 1987), this reveals that the tripartite physical division of Nepal was officially used since the Fourth Plan followed by the Census of 1971, and has been in consistent use since then (CBS 1995). The present form of tripartite

division has been in extensive use for the purpose of representing the socio-economic status of people living in those regions (CBS 1989, 1995, 2001b, a, 2003, 2004, 2009; Chaudhury and Niraula 2003; MoH/N 1986; MoH/N et al. 1996, 2002, 2007; Regmi 1976; Shaha 1975).

While for the reporting of population, the Censuses use geographic divisions (Mountains, Hills and Terai), development regions, zones, districts and VDC (for rural areas) and municipalities (for urban areas), the demographic surveys and other national surveys use the earlier two (geographic and development regions) as major spatial distribution for reporting inequalities along with the inclusion of 15 geographic-development subregions. Although initially the geographic division was solely used for enumeration of the population as the measure of population distribution and revenue collection in the past, this has later been used for the measurement of social and development indicators and has continued till now without any rethinking of its adequacy and relevance.

Social division and diversity

Nepalese society is characterized by a caste system: social hierarchy determines the roles and responsibilities of an individual. The presence of this system reflects the strong influence of Hinduism. It is composed of five levels: Brahman (priests and scholars), Kshatriya or Chhetri (rulers and warriors), Vaisya (merchants or traders), Sudra (farmers, artisans and labourers), and Untouchables or the socially polluted.

Nepal is an ethnic mosaic with a complex system of caste stratification and hierarchy. Census 2001 enumerated 103 caste or ethnic groups in Nepal with more than 92 languages; 43 caste groups in the Terai region (CBS 2003). Newars are internally divided into 40 cultural groups based on occupational categories, but they share the same language, Newari; Census 2001 enumerated the Newar as single ethnic cultural group. Similarly, there are 59 Janajati or ethnic groups as listed in Nepal (CBS 2003) but the 2001 Census records only 42 of these groups. Further, the Nepalese population also includes *Musalman* (Muslims) with a higher concentration in the Terai and some in the Western Hill districts. Table 1.3 provides details of the caste and ethnic groups in Nepal along with their presence in two major geographic regions.

Table 1.3: Caste/ethnic groups in Nepal, 2001

Caste/ethnic group and number	Number and types of caste/ethnic groups in	
	Hills/Mountains	Terai
Hindu caste groups (Four <i>Varna</i>)	Nine caste groups with common mother-tongue Nepali i) High caste – Brahmin, Thakuri, Chhetri ii) Middle – Sanyashi iii) Low caste or Dalit – Kami, Sarki, Damai, Badi & Gaine	43 caste groups in four <i>Varna</i> with four distinct language – Maithili, Bajjika, Bhojpuri and Awadhi i) Brahmin (Maithili Brahmin, Bhumihar) ii) Chhetri (Rajput) iii) Vaisya (Yadav, Kayastha, Haluwai, Hajam, Sonar, Lohar, Rajbhar and others) iv) Sudra or untouchables – Tatma, Bantar, Mushahar, Chamar, Dom and others
Newar (follows all four <i>Varna</i> of Hindu caste hierarchy)	More than 40 distinct cultural groups with different occupational categories, with common language Newari, and two major religion: Hindu and Buddhist	
Janajati (ethnic groups/nationalities) - 59 Janajati groups ^a , but Census 2001 has enumerated only 42 Janajati groups	18 from Mountains and 23 from Hills; Some of the Hills Janajati groups are: Magar, Gurung, Rai, Limbu, Sherpa, Sunuwar, Bhote, Raji, Raute and others.	7 from Inner Terai and 11 from Terai Some of the Terai Janajati groups are Tharu, Dhimal, Gangain, Satar/Santhal, Dhangar/Jhangar, Koche, Meche and others.
<i>Musalman</i> (Muslim)	Hill Muslims –small group known as Churoute who live in the Western hill districts	Terai Muslims popularly known as <i>Musalman</i>

^a Identified by the National Committee for Development of Nationalities (CBS 2003).

Source: CBS 2003, pp. 90-93.

In religion, Nepal is predominantly Hindu (80.6 per cent), but in May 2006 the parliament declared Nepal to be a secular state (Hachhethu 2008). Other religious groups are Buddhists (10.7 per cent), Muslims (4.2 per cent) and ‘Other’ religions which include Kirat (3.6 per cent) and Christian (CBS 2003).

Broadly, Nepalese society can be divided into two categories of people: Indo-Nepalese, and Tibeto-Nepalese and Mongoloid (Hagen et al. 1961). The first group inhabits the more fertile hills, river valleys and Terai plains. Within this group, there are two distinct categories. The first is composed of those who fled India and moved to the Hills in Nepal several hundred years ago because of the Muslim invasions in Northern India. Most of the migration took place during Khilji (or Khalji) and Mughal attacks in India in the twelfth, thirteenth and fourteenth centuries (Agrawal 2003; Niraula and

Morgan 1996) when the Hindus, mainly Brahmins and Kshatriyas (Chhetri or Chetri is used interchangeably) migrated to escape the invasion (Agrawal 2003; Hagen et al. 1961). Currently, their descendants are the local elites and are frequently the largest landowners in an area. They have the highest status in Nepalese society. The former royal family also belongs to this group.

The second category includes the inhabitants of the Terai. Many of them are relatively recent migrants, who were encouraged by the government or its agents to move into the Terai for settlement during the nineteenth and early twentieth centuries. Even after the end of the Rana regime, the 1950 *Sugouli Sandhi* (Sugouli Summit/Treaty) between India and Nepal agreed to accept mutual migration between Nepal and India and provide citizen status (Agrawal 2003). This provides grounds for movement and migration, temporary as well as permanent, of people between these two countries.

The people living in Terai are known as 'Madhesi' (Agrawal 2003), which originates from the word *Madhyadesh* for the plain which stretches between southern India and the foothills of Nepal (Shah 2006:2) and then *Madhesh* meaning 'plain' and the people living in that area being Madhesi. However, the Madhesi comprise only the Terai caste people living in that area. The Hills caste people who have migrated and settled in the Terai are not recognized as Madhesi, but rather as Pahadi, people from the high country, which originates from *Pahad* meaning mountains or hills in Nepali. The Madhesi account for 32 per cent of the total population of the country and comprise more than 60 ethnic and caste groups with great differences in culture and language (Shah 2006; Yadav 2006).

The second category, Tibeto-Nepalese and Mongoloid people, are those who migrated from Tibet in the north at various times and settled in the Mountains region of Nepal. The major ethnic groups include Sherpa, Khampa and Bhotiya in the Mountains, and some Mongolians such as Magar, Rai, Limbu and Gurung in the Hills. Most of the Tibeto-Nepalese people have migrated from Tibet which is currently part of China but used to be autonomous (Subedi 1991).

1.4.2 Terai: a social portrait

History of population settlement

The inhabitants of the Terai region comprise mainly three types: the Indigenous people

who have been in the Terai region since ancient times; people who migrated from India and settled in the Terai at various times; and the Hills people who migrated from the Hills.

The history of the Terai and its settlement dates back to the eleventh century and even earlier. According to some writers, the Terai was the centre of Hindu civilization, culture and learning in ancient times. The Terai contains Janakpur, the capital of the ancient state of Mithila as well as one of the well-known towns of today (Badehra et al. 1991). Many dynasties ruled this region before the unification by Prithvi Narayan Shah, the father of modern Nepal in 1789 (Jha 1993).

During some time periods, the Terai was part of India (Badehra et al. 1991; Crooke 1897; Jha 1993), as described by some scholars below. Jha (1993) wrote:

Subsequently, during the war between Nepal and British East India Company in 1814-16, Nepal lost its entire Terai region. During the treaty of Sugouli in 1815, Nepal had to relinquish all its land east of the Mechi river and west of Mahakali river and these rivers were fixed as Nepal's boundaries. Following the pledge of loyalty to the British, Nepal was again allowed to regain its authority on the eastern Terai one year after the Sugouli Treaty. Later on, by virtue of helping the British to suppress the Sepoy Mutiny in India in 1857-58, Jang Bahadur, in compliance with the Treaty in 1860, received back in return a few districts of the western Terai called Naya Muluk. Earlier these districts of Nepal were annexed by the British (Jha 1993:4).

However, some scholars maintain that the majority of the Madhesi people living in the Terai are indigenous (Bista 1991), and belong to the Terai land (Aajad n.d., cited in Jha 1993). According to Jha,

An impression is being created by certain quarters that a substantial section of the Madhesi population consists of immigrants from India. But it is far from the reality. Dor Bahadur Bista maintains that the majority of the Madhesi people are indigenous. R.D. Aajad states that the Madhesi people are part and parcel of the Terai and they did not come from outside. Shankar Lal Kedia presents a glorious picture of the Madhesi community ever since the ancient times. In fact, these people have always been there on this land, though it is a different question that sometimes they were under the rule of their own rulers; sometimes under the Mughal emperors; sometimes under the British East India Company; and now under the Nepalese rulers (Jha 1993:36).

The Terai region used to be covered by dense forest and known as a malarial zone. The migration and settlement of the Indian-origin people in this region dates back to the post-unification period of Nepal. The Shah rulers, during the period 1768-1845,

encouraged settlement of Indian people in this region (Dahal 1983) to cultivate the land and increase revenue. This is evident from the royal declaration issued by Pratap Singh Shah, one of the kings of that regime: they were to 'cultivate the land and set up the farmsteads' (Dahal 1983:2). The Ranas who ruled the country for 104 years from 1847 to 1950 further increased deforestation in the Terai. This gradually improved the conditions for living in this region, after which Indian people started migrating there.

The Treaty of Peace and Friendship 1950 signed between Nepal and India allowed the free movement of people between both countries: this encouraged the migration of Indians to settle in the Terai region. According to Article VI of the treaty, the Government of India and the Government of Nepal agreed that

Each Government undertakes, in token of the neighbourly friendship between India and Nepal, to give to the nationals of the other, in its territory, national treatment with regard to participation in industrial and economic development of such territory and to the grant of concessions and contracts relating to such development (Jha 1993:102).

Article VII of the treaty specified that

The Government of India and Nepal agree to grant, on a reciprocal basis, to the nationals of one country in the territories of the other the same privileges in the matter of residence, ownership of property, participation in trade and commerce, movement and other privileges of a similar nature (Jha 1993:103).

Another reason for migration of Indians to the Terai was the reluctance of Hills people to migrate and live in the Terai despite the efforts of the government for migration of the Hills people between 1860 and 1951. The reasons for this reluctance were the adverse climatic conditions and prevalence of malaria (Gaige 1975; Shah 2006). The Terai was considered 'death valley' (*kala-pani*) by the Hills people (Dahal 1983:1). The government wanted to promote agricultural production and enhance economic growth by clearing the land covered by forest, so they encouraged the Indians to migrate in this region (Agrawal 2003; Dahal 1983; Upreti 1993).

But after 1960, there was a high level of migration of Hills people from different parts of Nepal (Agrawal 2003; Gurung 1988), in response to the planned malaria eradication and settlement programs implemented by the government. The 1952/54 Census shows Hills people making up only about six per cent of the population in the Terai; this figure increased to 43 per cent by 1981. Some of the Terai districts (Jhapa, Chitwan, Dang and Kanchanpur) have 67 to 85 per cent of Hills people (Shah 2006). The

Madhesi (Terai people) community tends to be less migratory than the Hills people: less than five per cent of the Madhesi live in the Hills and Mountains and the remaining 95.4 per cent live in the Terai. Among the Hills people, 18 per cent live in the Terai and the rest in the Hills and Mountains (Shah 2006). Table 1.4 shows the trend of in and out-migration of people by geographic region from 1971 to 2001: while there is a high rate of out-migration from the Mountains and Hills, the reverse is observed for the Terai.

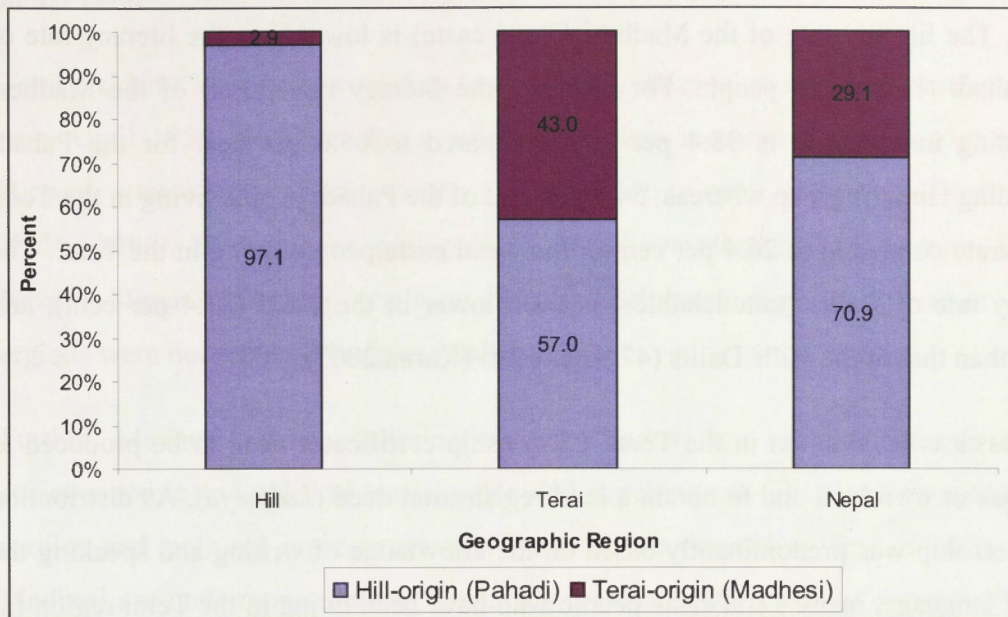
Table 1.4: Percentage of life-time migration by ecological zones, Nepal, 1971-2001

Geographic region	Types of migration	1971	1981	1991	2001
Mountains	In-migration	2.2	3.8	3.0	2.3
	Out-migration	11.1	32.0	16.1	17.1
Hills	In-migration	5.7	18.3	14.2	20.9
	Out-migration	86.6	64.0	75.5	68.9
Terai	In-migration	92.1	77.9	82.9	76.8
	Out-migration	2.3	4.1	8.3	14.0

Source: CBS 2003, Fig. 15.7, p.134.

At present, the Terai population which has been much more heterogeneous than that of the Hills has become more so, through the migration and settlement of Hills-origin people. Some scholars point out that of the total population in the Terai, 40.9 per cent are Terai castes, 33 per cent are Hill-origin castes, 18.2 per cent are Janajatis (Indigenous groups) and 7.9 per cent are Dalits (Yadav 2006). From calculation of the total Hill-origin and Terai-origin people from Census 2001 data, Figure 1.2 shows that Hill-origin people have outnumbered Terai-origin people in the Terai, whereas only a tiny proportion of Terai caste people are living in the Hills.

Figure 1.2: Population composition in Nepal by geographic region, 2001



Source: Calculated from 2001 Census sample data set.

Socioeconomic status

The Terai has Indian-origin people with a long history of social and cultural relationships with north Indian people. There is similarity in language, marriage rituals and norms, culture and traditions, customs and dress between the people of northern India and those of the Terai. The Terai is different from the Mountains and the Hills regions: in the Mountains the majority of people are of Tibetan origin such as Sherpa, Khampa and Bhotiya, in the Hills they are Aryans such as Brahmin, Chhetri, Thakuri and Newar, and some Mongolians such as Magar, Rai, Limbu and Gurung. Because of similar sociocultural traditions and kin relationships between the people of India and Nepal (Gaige 1975), there is cross-border marriage and frequent migration of people between these two countries (Gaige 1975; Rakesh 1994).

Most of the caste groups among the Indo-Nepalese living in the Terai have certain attitudes towards women; specifically, the Maithili and Abadhi are the most conservative and they restrict the mobility of women. Females wear the veil and many do not mix with the opposite sex (CBS 1995).

The Terai region is disadvantaged in educational development. The literacy rate of Terai people is lower than the national average and that of the Hills people. The

national literacy rate for males is 65.5 per cent and for females 42.8 per cent, compared with 62.1 per cent for Terai males and 40.1 per cent for Terai females in 2001 (CBS 2003). The literacy rate of the Madhesi (Terai caste) is lower than the literacy rate of the Pahadi (Hill caste) people. For instance, the literacy rate (total) of the Madhesi (including inner-Terai) is 38.4 per cent compared to 65.6 per cent for the Pahadi (including Himali) group whereas 54.5 per cent of the Pahadi people living in the Terai are literate compared to 26.4 per cent of the Terai caste people living in the Terai. The literacy rate of Dalits (untouchables) is even lower in the Terai (23.4 per cent), and lower than that of the Hills Dalits (47.9 per cent) (Karna 2007).

Landlessness is common in the Terai. Citizenship certificates need to be produced to purchase or own land and to obtain a land registration deed (*Lalpurja*). As distribution of citizenship was predominantly based on the knowledge of writing and speaking the Nepali language, many Terai caste people who have been living in the Terai region for generations but cannot speak or write Nepali are denied citizenship, so many are landless. According to the Nepal Living Standards Survey (NLSS), 2003/04, 96.9 per cent, 79.8 per cent and 72.4 per cent of agricultural households own land in the Mountains, Hills and Terai respectively (CBS 2004). Another recent source shows that 37 per cent of Dalits (79 per cent of the Musahar caste), 32 per cent of Janajati (ethnic minority groups), and 41 per cent of Muslims are landless in the Terai (Karna 2007).

According to the World Bank and DFID (2006) report based on NLSS 2003-04, 31 per cent of Nepalese live below the poverty line; the situation is worse among Dalit, Muslims and Indigenous groups. These figures are all above the 31 per cent for Nepal. Since over half of these three groups are Madhesi, there is more poverty in the Terai than in the Hills and Mountains. According to an estimate, the per capita income of the Nepalese is NRs 17,040; it is NRs 13,200 for the Madhesi Dalits, NRs 12,700 for the Madhesi Janajatis and NRs 10,200 for the Madhesi Muslims (Jha 2006).

There is much disparity between the Hills and the Terai districts in poverty, social development and other measures of socioeconomic status; there is a lack of information and data comparing Hills people and the Terai people living in the same district (Shah 2006). The Hills people are generally settled in the northern part of the Terai along the highways and growth centres (towns) whereas the Terai people are settled in the southern rural areas with less accessibility to education, health, transport and other development parameters (Shah 2006). This suggests that the status of the Madhesi for a

number of standard development indicators is worse than that of the Hills people living in the Terai.

Terai residents have been treated as ‘second-class citizens’ in Nepal, particularly in the past. Until 1958, Terai residents and Indians were required to obtain a passport at Birgunj, a town in the Terai near the Indian border, to enter Kathmandu (Karna 2007; Yadav 2006). However, people speaking Nepali or other Hills languages, such as Newari, Magar or Gurung, who were entering Kathmandu from the eastern or western regions were not required to do so (Gaige 1975).

Further, Madhesi suffer discrimination and disadvantage in many spheres of their socioeconomic and political participation and development. Their participation in civil service and political representation is quite low compared to that of Hills people. Madhesi are underrepresented in the media (government as well as non-government), judiciary, political appointments and high official posts (Shah 2006). Until very recently, Madhesi were not represented in the army, administration and the national legislature (Shaha 1986, cited in Jha 1993; Shaha 1975) and there is still discrimination against them in army recruitment (Jha 1993).

1.5 Scope and limitations of the study

In Nepal, age at first marriage of girls is increasing; however, it is lower for the Terai women than Hills women. The Terai women (Madhesi) are married at an earlier age than the Hills women (Pahadi). Although most of the demographic surveys present difference in age at marriage by geographic region, with particularly low levels in the Terai, there is little explanation for this. Dowry which has been established as a social norm particularly among the Madhesi in the Terai, has not been considered as a determinant of age at marriage in any of the demographic studies. Previous studies (ICRW 2007; NRC/IOM 2005) point out the need for research that explores the types of natal family characteristics, and the lack of evidence on how regional differences within countries may be associated with child marriages. Hence, this study will help to explore the reasons for such differences in age at first marriage between the girls of Terai and those of other regions.

As noted above, the Terai region differs in sociocultural aspects as well as caste composition from the Hills and Mountains (Bista 1996; Rakesh 1994). The Terai is

dominated by Hindus and Muslims similar in their sociocultural systems and traditions to people in the northern Indian states of Bihar and Uttar Pradesh. The dowry system is prevalent and cross-border marriage is widespread, particularly with the northern Indian states. The Terai is also neglected in the areas of research and tourism: travellers are not interested in the Terai (Niraula and Morgan 1996).

This study will explore the issue of dowry prevalent in the region, as this appears to be significantly contributing to perpetuation of the tradition of early marriage of girls. This research traces changing trends in age at marriage of girls in the Terai as described by existing demographic surveys and assesses whether inclusion of additional variables in these surveys would enable better analysis of these trends. Using the available secondary data, this study assesses their usefulness in explaining the determinants of age at marriage of women in Nepal in general, and the Terai in particular.

However, this study has three main limitations. First, it relies on available secondary data; it was thus not possible to include some key variables of interest. To overcome this limitation, several data sets were used in the analytic model. A second limitation of this study relates to the timing of enumeration of some of the variables such as education and occupation of respondents and their parents, and economic status of the households. In most of the surveys, these were enumerated at the time of survey and not at the time of marriage, which makes it difficult to assess the effect of these variables on age at marriage. Third, there is a lack of explicit information on dowry in large-scale surveys. In part, this is overcome by use of micro-level study data which, however, were not statistically sampled, and use of appropriate literature from India and elsewhere. Further, owing to the lack of explicit data on cross-border marriage migration between northern India and the Terai, in spite of its importance in relation to age at marriage, this issue was not considered in this study.

1.6 Organization of the thesis

Following this introductory chapter, Chapters 2 and 3 add more contextual information about marriage and its correlates, and dowry and its consequences. Chapter 2 summarizes the literature on factors and forces underlying marriage age and dowry around the world. This chapter also provides important information on the history and theories of dowry and consequences of dowry, and partly addresses the second research question related to the mechanism and dynamics of dowry. This chapter will help to

identify important variables and correlates associated with marriage that are considered in the analytic models in the subsequent chapters.

In Chapter 3, I have examined the customs and practices of marriage in Nepal. While this chapter contributes to an understanding of the reasons for early marriage in Nepal (one of the objectives stated above), it also reinforces the findings on the pattern of age at marriage in Chapter 5 and determinants of age at marriage in Chapter 6 and partly answers the third research question. This chapter covers marriage institutions, customs and practices of marriage, rules and regulations related to marriage, and cross-border marriage between northern India and the Terai.

Chapter 4 explains the data sets used for the study and assesses the quality of the data. This chapter further describes the variables used and establishes the methods and models for analysis which are used in Chapters 6 and 7 for bivariate and multivariate analysis related to age at marriage and dowry.

Chapters 5 to 7 form the main body of the thesis providing some key findings from the analysis. Chapter 5 sets out the trend of marriage prevalence and timing of marriage of women in Nepal. It fulfils specific objectives addressing the first research question of the study. This chapter further helps to question the use of the standard tripartite division of Nepal into Mountains, Hills and Terai by considering some other social dimensions to make comparisons, which partly addresses the second research question of the study.

Chapter 6 deals with the sociodemographic correlates of age at marriage. This chapter seeks answers to the second, third and fourth research questions. Findings from both bivariate and multivariate analysis are presented in order to answer the research questions.

Chapter 7 provides a brief account of customs, practices and factors of dowry in Nepal. This chapter has two purposes: first, it provides contextual information on dowry institutions and practices that helps in understanding the dynamics of dowry in Nepal, and second, it links dowry to the determinants of age at marriage. This chapter partly answers the fifth research question, and completely answers the sixth research question. An attempt is made to examine the association between various factors and dowry, and then between dowry and age at marriage.

Finally, Chapter 8 concludes the key findings by addressing the research aims and research questions. First, this chapter summarizes the key findings from each chapter, restating the research objectives and research questions, followed by the conclusion and policy implications.

Factors and forces underlying marriage age and dowry: a review

The previous chapter provided some aspects of early marriage in Nepal which led towards establishing the objectives and research questions. The social characteristics and diversity of the population were also summarized.

This chapter reviews the literature on factors that influence marriage timing and dowry around the world. As the study focuses on women, the review of literature focuses on women's marriage prevalence and timing.

The purpose of this chapter is to provide an overview of the differentials of age at marriage of women and some established theories of dowry and marriage payment, to identify reasons for early marriage of girls in Nepal, and the Terai in particular. While reviewing the literature, an attempt is made to analyse at the global, regional (South Asia) and local level (Nepal) the phenomena associated with marriage prevalence and associated factors.

First, I summarize the definition and pertinent theories of marriage to understand the marriage phenomenon, then the factors and differentials of age at marriage of women. After that I briefly summarize the definition, history and theories of dowry payments across the world and Asia. Finally, I note some of the principal consequences of dowry and marriage payments for women, family and society at large.

2.1 Definition and theories of marriage

Globally, marriage is defined and accepted as a 'formal agreement' between men and women (Forum on Marriage and the Rights of Women and Girls 2001). Marital status is widely known as a demographic characteristic which involves biological, social, economic, legal, and in many cases, religious aspects (ESCAP 1980). However, definitions and notions of marriage differ from society to society, particularly in developing countries including Nepal.

In Nepal, marriage is still considered as an arrangement between two families, rather than between two people (Forum on Marriage and the Rights of Women and Girls 2001). Nepal is predominantly a Hindu country with strong social taboos and cultural beliefs. Among the Hindus, marriage is considered as a religious ceremony and is treated as a 'sacred duty rather than a matter of personal convenience or arrangement' (Goyal 1988:2). According to A.C. Dass (1925) in his *Rigbedic Culture*:

it is most solemn affair in a man or woman's life, upon which depends his or her worldly and spiritual welfare and final emancipation from bonds that tie him or her down to the earth. It is certainly not a thing to be donned or doffed at one's pleasure. It is an eternal bond that binds two souls together for ever and each suffers for others lapses and derelictions. It is not a contract with them, but a sacrament and there is no breaking away or parting from the union (cited in Goyal 1988:2).

While marriage may appear to be a relatively simple and straightforward event, it is deeply rooted in the society's culture and tradition and is very complex indeed. Various issues need to be understood to demystify the marriage phenomenon and its causes. There are at least two theories that attempt to explain marriage: Social Institution Theory and Economic Theory.

Social Institution theory views marriage as an important event in human life governed by social norms, values, culture, religion and traditions. According to this theory, marriage is seen as a response to social norms (Goldstein and Kenney 2001). Goode (1982:11) argues that marriage like family is supported by 'a structure of norms, values, laws, and a wide range of social pressures'. McDonald (1981) suggests three major functions of marriage: social, personal and economic. The social function regulates the strengthening of social alliances, continuity of family lineage and control of sexual activity. The individual function maintains the sexual act and affection, love and emotional support as well as a means to achieve spiritual reward in a religious sense. The economic functions of marriage are linked with the establishment of a new household, means of economic security and division of household labour, as well as exchange of wealth. McDonald (1981) concludes that such functions may change over time owing to changes in the existing social structures, and social values and norms which affect marriage customs and marriageable age.

Social norms and values are important in shaping marriage practice and influencing marriage age. Social norms, values, laws and many social pressures determine marriage prevalence and age at marriage (Goode 1982). Customary (unofficial) law in Nepal and

other Asian countries fix the ideal age for marriage of boys and girls, with more emphasis on girls' age limit for marriage. However, such customary laws may vary from community to community. These unseen forces typically pressure parents and families to decide the marriage of their daughters; they also often create fear of shame and social penalty for the parents if they fail to marry their daughters by a certain age, and the parents are held responsible for maintaining their unmarried daughters for rest of their lives (Jaggi 2001). The parents of a daughter who stays unmarried beyond a certain age face high social costs as well (Rao 2008).

In patriarchal society, daughters are seen as others' property after marriage, and a woman's primary role is considered as a mother and daughter. Accordingly, parents and family put a high priority on protection of sexual chastity and the moral character of daughters before marriage, and want to hand this responsibility over to in-laws' families as soon as possible. When the marriage of a girl is delayed, her parents and family often becomes the centre of gossip in the village. Many rumours spread about the character of the girl, and the inability of the parents and family to arrange her marriage, bringing dishonour on them. In such situations, arranging her marriage becomes difficult.

Economic Theory views marriage as a rational arrangement between individuals who become more productive as a joint economic unit than by remaining single (Becker 1973a, b, 1981). According to this theory, men and women benefit economically through marriage; as explained by McDonald (1981), marriage serves economic functions which relate to the establishment of a new household, means of economic security, division of labour and exchange of wealth.

Becker (1981), however, argued that rises in the earnings, increased labour-force participation of women and falls in fertility lead to a reduction in the gain that people expect from marriage; other scholars support this argument (Bloom and Bennett 1990; Oppenheimer et al. 1995). Increased education (Oppenheimer et al. 1995) and economic independence (Bloom and Bennett 1990) of women often lead to delayed marriage and decline in the proportion of individuals who ever marry.

Both theories, social institution and economic, suggest that many factors are linked with the prevalence of marriage and marriage age. Social norms, values, culture,

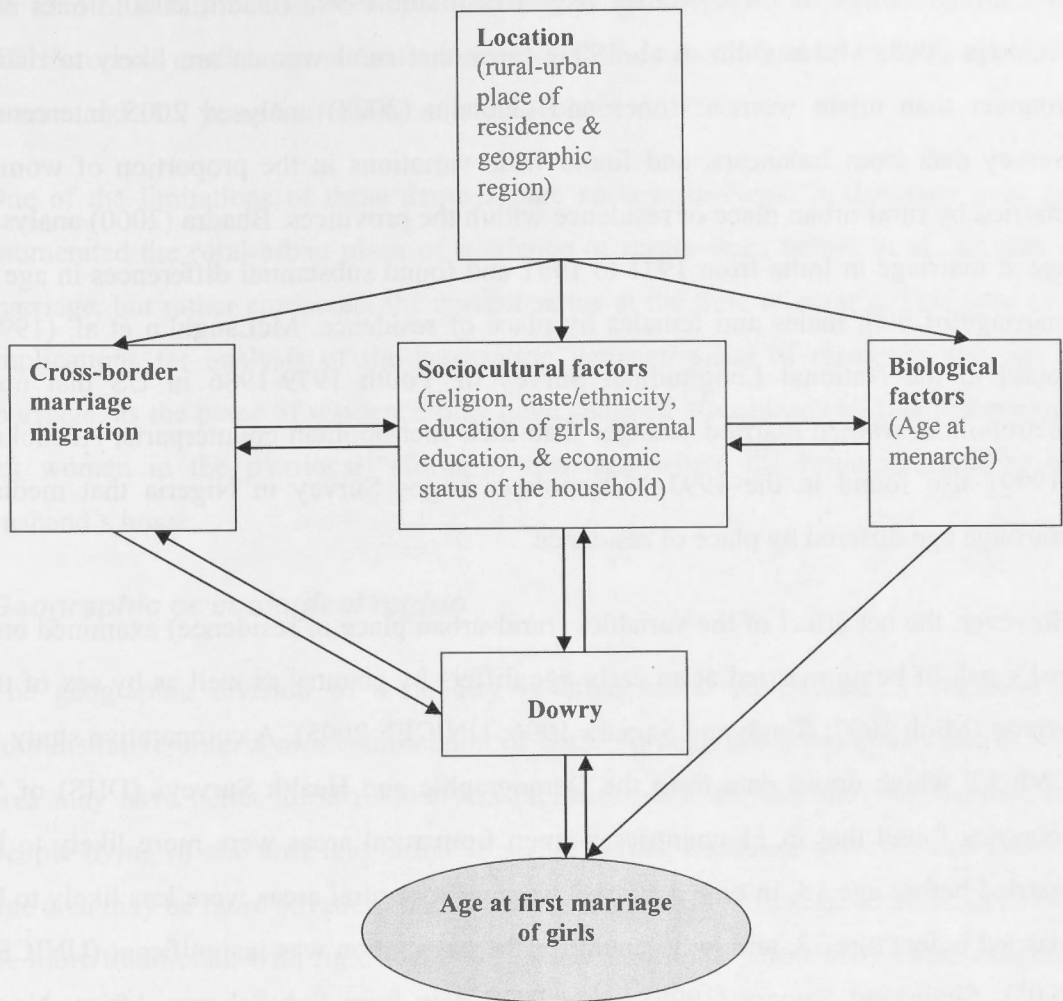
religion and traditions affect marriage prevalence and timing, as do the economic functions of marriage.

2.2 Factors associated with marriage decision and age of marriage

For many people marriage is one of the key elements in life, and several factors influence the decision whether to marry or remain single, and when to marry (Dixon 1971, 1978; United Nations 1988). Customs, traditions and social norms shape family formation and marriage timing (Dixon 1971, 1978; Goldstein and Kenney 2001; Goode 1982; Rao 2006); these differ from society to society and from country to country across the world.

Marriage has been regarded as a social institution (United Nations 1988), and the 'concept of marriage norms' (Dixon 1971, 1978) is significant in determining marriage practices, including age at marriage. Several demographic and socioeconomic factors are associated with age at first marriage of individuals and women in particular. Factors commonly identified in the literature are grouped into five categories: location, sociocultural, biological, economic, and the cross-border marriage migration phenomenon. I use the following modified theoretical framework (Figure 2.1) based on the framework developed by the United Nations (1988:14) (Appendix Figure 2.1) to show the relationship between the background variables and age at marriage of girls. However, it is beyond the scope of this study to analyse the causal relationships in the form of path analysis.

Figure 2.1: Theoretical framework of the relationship between background variables and age at marriage of girls



2.2.1 Location

There are two main factors in location: rural-urban place of residence or birth, and geographic region.

Rural-urban place of residence

Place of residence is expected to significantly affect marriage prevalence and age at marriage of girls. Rural or urban place of residence or place of birth is associated with access to several facilities including schooling; it is also associated with changes in sociocultural factors that influence marriage norms and traditions. People in urban areas are modernized by higher levels of education, easy access to mass media, and other factors.

Globally, several studies show a strong association between place of residence and age at marriage. Most of these studies (e.g. Adedokun 1999; Bhadra 2000; Jones and Gubhaju 2008; McLaughlin et al. 1993) show that rural women are likely to marry younger than urban women. Jones and Gubhaju (2008) analysed 2005 Intercensal Survey data from Indonesia, and found wide variations in the proportion of women married by rural-urban place of residence within the provinces. Bhadra (2000) analysed age at marriage in India from 1971 to 1991 and found substantial differences in age at marriage of both males and females by place of residence. McLaughlin et al. (1993) found in the National Longitudinal Survey of Youth 1979-1986 in US that non-metropolitan women married younger than their metropolitan counterparts; Adedokun (1999) also found in the 1993 Metropolitan Lagos Survey in Nigeria that median marriage age differed by place of residence.

However, the net effect of the variables (rural-urban place of residence) examined on a girl's risk of being married at an early age differs by country as well as by sex of the person (Minh 1997; Singh and Samara 1996; UNICEF 2005). A comparative study of UNICEF which draws data from the Demographic and Health Surveys (DHS) of 50 countries found that in 11 countries women from rural areas were more likely to be married before age 18, in nine countries women from rural areas were less likely to be married before age 18, and in 30 countries the association was insignificant (UNICEF 2005). Singh and Samara (1996) using DHS data from Sub-Saharan Africa, North Africa and the Middle East, Asia, Latin America and developed countries (France, Japan and US) also found that place of residence was associated with age at marriage of women. According to their study, in general rural women were more likely to be married at an early age, but in some countries the inverse situation was also observed. Minh (1997) found in his study in Vietnam that urbanization measured in terms of place of birth showed a significant effect on age at marriage of males, but the situation was unclear for females.

In Nepal age at first marriage differs significantly by rural-urban place of residence. Studies have shown higher rates of early marriage in rural areas than urban areas (Choe et al. 2005; Pradhan and Strachan 2003; UNFPA 2002; Westoff 2003). The 2001 Nepal Demographic and Health Survey (NDHS) reports that increase in age at marriage is closely related to increases in urban residence (MoH/N et al. 2002). Another study from Nepal (Choe et al. 2005) found that 16 per cent of rural females and 11 per cent of

urban females were married by age 15. Similarly, 46 per cent of rural females and 31 per cent of urban females in Nepal married by age 18 (Choe et al. 2005). The 2006 NDHS reports median age at first marriage of women aged 20-24 at 19 years for urban women and 17.7 years for rural women (MoH/N et al. 2007).

One of the limitations of these demographic surveys in Nepal is that they have not enumerated the rural-urban place of residence of respondents before or at the time of marriage, but rather enumerate the current status at the time of survey. This may have implications for analysis of the association between place of residence and age at marriage, as the place of residence may have changed after marriage; this is important for women in the patrilocal¹² form of marriage where the bride migrates to the husband's house.

Geographic or ecological region

The geographic division of a country is often based on physical characteristics, administrative criteria or a combination of both. Through the geographic division, one area may have better infrastructure and facilities while another may lag behind; and people living in one area may differ in social norms, traditions and cultures: those in one area may be more advanced and receptive to change while those in other areas may be more traditional, with rigid social norms and traditions. These differences influence the cultural norms, and marriage timing may differ from one area to another.

There is evidence of variation in age at marriage of women by geographic region in many countries. In India, age at marriage of women differs substantially by state, a wider form of geographic region which consists of many districts. The states of Madhya Pradesh, Rajasthan, Andhra Pradesh, Bihar, Uttar Pradesh, and West Bengal have a substantially lower age at marriage than other states (Bloom and Reddy 1986). Jones and Gubhaju (2008) analysed 2005 Intercensal Survey data from Indonesia and found wide variations in the proportion of women married by age among provinces. Adedokun (1999) found regional differences in the timing of first marriage in the Metropolitan Lagos Survey in Nigeria. According to this study, the lowest median age at first marriage was found in the northwestern part of the country (14.8 years)

¹² Wife joining her husband's family after marriage.

followed by northeastern areas (15.4 years), southeastern areas (18.8 years), and southwestern areas (20.1 years).

Several studies from Nepal (Choe et al. 2005; Niraula and Morgan 1996; Thapa 1989; UNFPA 2002) also found significant differences in marriage age of women by geographic region. Women of the Terai tend to be married younger than women of the Hills and Mountains. For instance, the 2006 NDHS reports the median age at marriage of women at 17.7 years in the Mountains, 18.5 years in the Hills, and 17.4 years in the Terai (MoH/N et al. 2007). This geographic difference in age at first marriage may be due to differences in culture and social norms. As noted in the previous chapter, the population of the Terai has become very heterogeneous because of migration by Hills people. As a consequence, age at marriage of Terai-origin people and Hill-origin people living in the Terai may be different.

2.2.2 Socio-cultural

As noted above, social norms and traditions have major institutional influences on marriage timing. Such social norms and traditions differ by caste/ethnicity, religion, sex, type of marriage, parental education, and education of girls; these are found to be strongly associated with marriage prevalence and timing.

Caste/ethnicity

Division by caste/ethnicity has a historical background. Caste and ethnic groups have substantial differences in sociocultural norms which influence marriage practice and timing. Further, there may be substantial differences in education, awareness level and adaptability to change which may also have a significant effect on marriage practices. Hence, it is expected that marriage prevalence and timing may differ by caste or ethnic group.

Previous studies have found a relationship between caste/ethnicity and age at marriage around the world (Adedokun 1999; Glick et al. 2006; Grenier et al. 1985; Kobrin and Goldscheider 1978; McLaughlin et al. 1993; UNICEF 2005). Using data from the National Education Longitudinal Study (NELS), Glick et al. (2006) found ethnic differences in marriage and family formation in US. From their multivariate analysis, they found that race or ethnicity was statistically significant in timing of marriage formation, with less marriage among Black respondents than non-Hispanic Whites.

Another study by McLaughlin et al. (1993) using data from the National Longitudinal Survey of Youth 1979-1986 in US found that White women married earlier than Black women. Evidence from African countries also supports this relationship. Adedokun (1999) using the 1993 Metropolitan Lagos Survey in Nigeria reports the difference in age at marriage by ethnic groups: Yoruba people marry later than Igbo and other smaller ethnic groups.

Although caste/ethnicity is a major factor associated with age at marriage, some research found insignificant relationships in a few countries. UNICEF (2005) found from analysis of DHS data from 26 countries that ethnicity was significantly associated with early marriage in 22 countries, but non-significant in four countries.

Several studies from Nepal also suggest strong association between ethnicity and age at marriage (Aryal 1991; Choe et al. 2005; Thapa 1989, 1997; UNFPA 2002). Some earlier ethnographic studies in Nepal (e.g. Bista 1996) reported a difference in average age at marriage by caste/ethnicity: Brahmins 13.5 years, Muslims 14 years and Tharu 14.9 years. Aryal (2007), using data from DSFM 2000¹³ found a higher median age at marriage among Gurung/Magar (17.7 years) and Newar (17.2 years) than among Brahmins (16.7 years), Chhetri (16.9 years), Tharu (15.6 years) and Kami/Damain (16.5 years) when it was calculated for women married at the time of survey. The same study calculated the median age at marriage for women based on both married and censored (unmarried at the time of survey) cases, and found that the median age at marriage was higher but followed the same pattern by caste group.

One of the major limitations of these studies, however, is that caste/ethnicity groups are based on the limited number of these groups enumerated in the previous surveys, and a high percentage of them are reported or categorized as 'Others'. Similarly, some caste/ethnic groups from the Hills and Terai are grouped together while distinctly differing in their culture and traditions including marriage practices. Thapa (1989), in his study based on the Nepal Fertility Survey of 1976, mentioned about 45 caste/ethnic groups and 29 per cent of them were put in the 'Others' category. The number of caste/ethnic groups enumerated in the 1991 Census was 60 whereas the 2001 Census

¹³ Demographic Survey on Fertility and Mobility in Rural Nepal 2000: A Study of Palpa and Rupandehi Districts.

enumerated 103 caste/ethnic groups. Bista (1996) argued that there are significant variations among ethnic groups within a geographic region, so attention needs to be paid when grouping caste or ethnicity.

Religion

Religion and religiosity are strongly associated with the social and cultural norms that influence attitudes towards marriage. Two major aspects associated with this are the religious obligations of parents and the sexual purity of girls before marriage. Parents in some religions assume that they have a religious obligation to marry off their sons and daughters (Dixon 1971). In the Hindu and Muslim religious texts, marriage of girls before reaching menarche brings high religious merit for the parents. This encourages many traditional families in the rural areas to arrange early marriage, for their daughters in particular. Bista (1996)) showed the importance of *kanyadan* in the marriage of girls among Brahmins and Chhetris in Nepal:

The most important part of the entire wedding ceremony is *kanyadan*, when the parents of the bride make a gift of her to the groom. This must take place at the exact auspicious moment calculated by the priest, the moment when the hands of the bride are put into the cupped hands of the groom. She has then been given to him. After this the parents are relieved of the most important of their obligations. They can break the fast which they have been observing for the last twenty-four hours in order to keep them pure and clean for performing the pious act of *kanyadan* (Bista 1996:8).

Bennett's (1978) ethnographic study on Nepal also described *kanyadan*:

...a girl must be pure in order to be given away as a religious gift, and until her marriage, her actions reflect directly upon the prestige of her maita [maternal home]. Any 'loose' behaviour on her part (and this might include such things as talking with boys on the village path, laughing too much or showing lack of proper shyness in front of men) makes her father's job of finding a suitable groom that much more difficult (Bennett 1978:38).

These two examples show the link of sexual purity with religious merit and obligations of parents, as *kanyadan* is associated with both of these. Among the high-caste Hindus, this is a highly valued auspicious act associated with a high perceived return of religious merit.

It is clear that religion plays a significant role in shaping the marriage norms and influencing age at marriage internationally and in Nepal as well. Several studies have shown that religion has a strong association with age at first marriage around the world, particularly for girls (Adedokun 1999; Aryal 1991; Bista 1996; Dixon 1971; Grenier et

al. 1987; Islam and Ahmed 1998). In the Lagos Metropolitan Survey, Adedokun (1999) found that Muslims had a mean age at marriage of 21.4 years, non-Catholic Christians 22.3 years and Catholics 22.5 years. Islam and Ahmed (1998) using data from the 1989 Bangladesh Fertility Survey found that mean age at first marriage of ever-married women was 15.2 years for Muslim and 15.8 years for non-Muslim women. However, a few studies have shown a non-significant association between religion and age at marriage. UNICEF (2005) found from an analysis of DHS data from 36 countries that religion was significantly associated with early marriage in 22 countries but was non-significant in 14 countries.

Age at marriage also differs by religion in Nepal. Aryal (1991) using the Nepal Fertility and Family Planning (NFFP) Survey (1986) found that the mean age at marriage of girls was lower for Muslims (14.6 years) than for Hindus (15.8 years) and Buddhists (18.9 years). This is also evident from the 2001 and 2006 NDHS in which Buddhist women have the highest mean and median age at marriage followed by Hindu and Muslim women.

Sex

Sex is strongly associated with marriage timing around the world: daughters are often married at an earlier age than sons. Caldwell et al. (1983) in their study in South India found low ages at marriage for girls but relatively high ages for boys. Three major factors associated with gender difference in marriage timing are religious belief, the notion of purity, and sex discrimination. The prescriptions of religious texts of both the Hindus and Muslims are mainly responsible for the early marriage of girls: the religious scriptures of the *Dharmasutras* and *Smritis* prescribed the low age at marriage of women so that their whole fertility period could be utilized from the very beginning, along with the prerequisite of a girl's virginity and chastity before marriage (Bhadra 2000).

The sexual purity of girls is given high priority in many societies (Thapa 1989). Parents often keep girls at home ensuring they remain 'chaste' until marriage; boys or men seek girls younger than themselves because they perceive that older girls may not be virgins (Chitrakar 2009; Dyson and Moore 1983; Waszak et al. 2003). A recent study in Ethiopia (Pathfinder International 2006) found that tradition was the major reason for the marriage of girls before age 18; this preference was expressed by 82 per cent of the

respondents. The same study reported that women were married early to protect virginity and avoid premarital affairs (21.2 per cent) and 29.5 per cent were married early because it was difficult to get them married as they became older.

Because of the notion of purity and the stigma attached to premarital sexual relationships, parents are often pressured to marry off their daughters once they start menstruation. They worry that their daughter will become premaritally pregnant, which would bring disgrace and dishonour to her and her family, and would make it difficult to find a man to marry her. Unmarried girls are at risk of being attacked by sexual predators, which increases the pressure to marry her; there is also greater doubts about whether the older girls are virgins (Warner 2004).

Although there is some change in attitudes towards premarital relationships among the urban people, the situation remains almost the same in the rural traditional societies, and among the older parents who are mainly the decision-makers in matters related to marriage. This situation is even more common in societies which hold strong beliefs about the fulfilment of the social and religious obligations of marriage. As a result, individuals are pressed to marry; shame and social penalties affect those who remain single (Dixon 1971; ICDDRDB 2007; Jaggi 2001). Families with unmarried, older girls in Bangladesh are stigmatized, since in the community's perception, they have failed to protect their family's honour by securing early marriage (ICDDRDB 2007).

Furthermore, there is a preference to have sons rather than daughters for various reasons: often because of parents' desire to secure continuity of the paternal line (Minh 1995; Nag and Kak 1984). As a result of gender discrimination, daughters are less valuable than sons (Warner 2004), and parents often perceive daughters as 'Others' property'. In India, Nepal and other south Asian countries, parents perceive daughters as a liability and seek to reduce the economic burden of supporting them by arranging their marriage at an early age (Barkat and Majid 2003; Dyson and Moore 1983; Nag and Kak 1984). There is a saying that 'educating daughters is watering the neighbours' tree or garden, which bears no fruit for the person who waters'.

Furthermore, there is a belief that the early marriage of girls helps to ensure that they will produce sons because of the extended period of fertility. Early marriage of their daughters increases the period of time over which they can bear sons for the group into which they marry (Dyson and Moore 1983).

On the other hand, parents think that a man married at an earlier age will be sexually immature and early drains on his sexual strength will have permanent effects on his physical strength (Caldwell et al. 1983). Moreover, the increased age of a boy means higher education, thus parents can claim a higher amount of dowry for their son, as was evident from a study in South India (Caldwell et al. 1983).

Type of marriage

The choice of type of marriage is largely determined by the prevailing social and cultural norms of a community, so a person cannot simply choose which type of marriage to enter. Marriage types can be categorized according to the decision-making role, types of payment, marriage with relatives or outsiders, within or outside the village, and number of spouses. Prior work shows that age at marriage differs by the type of marriage.

Age at marriage differs by type of marriage based on parental involvement in decision making and arrangement of marriage. Scholars conclude that parentally arranged marriage takes place at an earlier age (Dixon 1971; Minh 1995) than non-arranged or self-choice (love) marriage. The desirability of marriage or the strength of the motivation to marry is determined by the availability of social and institutional alternatives to marriage and childbearing, according to Dixon (1971) who argued that the feasibility¹⁴ and desirability¹⁵ of marriage are important factors that influence marriage timing. According to her study of 57 countries around 1960, these two factors influenced early marriage patterns in Asian regions more than in the West. In arranged marriage the newly married couples live in their parental home after marriage, so they do not have to struggle with financial and residential matters, and the parents are involved in the marriage because they have always dreamed of performing the marriage of their offspring. Parents often feel obliged to marry off daughters to gain religious merit, so the marriage is solemnized at an early age. Generally, marriages arranged by parents or relatives occur at an earlier age than love matches. In an ethnographic study

¹⁴ ‘...determined primarily by expectations regarding the financial and residential independence of the newly married couple (including dower or dowry requirements) and the availability of resources (land, saving, income) for meeting these obligations’ (Dixon 1971:222).

¹⁵ ‘...determined by the availability of social and institutional alternatives to marriage and child bearing and by the extent to which these alternatives are considered rewarding’ (Dixon 1971:222).

of Tamangs from Timling, Fricke (1988) reported the mean age at marriage at 19.2 for women who entered arranged marriage and 21.2 for self-choice (love) marriage. In self-choice marriage, both bride and groom need to be independent financially before marriage and so perceive less benefit from early marriage. As most arranged marriages are hypergamous¹⁶, in such marriages, men who are socio-economically superior are usually more educated and hence are older than their wives (Edlund 1999).

Similarly, age at marriage differs according to whether the marriage is within a cross-cousin relationship or not. Dahal et al. (1993a) reported from a study in Timling that both girls and boys experienced delayed marriage in cross-cousin relationships, with 27 per cent less risk of marrying than those who were not related. In cross-cousin marriages, although negotiations and arrangements may be confirmed informally, the actual marriage takes place later because the marriage match is certain, and parents can take their time over the wedding arrangements (Dahal et al. 1993a).

Age at marriage also differs according to monogamy and polygamy. Adedokun (1999) found a difference in mean age at marriage between monogamous and polygynous marriages in Nigeria: 22.2 years for women in monogamous marriages and 20.8 years in polygynous marriages. Normally, in polygynous marriage, the man already has one or more wives and so may be older than his new wife; therefore, the age at marriage of the females is substantially lower.

Parental education

Parental education has a significant bearing on age at first marriage of both girls and boys. The parents' education level also determines the education of their children; this has a substantial influence on marriage timing and age at marriage of women. Parental educational attainment is positively related to children's educational attainment, leading to higher age at marriage (Michael and Tuma 1985), because educational goals and priorities are reinforced by parental role models. A recent study from rural Bangladesh (Bates et al. 2007) shows that mother's education was significantly related to higher age at first marriage of daughters. Aryal (2007) also reports from a study in rural Nepal

¹⁶ Women marrying socio-economically superior men.

a strong association between education of father and age at marriage of girls, which substantially increased with increase in level of education of the father.

Education of girls

Education is one of the important elements in the life of a person. Progressive education builds the knowledge base on matters related to life including the positive and negative aspects of early marriage and early childbearing (Jejeebhoy 1995; Murphy and Carr 2007). This knowledge, in turn, helps in forming attitudes, and is reflected in behaviour change. Education also enhances employability, so it is expected that educated females will marry later than their uneducated counterparts.

Mainly two types of status of education, highest level of education and current schooling, are used to assess its relationship with age at marriage. The relationship between education and age at marriage is well established from previous studies (Adedokun 1999; Axinn and Thornton 1992; Bates et al. 2007; CBS 2003; Choe et al. 2005; Chowdhury and Trovato 1994; De Silva 1997; Jensen and Thornton 2003; Singh and Samara 1996; Westoff 2003) across various countries. Young women aspiring to college education are likely to delay marriage (Axinn and Thornton 1992). Singh and Samara (1996) using DHS data sets from Sub-Saharan Africa, North Africa and the Middle East, Asia, Latin America and some developed countries (France, Japan and US) found that education was strongly associated with age at marriage of women. Jensen and Thornton (2003) using DHS data from several countries also found that women who were married at an early age had less education. According to the analysis of DHS data from 50 countries, UNICEF (2005) also reported education of women being significantly associated with age at marriage in 48 countries and insignificant in two countries.

Although education in general is associated with age at marriage only, education to a certain level can bring substantial change in marriage age. Chowdhury and Trovato (1994) found in their study of Pakistan, Bangladesh, Nepal, Sri Lanka and Malaysia that women with a higher level of education were married at a higher age. However, they concluded that attainment of primary education is insufficient to raise age at marriage. They found that women who attained education beyond 10th grade or secondary level of school showed approximately a four-year higher age at marriage than the national average in four of the five countries, the exception being Nepal. This

is supported by a study from India in which Gupta et al. (2008), in analysis of data from three National Family Health Surveys (1992-93, 1998-99 and 2005-06) found that education of women to the high-school-and-above level was a prime factor in increasing age at marriage of women.

There is also evidence that girls and boys who are currently at school are less likely to marry early. Using data from the National Education Longitudinal Study (NELS) in US, Glick et al. (2006) found that a smaller proportion of girls and boys who were enrolled in school entered marriage compared to those who were not enrolled in school: 10 per cent of the girls married while still at school while about 45 per cent of girls of the same age who were not enrolled in school married in 1995. Among boys, about three per cent who were enrolled in school married, and was about 28 per cent of boys who were not enrolled in school in 1995 (Glick et al. 2006).

Studies from Nepal (Aryal 2007; MoH/N et al. 2002, 2007) suggest an association between age at marriage and education level. The 2001 NDHS reports that the median age of women at marriage increases substantially with years of education: no education 16.3 years, primary education 16.8 years, some secondary 17.4 years and School Leaving Certificate (SLC) and above 19.5 years (MoH/N et al. 2002). Aryal (2007) in rural Nepal (Palpa and Rupendehi districts in 2000) found a decreased risk of early marriage with an increase in education level of women. This study also reported the lowest median marriage age for women with no education; followed by women with primary and lower secondary education, and the highest for women with secondary and higher level of education.

Most of the demographic surveys (except NAYA 2000), however, enumerate current education status at the time of survey rather than education status at the time of marriage. This has implications for analysing the actual association between education of women and their marriage age.

2.2.3 Biological

Age at menarche is a major biological phenomenon in women indicating biological readiness for reproduction, along with development of secondary sexual characteristics. The factors associated with early onset of menarche are mainly nutritional (including oxygen level) and genetic (Sharma 1990; Vaidya et al. 1998). Several studies, mostly

from developed countries (Udry 1979; Udry and Cliquet 1982) show a positive association between age at menarche and age at marriage. There is also evidence of ethnic or racial difference in age at menarche in the US (Anderson and Must 2005; McDowell et al. 2007; Styne 2004).

A few studies from Asia (Caldwell et al. 1983; Surender 1992; Tan-Boon et al. 1983) have also found an association between age at menarche and marriage age. Tan-Boon et al. (1983) using the 1976-77 Malaysian Family Life Survey data found a strong association between age at menarche and age at first marriage controlling for other socio-demographic variables. Caldwell et al. (1983:353) reported in their study in South India that 'nearly all families in the study area believed that attempts to marry daughters should begin at menarche and should be successful as soon as possible'. They also reported that when women were married at higher ages it was mainly for biological or social reasons: late menarche; difficulty in finding a groom with an acceptable level of dowry and raising money for it; and a shortage of potential grooms.

Among biological factors, as postulated by Udry and Cliquet (1982:53), are (1) '... increased release of sex hormone at puberty leads to increased libido, and consequently to early intercourse and/or marriage', and (2) 'those women with early puberty are more fecund than women with later puberty, leading to earlier births for a given exposure to the risk of pregnancy'.

Further, Udry and Cliquet (1982:53) postulate two mechanisms for social processes: (1) 'Pubertal hormones lead to early development of secondary sexual characteristics which are attractive to males, providing early opportunities for intercourse and/or marriage' and 2) 'parents and peers provide encouragement for early intercourse and/or marriage to the woman with early menarche'. Through observing the sexual development of girls, parents and family may feel that their daughters are mature enough and ready for marriage and hence may apply pressure to arrange their marriage.

Many societies have equated readiness for marriage with onset of menstruation for girls (McCauley and Salter 1995; Thapa et al. 2001; United Nations 2004). In many societies the onset of menarche still remains an important cultural marker which defines girls' exit from childhood and their readiness for marriage and childbearing (United Nations 2004). This is prominent in Nepal which is dominated by Hindus. The onset of menarche may also be associated with the need for pre-marital sexual purity. As noted

earlier, religious beliefs and factors are also involved. Parents often keep girls at home ensuring they remain 'chaste' until marriage (Dyson and Moore 1983; Waszak et al. 2003). Bennett (1978) in her ethnographic study in Nepal describes menarche as an important social marker in the lives of women, which has a profound impact. One of her respondents describes the event:

When one becomes *na-chhune* [menstruating] then the *taruni*¹⁷ period begins. During this time you are not supposed to touch the children and then you become *taruni*. A lot of blood accumulates and so this blood comes out. The breasts grow. First, they are small – about this big. After the first menstruation, they begin to grow bigger. And you begin to feel that if you could wear pretty clothes and do make-up then you would become pretty too. When you are small you have no desires for that sort of thing. ...But when you grow up, then you want good food and good things to wear. You feel that you would like to be better than all the others – to put on a lot of make-up, cream, powder and *kajal* (eye make-up) – to become a *taruni*. You think about what others will say – whether they will say you are a *taruni* or not and whether they will say you are pretty or not. These are the new feelings that you have when you are a *taruni* (Bennett 1978:33-34).

As a result, parents may choose to arrange the marriage of their daughters to transfer the responsibility for protection of daughters to the in-laws after marriage. Thus, girls who menstruate earlier are married at an earlier age than their counterparts who menstruate later. Early marriage acts as a form of social protection in some families.

The available literature in general shows that age at menarche seems to be associated with age at marriage both biologically and socially; the social aspect having a much stronger influence, as this creates pressure on the adult members of the household who make the decisions in matters related to marriage.

Some studies in Nepal have analysed the relationship between age at menarche and age at marriage of women. According to a study from rural Nepal, there is a 15 per cent lower risk of marrying earlier for women who menstruated at ages 13-14 than for those menstruated before age 13. The relative risk of marrying early for women who menstruated at age 15-16 was 23 per cent less and for those who menstruated at age 17 or above, it was 44 per cent less than that of the reference group (Aryal 2007).

¹⁷ Sexually mature, nubile.

In Nepal, there is evidence that age at menarche of girls in the lowlands is lower than in the Hills and Mountains regions (Aryal 2004; Beall 1983; Sharma 1990). Sharma (1990) reported that Sherpa women in Nepal had a higher age at menarche, and women in the Terai and India had a lower age at menarche. The findings suggest that hot weather with high oxygen level could be a factor in early menarche and hence early marriage in the Terai. Diet and change in life-style may be other factors associated with early menarche in the Terai.

These findings suggest that the lower age at menarche of girls in the Terai may make a significant contribution towards their early age at marriage. However, there are contrasting studies which suggest no significant difference in reported age at menarche between highlanders and lowlanders in Nepal (Laurenson et al. 1985). Other literature suggests the need to include age at menarche as an independent variable in analysis to clearly determine its effect on age at marriage (Tan-Boon et al. 1983).

In the context of increasing age at marriage of women in the West and developed countries in Asia, there is a decreasing trend of research examining the association between menarche and marriage age. In many of the developing countries including Nepal, although this issue seems relevant and important, this factor is not given much attention and is widely excluded in the demographic surveys.

2.2.4 Economic

The economic status of the household and dowry are considered here as influences on marriage timing.

Economic status of the household

In many societies the economic status of the family is significant in determining the age at marriage. In general, studies (Singh and Samara 1996; UNICEF 2005) have found that higher economic status of households leads to later age at marriage of women. Axinn and Thornton (1992) stated that social and economic conditions in the parental home affect the likelihood of marriage of young women. Singh and Samara (1996) also affirm the correlation between socio-economic status and age at marriage. However, some studies found no significant relationship between household wealth and age at marriage. From multivariate analysis of DHS data from 50 countries, UNICEF (2005)

found household wealth significantly associated with age at marriage in 19 countries, but non-significant in 31 countries.

Poverty has been one of the major factors causing early marriage of girls in poor families. Poor families in many societies use early marriage of daughters as a strategy for reducing their economic vulnerability, shifting the economic burden related to a daughter's care to the husband's family (Forum on Marriage and the Rights of Women and Girls 2003). Further, many poor parents consider investing in daughters as a waste because after marriage they will leave their parents' home and serve another's home (World Vision 2008); this is part of gender discrimination. In many African countries bride price has been seen as an opportunity to relieve the family from poverty (World Vision 2008). Many parents marry off their daughters to get relief from poverty and suffering caused by natural disasters and the impact of war, as shown by studies in Kenya and Afghanistan (World Vision 2008). A study by Pathfinder International (2006) in the Amhara region of Ethiopia found that about one in five (21.4 per cent) women were married below age 18 for the purpose of collecting bride price, as younger girls are highly valued in the marriage market and attract a better price.

An exploratory study from West Bengal that looked at the association between economic status of the household and age at marriage of women, found a strong association between these two variables (Sanlaap 2007:8). Analysis from 1,376 women showed that among the households with annual income of less than IRs 25,000, 20 per cent of women were married below age 14, 54 per cent between ages 14 and 17, and 26 per cent were married at 18 and above. The percentage of under-age marriage gradually decreased while the marriages at 18 and above increased as the annual income of the women's household increased. Among women from the households with the highest annual income of more than IRs 100,000, only 3.7 per cent were married below age 14, 30 per cent between ages 14 and 17, and 67 per cent were married at 18 and above.

Evidence from Nepal also reveals an association between economic status of the household and age at marriage of girls. Dahal et al. (1993a) observed in Nepal that girls experienced delayed marriage when their parents had greater land holdings than the parents of the proposed groom (see also Dahal et al. 1993b). The 2001 NDHS shows that just over half of the women from the poorest quintile of households were married by 15-19 years of age compared with less than one-fifth of women from the highest economic quintile of households in the same age group (MoH/N et al. 2002). However,

NDHS has limitations in using economic status of the household as it enumerates the status at the time of survey. In contrast, Aryal (2007) found from a study in rural Nepal a negative association between land-holding size (including economic status of the household) and age at marriage: a lower age at marriage for females from households with more land. This may be because marriage customs are more rigid in the high-caste community where girls are supposed to be married before menarche (Aryal 2004), and the data come from a relatively small village-level study in two districts.

The economic independence of women has a significant effect on the age at which women marry. Some scholars have confirmed that increasing economic independence of women is largely responsible for the delay of marriage (Farley and Bianchi 1987; Preston and Richards 1975) whereas others argued that lack of independence accelerates early transition to marriage (Lichter et al. 1992; Oppenheimer 1992).

Marriage cost and dowry

Early marriage is common in most of the poorest developing countries, so a connection between early marriage and money is not uncommon. Many societies use the customs of 'bride price' or dowry ('groom price'), practices which usually take up the lion's share of household expenditure. Many poverty-stricken parents of brides in sub-Saharan Africa and parts of Asia can get financial relief in the form of bride price (often cattle) to the family as payment for the bride-to-be (Pathfinder International 2006; World Vision 2008). This also helps in building alliances for support in difficult circumstances, so girls marry early. However, with an increase in bride price in Egypt, the age at marriage has increased because the prospective groom cannot pay the bride's family (Singerman and Ibrahim 2001).

In contrast, there is a growing concern among parents about the increase in dowry with increase in their daughter's age, resulting into early marriage of girls. Several studies have shown a positive association between age at marriage and dowry (Amin 2007; Amin and Huq 2008; Bruce et al. 1995; World Vision 2008). Bruce et al. (1995) reported from Bangladesh that parents encourage early marriage from fear that their dowry price will increase as their daughters' age. A study by Amin and Huq (2008) that uses qualitative data from a 2000 study in Bangladesh reported an increase in the percentage of brides paying dowry, and a higher amount of dowry paid by older brides (also see Amin 2007). World Vision (2008), using data from its 2007 study reports that

many parents in India marry their daughters at an early age as the dowry increases with increase of her age and becomes an economic burden on the family. Caldwell et al. (1983) also found in a study in South India that increasing dowry payment for older daughters was a major concern among parents.

An exploratory study in West Bengal that examined the association between quantum of dowry¹⁸ and age at marriage of women, found that dowry increased along with increase in age of women (Sanlaap 2007:34). The study also found that there was no significant difference in practice of dowry by age at marriage of women. This study, however, found underreporting of dowry which is common in all contexts.

However, a study by Nag and Kak (1984) in Manupur, a village in Punjab, found that owing to the economic revolution (including the 'green revolution'), families now realized the importance of educating their children and even invested in their daughters' education, mainly because highly educated women are more likely to be married by educated people who go abroad.

There is little research on dowry and age at marriage in Nepal. Only a few ethnographic studies so far have indicated the effect of dowry on marriage age of women. Some studies suggest the existence of dowry in Nepal, particularly in the Terai (Dahal 1996; Rakesh 1994), and that dowry encourages girls' parents to arrange their daughters' marriage at an early age (Hart 2001). As explained by Dahal (1996), this is because parents of more educated girls search for better-educated boys for their daughters' marriage, and in doing so have to pay a larger amount of *tilak* (dowry paid in cash before marriage or during marriage), as the amount of dowry is determined by the boy's education and job status, and his family's socio-economic status. Dahal (1996) adds that the higher education of girls also limits the scope of potential suitors from which a family can choose a groom.

There are many reasons behind such fear among parents. Dowry payments most often represent many years' worth of a family's income and thus can cause destitution of households with daughters of marriageable age (Deolalikar and Rao 1998). Rao (1993b) estimated the net value of goods and services transferred at the marriage of

¹⁸ Grouped into four categories – less than IRs 5,000, from IRs 5,000 to less than IRs 20,000, from IRs 20,000 to less than IRs 50,000, and above IRs 50,000.

daughters as two-thirds of the total assets of the household in rural India. Many middle-class and poor families take loans or sell their property to meet the demands of dowry (Jananeethi 2004; SAS/N 2001). The present form of dowry demanded by the groom's family is often gross and may not correspond to the economic position of the bride's family; this puts families under pressure to marry their daughter at an early age. Thus, parents are deterred from educating their daughter or allowing late marriage by the prospect of an increase in the dowry (Caldwell et al. 1983; Dyson and Moore 1983; Save the Children 2004).

2.2.5 Cross-border marriage migration

Migration generally affects the sex ratio at the origin and destination; both internal and international migrations have been found to be associated with age at marriage. Fuguitt et al. (1989) stated that out-migration affects the sex ratio of the population and reduces the demographic pool of marriageable men available to marry in rural areas. The recent trend of international labour migration from Nepal which is mainly of young men is generally period-bound and once they migrate, they are not likely to return at least for 3-4 years. This has a direct effect on the demographic pool of marriageable men.

Cross-border migration between Nepal and India is of particular interest from the sociocultural, economic and marriage points of view. There has been an open border between Nepal and India from ancient times (Jha 1993; Pandey 1995) with free movement of people of one country to another for education, jobs, business, and marriage. This is partly due to sociocultural similarities and changes in ownership of the Terai region between India and Nepal in some time periods in the past (see Chapter 1). This allowed the spread of kinship and sociocultural relationships which still continue. This is strengthened by the Treaty of Peace and Friendship of 1950 between the Governments of India and Nepal which grants equal treatment to the people of both countries with regard to participation in industrial and economic activities, residence, ownership of property, trade and commerce, movement and other privileges (Jha 1993).

The similar sociocultural environment of the northern Indian states, Bihar and Uttar Pradesh, and the Terai region of Nepal (Gaige 1975), and the existing practice of 'caste

endogamy¹⁹ marriage prevents marriage between members of different castes (Birodkar n.d.). This also contributes to marriage between Indian and Nepalese families across the borders (Rakesh 1994).

Dowry may also be significant in determining marriage migration between India and Nepal. Many Indian families want to marry their daughters to Nepalese boys to minimize the amount of dowry, but want to marry their sons to Indian girls to increase the amount of dowry. Additionally, parents from the Terai region want to marry their sons to Indian girls, but want to marry their daughters to Nepalese families. A study conducted by SAS/N (2001) in the Banke (Terai) district of Nepal found that the *dahej* (dowry) is very high in India but relatively low in Nepal. This difference is due to cross-currency rates where the Indian rupee is usually worth more than the Nepalese rupee. In contrast, the same study also shows that some Indians marry their sons to Nepalese brides in the hope of obtaining Nepalese citizenship so that they can run businesses and buy property in the name of the daughter-in-law in Nepal.

As a result of cross-border marriage migration, an imbalance may have been created in the availability of brides and grooms in particular castes in Nepal, a situation which again contributes to an increase in the amount of dowry and consequently affects the age at marriage of girls. However, there is a lack of research on the extent of cross-border marriage between India and Nepal, and its causes and consequences for dowry and the marriage market, so it is beyond the scope of this research.

2.3 Factors underlying marriage payments and dowry

2.3.1 Definition of dowry and marriage payments

The term 'dowry' refers to gifts from the parents to their daughter at the time of marriage. In ancient times, dowry was mainly referred to as *stridhan* (*stri* - woman and *dhan* - wealth or property) (Rao 1993b). A woman accumulates this *stridhan* before her marriage, and takes it to her in-laws' home after marriage. This also includes some material gifts received from her parents and kin at the time of marriage (Rao 1993b). She has sole ownership of all the properties received as *stridhan*.

¹⁹ Marriage between men and women of the same caste.

Over time, the concept of 'marriage payment' has changed significantly. The practice of 'bride price' came into existence; it is still common in many African and Arab societies as well as some ethnic caste groups in Asian countries (Hagul 2008; Singerman and Ibrahim 2001). In this practice, a bride's parents claim compensation for the loss of their daughter's labour to their family. The groom's family has to offer various kinds of payment including material and cash to the bride and her parents before and at the time of marriage.

Gradually, the practice of dowry changed over time. Since brides leave the parents' home and go to live with their husbands in the patrilocal form of marriage, parents started looking for socio-economically better grooms to marry their daughters, so competition for 'good quality' grooms increased among the parents of brides. This led to the phenomenon of 'groom price' payment, popularly known as dowry or *tilak* or *dahej*, in which the bride's family has to make payment both in cash and kind to the groom and his family before and at the time of marriage, and after marriage.

2.3.2 History of marriage payments in Asia

Dowry used to be practised in ancient Greece and Rome and modern Europe in the past (Tertilt 2002). Dowry also existed in the Near East, Europe, East Asia, South Asia, and some parts of America (Botticini and Siow 2003).

Dowry also took various forms in ancient Hindu society. The *Vedas* prescribe dowry to be given by the bride's family to the groom. 'Kakshivat in *Rig Veda* says he became rich by his father-in-law giving him 10 Chariots and maids and 1,060 cows during his marriage ceremony' (Rig Veda I. 126, cited in Jananeethi 2004:12). The ancient Vedic custom of *kanyadan* in which the father presents his daughter with jewellery and clothes at the time of her marriage, and of *vardakshina* where the groom is given cash and goods by his father-in-law, are seen as the essence of the dowry system (Jananeethi 2004). Some scholars also refer to ancient stories of the marriage of the God Rama to Sita as relevant to dowry:

When Sita was married to Rama, her father gave her 100 *crores* [one billion] of gold mohurs [coins], 10,000 carriages, 10 *lakh* [one million] horses, 60,000 elephants, 100,000 male slaves, 50,000 female slaves, 2 *crores* [20 millions] of cows, 100,000 pearls, and many other household items (Ramayana Chapter 61, cited in Jananeethi 2004:13).

Until recent decades, bride-price was paid in some South Asian societies, but has recently been replaced by dowry (Caldwell et al. 1983; Singh 1990). The history of dowry in some parts of India dates back to antiquity but in the 1950s it started spreading all over India (Caldwell et al. 1983). Dowry used to be totally voluntary, whereas now it is increasingly mandatory. In many cases, a bride's parents are forced to pay whatever is demanded by the groom and his parents.

Previously, bride-price was practised in Nepal, and still is in some ethnic groups. But gradually, these payments have changed to dowry or groom-price, believed to have spread from the bordering Indian states. This may be mainly due to cross-border marriage between the Terai and the northern Indian states. Anthropologists assert the existence of dowry in Nepal, particularly in the Terai (Dahal 1996; Rakesh 1994). A study carried out by Niraula and Morgan (1996) in two districts (one in the Hills and one in the Terai) also found that marriage was much more expensive in the Terai than in the Hills.

2.3.3 Theories of dowry

Many theories have been developed to explain the phenomena of dowry and marriage payments, and factors associated with these. These theories are summarized below: a) bequest, b) economic, c) human capital accumulation, d) social status, e) marriage squeeze, f) female competition, and g) son preference.

While some of these theories (bequest theory, economic theory, human capital accumulation) support the existence of the practice of dowry, other theories (social status, marriage squeeze, female competition, and son-preference) are linked to the practice of escalating dowry in recent decades. I have reviewed these theories to understand the mechanism of the dowry system to achieve the third objective of my research; it is beyond the scope of this research to test each theory with evidence from empirical data.

Bequest theory: parents use dowries and bequests to mitigate 'free-riding problems' (Suran et al. 2004) between sons and daughters. In patrilineal societies, sons live with their parents while daughters move to their husband's house after marriage.

... while sons obtain inheritance upon the death of the parents, daughters receive their share when they marry. ...allowing daughters to gain their proper share of the family estate, dowries function as a form of parental

investment and thus are not detrimental to the bride and her family (Suran et al. 2004:3).

Edlund (2001) argues that daughters who receive dowry stand to gain from this investment just as sons would benefit from a larger inheritance. Thus, the bequest theory posits that as the daughters are not entitled to any share in the parental property, payment of dowry at the time of marriage provides their share and compensation, and thus is appropriate.

Economic theory: economists say dowries and bride price are used as pecuniary transfers to clear the marriage market (Becker 1981). According to this theory, when grooms are relatively scarce, brides pay dowries to grooms; when brides are relatively scarce, grooms pay bride-price to brides. Boserup (1970) argued that women mainly contribute in agriculture, which is not considered a significant economic contribution. In hypergamous marriage wives value their husband's status and wealth (Anderson 2003; Edlund 2001), so the bride has to pay dowry to the groom.

Human capital accumulation theory: there are inherent differentials between gains from marriage for men and women. The benefits of marriage for women exceed the benefits of marriage for men, as in the economic theory. Thus the groom's family appropriates the marriage payment, mainly because traditional social norms inhibit the acquisition of market-oriented human capital by women, and promote household-oriented human capital. People also desire to uphold their good reputation in a community by adhering to its prevailing social and cultural beliefs (Jaggi 2001).

Human capital accumulation requires monetary investment. Before making a decision regarding investment, families consider several factors:(a) utility derived from their children's preferences, (b) the family utility derived from adhering to social customs regarding the appropriate forms of capital accumulation for different sexes, and (c) expected return on a family's monetary investment in children's market-specific human capital (Jaggi 2001). According to the Social institution theory, once married, a daughter becomes the property of her husband's family; in this situation there is no financial gain from monetary investment made for acquisition of a market-specific human capital for daughter. But money invested for a son is usually regarded as a form of investment in his family's future (World Vision 2008). This compels parents to opt for a zero-cost or low-cost acquisition of household-specific human capital for daughters (Sen 1998; World Vision 2008). As a result, parents generally prefer to

adhere to the social norms and traditions, and want to spend less for education and market-oriented skills of their daughters which require more monetary investment.

Marriage squeeze theory: dowry is likely to occur when there is an excess supply of women who want to enter the marriage market (Caldwell et al. 1983; Grossbard 1993; Rao 1993a, b). An excess of women or a relative scarcity of men in the marriage market can be equilibrated through the marital cost of dowry. In South Asian countries men tend to marry at a higher age than women and prefer younger wives, whereas women prefer to marry older men.

Because of the growing population and declining mortality rate, there will be larger younger cohorts than older ones. As a result, the ratio of marriageable-aged women to men will be higher, causing an increase in the supply of women in the marriage market (Amin and Cain 1997; Bhat and Halli 1999; Maitra 2007; Rao 1993a, b, 2008). This theory states that when there are a smaller number of men and larger number of women, either due to a higher sex ratio or imbalance in the marriage-age difference, then a marriage squeeze occurs that encourages dowry payment and keeps it rising.

Social status theory: owing to caste-based status and stratification and the practice of endogamy, potential brides prefer to marry higher-caste grooms because caste is patrilineally determined. The prevalence of hypergamous marriage means women marry men who are socio-economically superior to them. According to Anderson (2003), the development process makes incomes more unequal, and thus even within the same caste group, brides prefer rich grooms to poor ones. Anderson argues prices paid for poor high-caste grooms will not fall below a reserve price, because low-caste brides will be willing to pay a premium to marry high-caste grooms, even if they were poor. As it would be unacceptable for a high-caste bride to marry a low-caste groom, the potential competition from low-caste brides would force high-caste brides to match their price. Thus, the groom price that a low-caste bride would pay for a poor, high-caste groom would provide the lower bound below which the price of high-caste grooms could not fall. But in a society where caste endogamy only is practised, there is more competition for socio-economically superior grooms within the same caste as this relates to the prestige and honour of the family.

People perceive dowry as a matter of dignity and respect (Hagul 2008; Paul 1985). Some parents may give dowry to boost their prestige; others may take it as they have

attained a new status in the new socioeconomic structure of the society (Paul 1985). In most cases, people want to imitate the behaviour of upper-class people even in the lower economic-status groups. For instance, Paul in his research from India reports the views of a respondent:

...we middle class people acquired such a status in the society through our toil that we would like to look up to the richer and affluent sections in the society and not the people below us. Thus it is the imitation of the high-ups that made us to follow the dowry based marriages. After all, we have to think about our prestige in marital alliance. That is why, whether we can afford or not we have to transact dowry otherwise our status will be at stake... (Paul 1985:124).

Because of social norms that the groom's family should reciprocate any gift given by the bride (in bride-price marriage) by at least twice its value (Hagul 2008), the size of dowry further increases. In dowry marriage the bride's family has to reciprocate the gifts given by the groom's family, and this counts as dowry expenses.

Another factor associated with social status is the expense of wedding celebrations, which are becoming increasingly lavish (Bloch et al. 2004); such wedding ceremonies also enhance social status and prestige. As most of the marriages are village-exogamous marriage, an expensive wedding ceremony confers higher social status.

Female competition theory: this is predicated on the idea that there are more educational and work opportunities for men; in contrast, most women are still assigned to household roles with fewer such opportunities. As a result, many men are more educated and employed in white-collar jobs, so parents prefer to marry their daughters to such men, who have higher and more certain incomes, free of seasonal variations and paid on a monthly basis: the wives of such men are free from the drudgery of manual agricultural work (Caldwell et al. 1983). This leads to competition among females and their parents to choose a good match, so dowry payment increases with the socio-economic status of the groom.

In this model, a bride and her family can raise their status by marrying into a higher-status family by paying a relatively large amount of dowry. Suran et al. (2004:4) term this 'groom price', 'reflecting that marrying into a wealthier family can buy a bride and her family higher social or economic status' (see also Caldwell et al. 1983). The qualities of the bride, however, significantly affect the size of the dowry. Dowry generally increases with age at marriage, placing pressure on parents to get their

daughters married early. Similarly, lower social status and darker skin of girls may necessitate a higher dowry (Huq and Amin 2001; Islam and Mahmud 1996).

Female education plays a positive role in attaining upward social mobility through marrying high-status males (Elbadawy 2008); this is positively associated with dowry (Huda 2006; World Bank 2008). This means that the higher the education of females, the higher is the amount of dowry to be paid, particularly because highly educated females are more likely to marry highly educated husbands (Dahal 1996; Elbadawy 2008; Huda 2006; Khan 1989), who attract a higher dowry (Kumari 2007; Paul 1985; Reddy 1989). A study of dowry in Kerala also found that dowry is determined by the boy's education and job status as well as family economic background (Jananeethi 2004). Hagul (2008) found in a study in Indonesia that men with high education and good occupation had to pay higher 'bride price' and girls with higher education attracted more 'bride price'.

Another reason for female competition is that educated women's pool of marriageable men is also restricted by their higher standards regarding mate selection (Dahal 1996; Fossett and Kiecolt 1993). As stated above, women tend to marry men older than themselves. The reason behind this practice is that the age of males is a proxy for greater demonstrated ability to acquire skills and resources (Kenrick and Keefe 1992). These factors create a strong sense of competition among the girls' parents to find a suitable match. As a result, girls' parents are compelled to pay a bigger dowry to find a good match for their daughters.

Son preference theory: this is linked with Human capital accumulation theory. In a patriarchal society, sons are preferred to daughters for many reasons: sons are seen as old-age security, they are required to do some religious rituals, and they inherit the name and property (Das Gupta and Li 1999; Nag and Kak 1984). There are many sociocultural norms and traditions which lead to the preference for sons. This discriminatory practice also leads parents to prefer more investment in sons to develop their skills and education, but less for daughters (Das Gupta and Li 1999). Parents generally see girls' education from a marriage perspective, but not from a 'future jobs' perspective (Huda 2006); so the preference for a son also leads to increased dowry, and perpetuates the cycle of dowry.

From the macro-economic theory perspective, children are often seen as consumer durables like cars or television, and expected to provide satisfaction over a period of time (Lucas and Meyer 1999). In developing countries, parents see children as investments or economic assets, and expect to receive economic benefits from them in the future (Lucas and Meyer 1999); so two major economic costs become important for raising and developing children (Robinson and Horlacher 1971, cited in Lucas and Meyer 1999). First, there are financial or 'direct costs' which include parents' expenditure on children's food, clothing, housing, education and medical care; and second, there are 'opportunity costs' which include the cost or income lost in rearing a child. In developed countries, both the direct costs and opportunity costs of childbearing and rearing are much higher than in developing countries (Calhoun and Espenshade 1988; Lucas and Meyer 1999). The economic costs of children are far less in developing countries if the children do not attend school (Lucas and Meyer 1999; Nag and Kak 1984).

The flow of wealth is from parents to children in developed countries, but the reverse is in developing countries (Caldwell 1976). This leads to a strong level of son preference; daughters are discriminated against from birth or even before birth if the sex of the foetus is known. Daughters will leave the parental home after marriage, so parents are reluctant to invest in them as parents expect some benefits from their children (Khan 1989). Parents invest fewer resources in the education and health of their daughters, and try to get them married as soon as possible to reduce the burden of direct cost. As a result, girls remain underdeveloped in market-oriented skills, are seen as inferior to boys, and deserve less value in the marriage market. In the male bread-winner model, females are bound to household chores and non-wage activities and are supported by males. This leads to increased competition among the girls and their parents to secure a good husband for a less harsh life; so dowry is higher.

2.4 Consequences of dowry

Dowry has both immediate and long term consequences which affect the individual, family and society at large. The consequences of dowry can be categorized as follows: 1) gender discrimination, 2) dowry deaths and violence against women, 3) poverty, and 4) humiliation and psychological impact.

2.4.1 Gender discrimination

Dowry disregards the principles of equality between men and women, and hence increases gender discrimination. As noted earlier, parents are reluctant to give a better education to their daughters while they sacrifice as much as possible for the best education for their sons. Khan (1990) found in a study among Muslims in India that 35 per cent of parents educate their sons to get higher status in the society and 55 per cent for earning a living, whereas the motivation for educating daughters was availability of free education in the schools (20 per cent), and Urdu teaching in schools (20 per cent), for a bright future (18 per cent) and for earning a living (6 per cent). The passage below shows how girls are perceived in Nepalese society and in many South Asian societies. According to a study conducted by Minnesota Advocates for Human Rights (MAHR),

In the Nepali context, the birth of a girl is usually marked with sorrow as if some great misfortune had befallen her parents and family. She is regarded right from her infancy as an additional burden to the family that somehow has to be brought up and married off. She will soon belong to her husband's family and is thus not of any use to the family in which she is born. However, since she is already born and has to live anyway, she should at least pay a good price for her breeding. And she pays this price in terms of work – any work that may assist the family right through her early childhood to the time she is married off (MAHR 1998:20).

Although education of girls has had a positive effect on age at marriage of girls (Rashad et al. 2005), because of the prevalence of dowry and its association with education parents are reluctant to educate their daughters. Being deprived of education opportunities reduces girls' chance of being employed in the public sector or gaining economic independence, which also has a positive relation with age at marriage. Thus, dowry plays a negative role in the society in educating girls, and parents are reluctant to provide higher education for their daughters (Dahal 1996). A study from Bangladesh shows that in spite of the mothers being empowered and aware of the importance of education for their daughters and their late marriage, women with lower socio-economic status married their daughters early for the fear of increase in dowry and marriage costs (Schuler et al. 2008). Surender et al. (1997) concluded from their study using the 1992-93 National Family Health Survey in Bihar that parents with a favourable attitude towards the dowry system have a correspondingly negative attitude towards educating their daughters. Lahiri and Self (2007) found that the dowry system along with patrilocal residence reduces the incentive of parents to educate their

daughters, because of parents' perception that their in-laws will receive the returns from their education.

There is evidence of an increasing incidence of induced abortion which is mainly due to the gender discrimination and fear of increasing dowry payment; son preference causes abortion and infanticide (Warner 2002). Kaul (1993) found in her study from south India that poor tribal communities and poor Muslims of Hyderabad get rid of their female offspring because they cannot afford to pay dowry for marriage. She argues that the practice of hypergamous marriage which leads to giving a large dowry to secure a groom of high social status is another reason of infanticide. Surender et al. (1997) concluded from their study in Bihar that the dowry system helps to cause female infanticide (also in Saravanan 2000, 2002). Infanticide is seen as a pre-emptive step to protect families from economic doom caused by increasing dowry and marriage expenses (Majumdar 2004; Saravanan 2000, 2002). 'Invest Rs 500 now, save Rs 50,000 later' is an advertisement for sex-determination technology that encourages the prospective parents to abort female foetuses to avoid future dowry expenses (Retherford and Roy 2004). As a consequence of infanticide and abortion, there is an imbalance in the sex ratio observed in many countries including India, China, Taiwan, and South Korea (Westley and Choe 2007).

2.4.2 Dowry death and violence against women

Dowry also has many other possible negative consequences for brides after marriage. Due to failure to meet the dowry demands of the groom and his parents, there is an increasing trend of physical violence and mental torture, and even death of brides in India, Nepal and Bangladesh (Jha 2000; Suran et al. 2004; Surender et al. 1997; United Nations 1996; Warner 2002). Dowry deaths²⁰ and bride burning have been increasing in India (Ambade and Godbole 2006), and also spreading to Nepal and other neighbouring countries in South Asia. Studies from Bangladesh show an increased incidence of acid-burning (United Nations 1996) and dowry-related violence (Naved and Persson 2005). Some studies from Nepal show that much of the domestic violence in the Terai reported by the legal authorities is related to dowry (MAHR 1998).

²⁰ A dowry death is defined as the unnatural death of a bride within seven years of marriage directly or indirectly due to any dispute over bridal dowry (Ambade and Godbole 2006).

Both payment or partial payment and non-payment of dowry have consequences associated with physical abuse and violence to women. Many studies have shown that women married with dowry demands are at increased risk of violence (Rao 1997; Sakhi 2004; Saravanan 2000; Sheel 2005; Sureender et al. 1997). A study from South India has shown that women who were married with dowry or other demands were 1.63 (urban) to 2.06 (rural) times more likely to be physically abused or violated by their husband than women who were married without any dowry demand (Rao 1997). A study in Kerala found that women whose husbands or their families had demanded dowry before marriage were twice as likely to experience lifetime violence as those who did not encounter such demand (55.6 per cent vs. 27.8 per cent) (Sakhi 2004:76). The same study reported that among women whose husbands' families demanded money or property after marriage, lifetime violence was 2.5 times higher than for those who did not face such a situation (84.4 per cent vs. 35.3 per cent), and these differences were statistically highly significant (Pearson Chi-Square value significant at the 1% level) (Sakhi 2004:76). The violence is mainly due to dissatisfaction over the payment or quality of goods provided as dowry. This is also evident from a study on the migrant Indian community in Canada where there are increased cases of harassment and death among the Non-Resident Indian women in Canada (Sheel 2005).

Some studies reveal that non-payment or partial payment of dowry engenders violence against women (Huda 2006; Jananeethi 2004). A study by Jananeethi (2004) in Kerala found several consequences of non-payment of dowry. The consequences for the bride in particular range from life-threatening assault to loss of status in the family. Major consequences cited by respondents in this study are divorce, desertion till demands are met, physical torture and murder, intentional neglect, threat of desertion and divorce, and others (Table 2.1). However, there are substantial differences in the opinions of young men, young women, and parents in citing the consequences of dowry. This may be due to the life experiences of the respondents as well as their knowledge of the issue in their families, relatives and region.

Table 2.1: Percentage of respondents who said yes to the specific consequence a bride may face in case of non-payment of dowry, Kerala, India, 2004

Consequences of non-payment of dowry on bride	Young Men	Young Women	Parents
Divorce	61.5	79.0	74.4
Desertion till demands are met	66.9	84.1	79.2
Physical torture	71.5	87.1	83.4
Murder	55.1	75.9	71.4
Overloading of household work	64.6	82.9	80.0
Ill treatment in private and public	67.2	83.3	80.9
Threat of desertion and divorce	71.1	84.9	79.7
Loss of groom's love and affection, and of the groom's family	69.6	82.2	79.9
Intentional neglect	74.4	87.9	84.0
No right to express opinions	69.2	83.5	81.0
Loss of status among contemporaries in the family	71.6	87.9	83.7
Desertion	60.0	76.9	72.7
N	529	1,972	1,429

Note: Multiple-response, figures do not add up to 100.

Source: Jananeethi 2004, Table 18, p. 31.

Further, there may be a strong relationship between dowry and rate of divorce and separation. Sheel stated that ‘10,000 women in Punjab, 1,500 in Haryana and 50 in Chandigarh had reported being victims of “devious foreign bridegrooms”...’ resulted in divorce, or violence (Sheel 2005:347). An increasing number of newspaper reports describe abandonment and desertion of married women at their parental home over dowry disputes in Nepal (Appendix C). This may also be backed by the intention of the groom and his family to extort additional dowry from the wife’s family or arrange another marriage to get a new dowry.

2.4.3 Impoverishment and poverty

Dowry payments most often represent many years’ worth of a family’s income causing destitution to the bride’s parents’, and households with daughters of marriageable age (Deolalikar and Rao 1998; Hagul 2008). According to a study by Hagul (2008) in Indonesia, bride-price is generally twice the annual income of an ordinary government official. A qualitative study from Banke district in Nepal also provides evidence that many middle-class and poor families take loans or sell their property to meet the demand of dowry (SAS/N 2001). A study in Kerala by Jananeethi (2004) also found that several strategies such as taking loans by keeping land at mortgage, savings as

deposit, land or mutual funds, aid from friends and relatives, and sale of assets and gold are adopted to raise or accumulate the amount of dowry (Table 2.2).

Table 2.2: Percentage of respondents who said yes to the specific method of raising dowry money, Kerala, India, 2004

Methods of raising dowry money	Young Men	Young Women	Parents
From GPF/Institutions	62.4	63.7	58.9
Loan raised on land	80.3	88.2	89.1
Savings as deposit/land/mutual funds	77.0	81.0	75.4
Aid from friends/relatives/others	76.6	84.6	81.1
Sale of assets/gold	77.7	82.5	79.3
Dowry received for brothers/mother	52.3	56.2	57.8
Sell off job	35.9	39.4	40.9
Corruption/theft and other unlawful means	29.5	26.5	32.0
Chit funds	77.0	85.8	82.3
<i>Panapayatt</i> (Social measures)	53.0	52.9	53.1
N	529	1,972	1,429

Note: Multiple-response, numbers do not add up to 100.

Source: Jananeethi 2004, Table 12, p. 26.

Dowry impoverishes the family who pay it. A study of marriage expenses in Egypt shows that national marriage expense was 11 times more than the annual household expenditure per capita (Singerman and Ibrahim 2001). The same study reported that marriage cost was four and a half times more than the GNP per capita in Egypt in 1998; owing to this families have to suppress other types of expenditure such as on food and health care. A qualitative study from Bangladesh reveals that 50 per cent of the Focus Group Discussion (FGD) participants considered dowry as one of the three important causes of impoverishment over a decade, the other two were illness and injury, and family size and/ or dependency ratio (Davis 2007). A study in Kerala found several adverse consequences of dowry for the family of the bride including financial bankruptcy as worst, loss of living place, emotional stress, and impact on the future of younger siblings (Table 2.3).

Table 2.3: Percentage of respondents who said yes to the specific consequence faced by family giving dowry, Kerala, India, 2004

Consequences faced by family giving dowry	Young Men	Young Women	Parents
Financial bankruptcy and its consequences	88.6	90.9	90.6
Emotional stress and its consequences	82.3	86.8	84.6
Adverse effect on future of younger siblings	75.7	81.1	82.3
Disharmony in the brides family	58.2	68.1	74.9
Alteration in social status	45.1	51.5	61.1
Loss of living place	80.7	87.9	85.8
Bride loses claim in her family property	53.2	59.8	66.9
N	529	1,972	1,429

Note: Multiple responses, numbers do not add up to 100.

Source: Jananeethi 2004, Table 21, p. 34.

Marriage has become almost impossible without payment of dowry, parents fear their daughters remaining unmarried because of dowry being the established norms and its sky-rocketing costs in recent years. Parents dread the prospect of rising dowry (Caldwell et al. 1983; Dyson and Moore 1983; Sheel 2005), and fear that no husband may be found at all for their daughters (Caldwell et al. 1983), so they opt for early marriage of daughters to minimize the cost of marriage and dowry and to secure a proper match (Balakrishnan 1989; Majumdar 2004; Sanlaap 2007; Warner 2002). Recent news published in the *Himal Khabarpatrika* shows fear of girls remaining unmarried among the parents and families displaced by the Koshi flood of 2008: many of the families who were displaced and lost their movable and immovable properties are unable to arrange their daughters' marriage due to lack of money to pay the dowry demands of the prospective grooms (Rai 2009).

With regard to human productivity, dowry conflict and dowry-related violence and death involve not only the women and their parental families, but all the immediate relatives of the bride's parental family and in-laws' family. As the conflict usually continues for a long time, it requires several efforts to resolve the problem. Many people have to be involved in this issue, which hampers their economically productive activities, and thus affect their earnings. This also affects the happiness and well-being of both families, and can trap other relatives as well. If there are children born from the marriage, they are affected too, with severe damage to their childhood and their rights and development (G. P. Subebi, personal communication, 20 March 2008).

Some studies from US and South American countries have estimated the cost of domestic violence. These estimates show the significant impact of domestic violence on the earnings of women, and other associated costs. A study from US estimated the annual cost of domestic violence as from US\$5-10 billion (Meyer 1992) to \$67 billion (Miller et al. 1995, cited in ICRW 2000), which includes both direct and indirect costs. The direct costs include loss of income, productivity loss, health care costs, housing costs, and cost of social services; and the indirect costs include impact on child well-being, female and child mortality, and intergenerational social and psychological costs (ICRW 2000). Types of cost of domestic violence in Table 2.4 in the Australian context show that domestic violence has tremendous costs for the persons injured, their families, children of the next generation and the government.

Table 2.4: Types of cost associated with domestic violence in Australia

Cost category	Types of cost included
Pain, suffering and premature mortality	Costs of pain and suffering attributable to domestic violence, measured by assigning a value to the Quality Adjusted Life Years lost as a result of injury and illness. Costs of premature mortality measured by attributing a statistical value to years of life lost.
Health costs	Includes private and public health costs associated with treating the effects of domestic violence on the victim, perpetrator and children.
Production-related costs	Short-term costs of: lost production (wages plus profit) from absenteeism. Search and hiring costs. Lost productivity of victim, perpetrator, management, co-worker, friends and family, Lost unpaid work, Retraining costs Long-term costs of: Permanent loss of labor capacity.
Consumption Related Costs	Short-term costs of: Property replacement, Bad debts. Long-term costs of: Lost economies of scale in household operation.
Second Generation Costs	Includes private and public sector costs of: Childcare, Changing schools, Counselling, Child protection services, Remedial/special education, Increased future use of government services, Increased juvenile and adult crime.
Administrative and Other Costs	Includes private and public sector costs of: Legal/forensic services, Temporary accommodation, Paid care, Counselling, Perpetrator programs, Interpreter services, Funerals.
Transfer costs	Transfer payments include: Victim compensation, Income support, Accommodation subsidies, Lost taxes, Financial help to victim from friends and family, Child support. Associated economic costs comprise: Deadweight losses in funding government payments and services.

Source: Access Economics 2004, Table 3, p.5.

While the economic cost and loss due to domestic violence is much more comprehensive in developed countries, there is little research on this issue in developing countries. ICRW (2000) reports that a study in Nagpur, India, found an average loss of IRs 974 per incident of domestic violence. As it is evident that domestic violence encompasses many aspects (also in ICRW 2000), this finding seems an underestimate. As dowry has been one of the major causes of domestic violence in India and the region, shown by many studies on wife beating in India (ICRW 2000), dowry-induced domestic violence may play a large part in the loss caused by domestic violence.

As marriage expense becomes more lavish and accepted as normal, and dowry demand most often includes foreign-branded goods, this may have an impact on the import of foreign goods affecting the national and international economy and trade. A national estimate of marriage cost in Egypt amounted to \$3.8 billion a year, which exceeded US aid to Egypt in 1999, \$2.1 billion (Singerman and Ibrahim 2001). Further, bribery and corruption may also be associated with lavish marriage celebrations and receptions among high-level government officials, upper class and business groups which provide an opportunity to turn their 'black' money into 'white' which is also associated with the national economy, poverty alleviation and governance. This is evident from prevalent independent reports and media news (Puri 2009)²¹ (see Appendix C, p.225) in Nepal in spite of the ban on lavish receptions and feasts by the Social Practice Reform Act of 1977.

2.4.4 Humiliation and psychological impact

Dowry also causes humiliation of the girls and their parents that may have great psychosocial consequences. It causes psychological and emotional traumas and ethical challenges associated with delayed marriages, marriage with an unsuitable person, threats, taunts and brutality by greedy in-laws, and financial crisis (Perveen 2006).

Of course there are some people who are against the dowry system and do not claim dowry for their son's marriage. But dowry is so embedded in the culture and customs of the society that those grooms and their families who do not claim dowry are often

²¹The Chief District Officer of Rautahat district in Nepal gave a car as dowry in his daughter's marriage.

humiliated by comments that the groom has a bad reputation, the groom and his family have some defect, and they had lost an opportunity resulting in diminishing social status. A study in Kerala, India found that although 69 to 81 per cent of respondents believed that marriages without dowry would be appreciated by society, 27-45 per cent of respondents also believed that grooms and parents who did not claim dowry would have diminished social status, 52-57 per cent believed that society would remind them about the lost opportunity, 56-65 per cent that the groom had a bad reputation, and 42-57 per cent that the groom and his family had some defect (Table 2.5). A qualitative study from Bangladesh supports these negative attitudes towards people who are against dowry system and do not demand dowry, and consequently are looked down on by the society (Amin and Huq 2008). It is clear that those grooms and their parents who do not demand dowry are humiliated by the bride's family as well as the community and society, although a few people approve.

Table 2.5: Percentage of respondents who said yes to the specific response towards marriages, where dowry is not paid, Kerala, India, 2004

Specific social response on marriage without payment of dowry by a girl's parents	Young Men	Young Women	Parents
Society will appreciate	80.9	71.1	69.4
Society will not appreciate	27.4	31.3	38.5
If not dowry, there will be a alternate arrangement	64.5	66.1	70.8
Groom has ill fame	55.6	64.7	65.1
Diminishing social status	27.3	36.9	45.4
Society will remind about the lost opportunity	51.6	54.7	57.0
Groom/family have some defect	42.5	54.9	57.1
N	529	1,972	1,429

Note: Multiple responses, do not add up to 100.

Source: Jananeethi (2004), Table 15, p. 29.

These are the consequences of dowry for the grooms and their families, with implications for the brides and their families as well. Because of these implications, even those grooms and their families who are against the dowry system sometimes feel compelled to demand dowry to maintain their social status and to prove that they are competent in the marriage market, that they are not defective in any way and that they deserve dowry.

2.5 Conclusion

The purpose of this chapter is to provide an overview of the literature on differentials and determinants of age at marriage of women, and theories of dowry and marriage payments. This information partly helped to answer research questions 3 (What are the prominent socio-demographic and cultural factors and/or determinants that influence marriage timing of women?) and 5 (What is the mechanism and dynamics of dowry in Nepal?).

There are many correlates and determinants associated with age at first marriage of girls. Some of these are well established in terms of association and effects on age at first marriage in studies from other countries as well as from Nepal. Age at marriage differs by rural-urban place of residence and geographic region. Rural women are more likely to marry younger than urban women. Terai women are likely to marry at an earlier age than Hills and Mountains women. But as there is much heterogeneity among people in Nepal and Terai in particular (discussed in Chapter 1), the tripartite geographic division of Nepal seems less meaningful in grouping all the people living in the Terai in one category. This suggests the use of a comprehensive caste group to find out which caste or ethnic group women are more vulnerable to early marriage, instead of blindly using geographic division.

The sociocultural factors of caste/ethnicity, religion, type of marriage, parental education and education of girls are found to be associated with age at marriage and established by previous research. Hence, these variables need to be considered in the analytic model.

The biological factor of age at menarche was found to be associated with age at marriage. As research has shown a low age at menarche of women from the lowlands of Nepal, this seems to be an important variable to be included in the model. Only a few of the studies in Nepal have analysed the association between age at menarche and marriage age. It is likely that the low age at menarche of Terai women is associated with their low marriage age.

Economic status of the households seems to be associated with age at marriage with some exceptions, so it seems logical to consider this factor in further analysis. Similarly, marriage cost and dowry constitute another factor that needs to be considered

for analysis. This variable helps to explain the phenomenon of early marriage of Terai girls of Nepal.

A comprehensive review of the literature on dowry and marriage costs shows that dowry is a complex phenomenon compounded by several factors and forces. This chapter shows how the present form of dowry has replaced the practice of bride-price which was common in the past. Several factors responsible for dowry are explained by various theories and models: marriage squeeze theory, social status theory, female competition model, bequest theory, economic theory, human capital accumulation and son preference. While bequest theory, economic theory and human capital accumulation theory support the existence of dowry, social status theory, marriage squeeze, female competition and son preference theory are linked to the practice of escalating dowry.

Dowry has many consequences: gender discrimination, dowry deaths and violence against women, various aspects of impoverishment and poverty of women, family and the nation at large, and humiliation and psychological impacts which show the importance of this factor for marriage study.

Cross border marriage migration seems to be a significant factor associated with escalating dowry in the Terai, but information on it is scarce.

Customs and practices of marriage in Nepal

In the preceding chapter the review of literature related to marriage and dowry revealed several factors are important in marriage prevalence and timing, and practice of dowry. With this background, I now present an account of the prevailing customs and practices of marriage, and related factors in Nepal, keeping in mind the geographic differences and heterogeneity of the people. Marriage in Nepal is an institution deeply rooted in the customs and traditions, influenced by several factors including religion and sociocultural diversity.

This chapter first covers the institutions, customs and practices of marriage, then give an account of the legal provisions related to marriage in Nepal, along with people's awareness on these provisions.

3.1 Institutions, customs and practices of marriage

This section presents the types of marriage and marriage institution prevailing in Nepalese society, with the following sub-sections: 1) Religious foundations of marriage in Nepal, 2) Age at menarche and virginity, 3) Who arranges marriage? 4) Monogamy and polygamy, and 5) Bride price and dowry.

3.1.1 Religious foundations of marriage in Nepal

Ancient Hindu law outlines eight forms of marriage *Brahma*, *Daiva*, *Arsha*, *Prajapatya*, *Asura*, *Gandharva*, *Rakshasa* and *Pishacha* (Prabhu 2006:111-112); it also defines the meaning and religious value for each form of marriage. The *brahma* marriage means giving of the bride in a marriage by the father or guardian of the bride without receiving any compensation or gift from the groom. In *daiva* marriage, a girl is given in marriage to the officiating priest. In *arsha* marriage, the father of the bride receives a pair of cows from the groom or his family as compensation. In *prajapatya* marriage, the father gives the bride to the groom saying 'you two are partners for performing secular and religious duties' (Singh 1990:110). In *asura* marriage, the father or natal family of the bride receives money or other forms of compensation for giving the daughter for marriage. In *gandharva* marriage, marriage is performed by

mutual consent. In *rakshasa* marriage, marriage is performed by forcible capture. In *pishacha* marriage, a girl is married to a man who has raped her when she was asleep or when she had drunk alcohol.

The forms of marriage practised among Hindus in contemporary Nepalese society are not exactly the same as mentioned above. *Brahma*, *asura* and *gandharva* are the major types of marriages prevalent in the region. However, there is some variation in the original form as outlined in the *Dharmashastras*. Consensual union in which the couple is in a stable sexual union, but has not gone through a formal legal marriage ceremony, as has become popular in the Western world (VandenHeuvel and McDonald 1999), is not permitted in these societies. Similarly, common-law marriage, where permanence is assumed and having children is socially accepted, but a marriage ceremony has not occurred (VandenHeuvel and McDonald 1999) is only found in some Tibetan communities (Furer-Haimendorf 1964) in Nepal.

Nepal is predominantly Hindu (see Chapter 1). Hindus are spread across the country from the Mountains to the Terai, but with major concentrations in the Hills and Terai. The majority of Buddhists live in the Mountains and Hills but there are also some in the Terai who have migrated from the Hills or Mountains. In contrast, the majority of Muslims live in the Terai, with a small proportion, living in the Western Hills of Nepal, who are generally known as *Churoute* ('those who sell bangles').

The customs and practices of marriage based on religious beliefs are summarized below taking into account some similarities in caste/ethnic groups: sometimes there may be overlapping of religion and caste/ethnicity. Some Newars follow the Hindu religion while others follow Buddhism; this is also the case for some other ethnic groups. Further, caste hierarchy is based on religious belief and background, and thus some overlapping of these two seems unavoidable.

Marriage custom and practice among Hills people

After 1951 Nepal for the first time opened its door to relationships with other countries. With its abundant natural beauty mainly in the high Mountains such as Mt. Everest and many other such peaks, and other natural resources, the Mountains and Hills region attracted tourists including international scholars from developed countries. This led to several anthropological and sociological studies focusing on the marriage and living

practices in the Hills and Mountains, as can be seen from the concentration of such studies during 1960s and 1970s. As a result, there is abundant information, mainly ethnographic, on marriage in the Hills, covering various castes and ethnic groups.

The discussion which follows is based on religious and caste/ethnic group similarities in their customs and practices of marriage. In the Hills/Mountains, there are four major groups: Hills higher castes (Brahmin, Chhetri, Thakuri), Hills Dalits (Kami, Damai, Sarki), Hills ethnic groups (Magar, Gurung, Tamang, Sherpa etc.), and Newar.

Hills higher castes

Village exogamy and caste endogamy²² marriage is common in the Hills (Majupuria 2007; Niraula and Morgan 1996). Some scholars have also found isogamous²³ and hypergamous²⁴ marriage among Chhetris (Gray 1991). Among Brahmins, early marriage is common; this is due to the belief that girls need to be married before menarche (Furer-Haimendorf 1964). It may also be due to the perception of gaining *punya* (religious merit) by giving their prepubertal daughters to Brahmin boys (Bista 1996). Other scholars maintain that according to the Hindu-Vedic tradition, a girl who has reached puberty can enter heaven only if she is married (VandenHeuvel and McDonald 1999).

Khas²⁵ who mainly live in Western Nepal also have caste-endogamous form of marriage:

Khas people are endogamous in their marriage practices and never marry outside of their own tribe. Clan exogamy is practiced as far as their tradition tells them that they have common ancestor. Otherwise similar clan names do not prohibit from marriages within the clans of the same name. Whenever a family can afford either because they command enough land and cattle and sheep or no male child to inherit the property they bring in a son-in-law to husband their daughters. In such cases the son-in-law who resides permanently with his wife's parents would change his family name into that of his wife's father without any difficulty (Bista 1996:77).

²² Marriage between boys and girls of the same caste but from different villages.

²³ Seeking spouses belonging to Chhetri lineage and clans of equal status to their own clans outside of their village.

²⁴ Women marrying men of higher status.

²⁵ Their clan names include Adhikari, Aidi, Basnet, Bhandari, Bista, Budha, Bohra, Dhama, Khadka, Mahat, Mahatara, Raut, Rawal, Reuley, Rokaya, Thami, Thapa (Bista 1996).

Hills Dalits

Hills Dalits ('Hills low-caste' used interchangeably) typically follow similar traditions to those of Hills higher castes. In general they have an early age at marriage of girls and follow caste endogamy. Other customs and practices are similar since the Dalits are mainly followers of Hinduism and live in the same community as the higher castes. NNDSWO (2006b) in a study of Dalits in three Hills districts shows that caste endogamy is almost universal (98 per cent); the remaining being intra-Dalit and inter-caste (Dalit and high caste) marriages.

Hills ethnic groups

Hills ethnic groups differ significantly in sociocultural norms and traditions, and follow different patterns of marriage. Tuladhar (1985) cited some studies which found late marriage among Gurungs (Macfarlane 1976) and Limbus (Caplan 1974), due to the tradition of freedom in mate selection, and the traditional norm that couples have to establish a new household after a few years of marriage. According to Bista (1996):

Marriage arrangements among Gurungs are unique. By tradition, the practice of cross-cousin marriage is preferred, but the young boys and girls are given full authority to make their own choice. All cross-cousins, that is, both father's sister's daughters and mother's brother's daughters are possible marriage partners for a boy, but the father's sister's daughter is much preferred. ...Marriage partners can be found both inside and outside the home village. In one village where all the marriages were counted, some forty per cent had taken place within the village and sixty per cent with other villages (Bista 1996:89).

Anthropological research cited in Tuladhar (1985) shows that marriage functions and customs significantly differ among the Mountains people compared with people from other geographic regions (Bista 1996; Furer-Haimendorf 1964; Ross 1981). Among the Bhotes and Sherpas of the Mountains, married couples have to establish an independent household. Although love marriage is common among Sherpas, there are three major wedding rites - *Sodene*, *Dem-chang* and *Zendi* or *Gyen-kutop* which must be completed before a bride can be brought to her new home (Furer-Haimendorf 1964). By the time the final wedding, *Zendi*, is performed, they may have one or two children, but will be legally husband and wife after completion of this ceremony. According to Furer-Haimendorf (1964), the delay of the final ceremony may be due to the need of daughters' labour at the parental home and bridegrooms' lack of financial capacity to set up a new household.

Another form of marriage prevalent in the Mountains is cross-cousin marriage, which is popular among Tamangs (Dahal et al. 1996; Fricke 1988; Gurung 1993; Luintel 2004). Generally, they have sister-exchange marriage as well, which is the outcome of reciprocity and non-hierarchical marriage exchange (Fox 1967), but this happens mostly in repeating generations (Fricke 1988). Another ethnographic study carried out by March (1979, cited in Fricke 1988) found that 36 per cent of the total sample of 86 marriages were cross-cousin marriages and village endogamy, with 75 per cent of the marriages occurring within the same village of Timling in Nuwakot (Fricke 1988). This is because it works as a beneficial link between families – in the form of social co-operative, and patriline across generations (Dahal et al. 1996; Fricke 1988).

Some ethnic minority groups also have some similarities and differences in marriage customs and practice. Dhinga, Lhomi and other minority groups of the Mountains have freedom to select their partners (Bista 1996). Furer-Haimendorf (1964) mentions the replacement of capture marriage by *kanyadan* among the Thakalis of Pokhara. Chhetri (1986) found that the Thakalis of Pokhara also practise clan exogamy and community endogamy marriage.

Sunwars and Jirels do not practise cross-cousin marriages (Bista 1996), but they have some other forms of marrying relatives: a man can marry his wife's younger sister or wife's brother's daughter. A man can also marry his elder brother's widow in the form of levirate marriage; widow remarriage and marriage of deserted²⁶ women are also common. While Sunwars are more hinduized in terms of marriage ceremony, Jirels remain within the Buddhist tradition.

Among the Chepangs, there are both clan exogamy and marriage within the clan but outside the kin group of three or four generations. The former occurs among the *Pukuntahlis* – Chepangs of the eastern area who are mainly engaged in farming and have several clans; while the latter occurs among *Kachhares* – Chepangs of the western area who partly depend on food gathering, hunting and some shifting cultivation (Bista 1996). They do not have restrictions on marrying non-Chepangs, but they have some restrictions regarding marrying relatives.

²⁶ Women who have been abandoned by their husbands for several years.

Chepang men do not marry their father's sister's daughters, but a man's marrying his mother's brother's daughter is tolerated although not encouraged. People having both a daughter and a son usually try to seek families where they can find spouses for both, to save trouble and expense. They can have one feast and one party arranged on the same day for both weddings and the exchange of brides between their houses. But this kind of exchange marriage can happen only in the case of arranged marriages, which are not so very common (Bista 1996:111-112).

Newars

The Newars of the Hills region have some typical customs and practices in prepubertal ceremonies and marriage. Among Newars, there is an orthodox pattern of prepubertal marriage as found by Allen (1982, cited in Tuladhar 1985). But the Newar girls go through a ritually elaborate mock-marriage during childhood known as *Ihi or Bel Bibaha*. In this mock-marriage, *kanyadan* is done and a Newar girl is married to a celibate god (Majupuria 2007). In this custom, girls aged 5 to 12, before reaching menarche, are married to a *Bel (Aegle Marmelos)* tree which is a symbol of Lord Narayan (God) and considered to be very sacred. The flowers, fruits and leaves of this tree are most pleasing to the God Shiva and Goddess Parvati. The marriage is performed in a group of 30 to 40 or even more girls. The reason behind this type of marriage is that marriage can be contracted only once; and the *kanyadan* ceremony of the girl is performed at this time. It is also believed that marriage of the girl to a man is considered as secondary, and even after the death of her husband, the woman is not regarded as a widow (Majupuria 2007).

A majority of Newars observe the symbolically arranged marriage of their daughters with a *bel* fruit before they ever marry a man. The *bel* fruit marriage is done when the girl is seven to nine years old, or before she attains puberty; and since it is the general belief of Hindu and Buddhist Newar communities that a proper marriage with full rites can be held only once in a life time, her subsequent marriages, if any, are considered of secondary importance. Although a Newar girl marries a boy later on with almost the full ritual, the girl retains her marital status with the *bel* fruit. So a woman can, if she wishes, break her marriage with her husband by giving the gift of areca nuts she received during the wedding back to him or by putting those areca nuts beside the dead body of her husband in the event of his death. The wife, by this act, becomes free to enter into another marriage union and also escapes the obligation of mourning for the death of her husband (Bista 1996:23).

Other marriage customs and traditions are similar to those of the Hills people in general.

In conclusion, it can be said that there is more freedom of choice of prospective partners among the people in the Hills and Mountains. Although there are some similarities among the Mongoloid ethnic groups, there are distinct variations in marriage customs among Hills people. While the Tibetan groups and other Mountains groups enjoy more relaxed customs, the Brahmins, Chhetris, and other Indo-Aryan groups of Hills people have strict forms of customs and practice. Early marriage is more common among the Brahmins, Chhetris, and Dalits whereas late marriage is prevalent among the Tibetan and the Mongoloid ethnic groups. Love marriage is also more prevalent among the Mountains people.

Marriage customs among Terai people

As there are many caste and ethnic groups in Nepal and in the Terai, it is beyond the scope of this thesis to give details of marriage customs by each caste and ethnic group. This is further compounded by the limited research on Terai caste/ethnic groups. A brief summary of the process of marriage is given below, based on direct and indirect observation by the author on different occasions while working in various districts in the Terai.

Village exogamy and caste endogamy marriage is common in the Terai (Jha 1993; Majupuria 2007; Niraula and Morgan 1996). Low castes or Dalits, and tribal caste people generally marry their children in the neighbouring locality whereas upper-caste and business-caste people arrange the marriage of their children with families who live many miles away, mainly because of a scarcity of prospective partners in their locality, and also to maintain contact with their ancestral villages from which they have migrated (Gaije 1975).

Once girls and boys reach the marriage age based on customary law and local tradition and culture, parents start discussing publicly the selection of a possible match among their relatives; this helps to get preliminary information about prospective matches. Then they contact some of the relatives who are in touch with the prospective mate's family, and explore information about their dowry demands and their socioeconomic status. This helps to assess the bride's and groom's family status and suitability for a proper match. Once the girl's family find a prospective groom, the girl's parents approach the groom's family; generally, a marriage proposal is initiated by the girl's parents by visiting the home of the groom. On this occasion, the girl's parents and

relatives also see the prospective groom; if they like him, they humbly request the groom's family to see their daughter. If they do not like the groom and his family background, the girl's parents convey this in such a way that the groom's family understand it, and the proposal exchange ends.

Otherwise, following a request by the girl's family, the groom's parents explore relevant information on a number of aspects (age, education, economic status of the family, character of the bride) from various sources and arrange a time to visit the girl's home. On this occasion, mainly the groom's father, elder brother and other immediate relatives visit and see the girl. If they like the girl and her family, then serious discussions start about the dowry matters. While the bride's parents may have gained some information through indirect sources about their dowry demand, they want to hear about the demand from the groom's side directly. The groom's side also wants to hear about the dowry to be paid and expenditure to be made (by the bride's family) from the bride's family directly. Once both parties have approved the bride and groom respectively and are willing to marry their son and daughter; then serious discussion starts. There may be some room for bargaining and negotiation: in such cases, two or three rounds of visits to the bride's and groom's family are made by the relatives from both sides to double-check the match. In the final round of the visits, the dowry to be paid is finalized and a due date for payment is agreed.

After this, a date is fixed for an important event known as the *chheka* (commonly used among Terai groups) or *tiko talo* (among Hills groups), which means confirmation of the groom from the bride's family and the bride from the groom's family. Once this is done, the selection of the bride and groom is confirmed and a formal marriage date is fixed. Generally, the bride's family does this as confirmation of the groom. In some cases, however, both sides do this, first the bride's and then the groom's family. In this event, the bride's father, brothers, and uncles visit the groom's home and take some sweets, clothes, ornaments and cash for the groom. In the gathering at the groom's house in the presence of the family priest, this event is completed. After this, the bride's family invites the groom's family in a similar manner. Sometimes, the groom's family may accept the proposal and give a date, but generally they do not go and discuss the marriage date. Preference is given for finalization of the marriage date at the time of *chheka* or *tiko talo*. If it is not finalized then, the groom's family have to take the initiative to confirm the date of marriage and inform the bride's family.

Finally, after confirmation of a marriage date, preparation for the wedding begins. On the wedding day, the marriage procession starts from the groom's home and reaches the bride's home where the marriage process is completed. The procession includes all the immediate family of the groom. The number of participants may vary according to the family size and lineage of the groom; in some cases, the number of guests in the procession may reach 200-300 or even more. This also includes entertainment groups such as musicians and dancers. The bride's family has to offer good food and respect to the procession members even if they have little wealth. Generally, the marriage is solemnized at the end of the day of the procession's arrival. After completion of the marriage rituals, the groom and the procession return to the groom's home, taking the bride the next day.

Terai ethnic groups

Among Tharus, Satars, Danuwars, Majhis, and Darais of the Terai, there are various forms of marriage such as 'capture and purchase' that follow the Hindu system of marriage (Shrivastava 1959, cited in Tuladhar 1985:60). Marriage among Tharus is arranged and girls are usually older than the boys, owing to which the age at marriage of girls is higher among those groups. They practise monogamous and patrilocal marriage (Bista 1996). Information about patterns of marriage among other groups such as Satars, Danuwars, Majhis and Darai is scant (Bista 1996). There is also the custom of forced marriage both for boys and girls among the Satars. Bista (1996) describes marriage among Satars:

Satars do not practice early marriage. Usually the ages of the bride and the groom are twenty years or more. The young people enjoy absolute freedom in premarital sexual activities. ...Most marriages are arranged by the young people themselves. But the parents occasionally have to initiate a negotiation or at least help formalize the negotiations. ... There is also a custom of marriage by force among the Satars. Either a boy or a girl can force a partner to marriage. When a boy insists that the girl marry him he puts vermilion powder in the parting of her hair, which automatically makes her his wife by tradition and popular belief. The boy risks a severe beating at the hands of the girl's people, and should the girl be unwilling to marry him she can leave him and subsequently marry another. But she is always considered wedded first and forever to the boy who first applied the vermilion powder to her hair. In the same way a girl can force the boy of her choice to marry her by forcibly entering his home and staying there. She cannot be forced out of the house but may be persuaded to leave. However, if she remains adamant the boy must marry her (Bista 1996:150-151).

Terai Dalits

There are only a few studies about the Terai Dalits. A study by NNDSWO (2006a) conducted in 2004-05 with ethnographic information on ten Terai Dalits castes²⁷ describes some aspects of marriage. These castes generally have caste endogamy and those who do not follow this form of marriage are dishonoured in the society and are expelled from it. Within the caste endogamy, they prefer hypergamous marriage giving preference to socio-economically better mates. Generally, girls' parents initiate the search for a match for their daughters, and once they approve of the proposed groom then invite the groom's family to see the girl. Once both parties approve; negotiations about dowry and wedding dates are confirmed. As in other Terai castes, the marriage procession follows to the bride's house and the marriage is solemnized.

Marriage customs and practices among Muslims

Muslims who are mostly concentrated in some Terai districts and also scattered in some western Hills districts have different customs and traditions of marriage from other people in Nepal. Muslims are also stratified into several social or clan groups based on social rank as in the Hindu caste system; this is important in identification and selection of a marriage match.

Musalman marriage is very different from other marriage traditions in Nepal. Musalman individuals can marry with almost any other Musalman except a sibling. That is, the only partners technically unacceptable are those who have suckled the same breast. Parallel - and cross-cousin marriage is acceptable. In reality, however, Musalman social stratification is rigid and plays important role in actual selection for marriage. One tends to remain within his own social group, particularly among those of higher standing (Bista 1996:165-166).

Marriage among Muslims is generally at an early age and most often arranged by parents. The formal wedding arrangements generally take a long time, up to a year after *nisvat*.²⁸ In a formal wedding, there is a procession with a band, exchange of good foods, gifts from the groom to the bride, and dowry of several items along with a token

²⁷ Dhobi, Tatma, Khatbe, Bantar, Dushadh, Chamar, Musahar, Pattharkatta, Dom and Halkhor.

²⁸ An occasion when the fathers of both the boy and girl meet at her father's house and a formal offer of the girl is given. The boy's father accepts before witnesses; this is also known as engagement (Bista 1996).

sum of money (NRs 50 or 60) given to the groom's father by the bride's father (Bista 1996).

3.1.2 Age at menarche and virginity

Age at menarche or first menstruation is an important biological marker which also has important social and cultural effects on the woman and her family. This is given special importance among Brahmins, Chhetri and Newars in the Hills. They typically have the custom of *Gufabasne* or *Guhyabas*: immuring a menstruating girl (Majupuria 2007). In this practice, a girl in her first menstrual period is kept in a secluded place and confined for twelve days. In this period, she is not allowed to look outside, talk to others, especially the males of the family or community, or touch food and water not meant for her. She is provided with the company of a maidservant or attendant. She cannot see any men of her family because of the belief that if she sees a man during this period of compulsory confinement, the man must become her husband. On the twelfth day when she is brought out of hiding, she is told to look at the sun first. According to Hindu religion, the sun is believed to be a symbol and one of the manifestations of Lord Vishnu. In her second menstruation, she is segregated for seven days, but does not have to hide. After the third menstrual period, she follows the rules of segregation only for four days.

Bennett (1978) describes the importance of first menstruation in the lives of women. She describes the *gupha basne* ceremony (seclusion of girls in a dark room like a cave) among Brahmins and Chhetris in the Hills:

For these unmarried girls the *gupha basne* ceremony has always been, and continues to be, much more strict than it is for girls who have their first period after they are safely married and living in their *ghar* or husband's household. The most important feature of the ceremony is the seclusion of the girl in a dark room where absolutely no light is allowed to enter. This is the *gupha* or 'cave' which gives the ritual its name. If the girl is already married, the *gupha* may be in the attic or cattle shed of her own *ghar* (husband's house). But if she is still unmarried and living in her *maita* [maternal home], she must be immediately taken to another house – preferably that of an old, high-caste widow in some other village – but it must definitely be far enough away from the girl's *maita* so that she cannot possibly catch sight of the roof of her own home (Bennett 1978:32).

The reason for secluding girls is the belief that if the girls see the faces of the males of her maternal family or the sun, symbol of God, it will bring misfortune to her and her family.

The main reason for whisking the unmarried girl away from her *maita* [maternal home] is the very strict prohibition on 'seeing the face' of either her father or her brothers during her first menstruation. '*Ba ko muk ra daju-bhai ko much hernu hundaina*' [should not see the face of father and brothers]. She should not even hear their voices, nor should they hear hers. If possible, the sight of all men is avoided. As soon as the girl discovers her condition and announces it to her mother or elder sister, she is covered with a big shawl so that neither males nor Surya, the sun deity, may see her. Then she is bundled off by the back way to some appropriate place of seclusion. She must stay concealed here for either twelve or twenty-two days. If she is already married and in her *ghar* [husband's house], the period of seclusion may be even shorter than twelve days (Bennett 1978:32-33).

Generally, sexual intercourse is acceptable only within marriage for both men and women. In general, men approach women for sexual relations (Levine 1988; Luintel 2004). Premarital and extramarital sex are not permitted among Hindus, and virginity is essential for a girl to be married (Majupuria 2007). However, non-virginity may be accepted in some caste groups in some communities.

The degree of freedom of premarital and extramarital sexual relations varies among castes and communities. There is sexual freedom before and outside marriage among Tibetan communities in the Mountains region (Luintel 2004; Majupuria 2007). Luintel (2004) found that many social events are celebrated in the community where both unmarried girls and boys, and married men and women can sing and dance and approach each other for sexual relations. Among the Tamang of Timling, boys and girls have premarital sex during all night *shaman* rituals or during dances near the *Gompo* (temple). On these occasions, a boy and girl silently drop out the circle of dancers and slip into the trees surrounding the *Gompo* for sexual relations (Fricke 1985). Panter-Brick (1986) also reports that premarital sexual relations are common among the Tamang of Samle. The custom of this community is that if an unmarried girl is pregnant because of premarital sexual relations and if she names the person who may either be married or unmarried, this person has to take responsibility for the girl by marrying her. But if the man denies the relationship, he has to pay a penalty contribution (NRs 100 in 1982-83) towards the child's delivery and he is not responsible for anything further. However, in such cases the girl is not permitted to give birth in her home, but in the forest far from the village. Fricke (1985) found that among Tamang of Timling, a similar situation existed regarding premarital sex and pregnancy. In this community, the case of premarital sex and pregnancy is settled by arranging the marriage of the girl with the man who made her pregnant.

In the northern villages which are mainly four sub-tribes of the Magar – Pun, Roka, Gharti and Buda – in Thabang, ‘marriageable girls are openly permitted to have sexual relations with potential marriage partners in community houses where teenagers gather to sing and dance in the evenings. In the more southern villages, such as Thabang, however, sexual activity is more restricted’ (Molnar 1978:19).

Panter-Brick (1986) found in his study of Samle, Nuwakot that among the Tamang, women have sexual relations outside of marriage, but if a husband discovers this, he can extract compensation from the lover, and if the lover wishes to take the wife from her husband, then he has to pay much higher compensation.

In the past, women generally used to cohabit with their husbands only after some years of marriage; they were generally married before puberty, and they stayed at their parental home even after marriage. When a girl reached puberty after some years, there used to be second marriage ceremony called *Gauna* and only then was she sent to her husband’s home. But, in recent years, the marriage age has increased and so most women immediately start living with their husbands. Hull (2008) suggests the disappearance of delayed consummation of marriage in many Asian countries.

3.1.3 Who arranges marriage?

Arranged marriage (by parents or relatives) is the most common form of marriage in most of the castes and ethnic groups of Nepal, both in rural and urban areas. Past studies have shown that arranged marriage is preferred and performed by the majority of people in the Terai (FHI 2000; Niraula and Morgan 1996; Sharma 2008), whereas love marriage is becoming more widespread in the Hills (Gurung 1993; Luintel 2004) although arranged marriage is still a popular choice.

Ghimire et al. (2006) found from the Chitwan Valley Family Study (n=2,788 ever-married respondents) in 1996 that 65 per cent of marriages were solely arranged by parents or relatives and 35 per cent of respondents reported they had either participated to some degree in the choice of spouse or solely chose their spouse. Another study from Tangin, Humla district, reported that 60 per cent of the marriages were love marriages and 40 per cent arranged marriages (Gurung 1993). A study of Nyinba village, a Tibetan community, reported that 85 per cent of marriages were love marriages, five

per cent arranged and the rest either *jari* (elopement), marriage by capture²⁹ or informal celebration (Luintel 2004).

The Tamangs have different marriage customs from other Hill castes. There are three standard types of marriage among them: arranged, capture and mutual agreement (Bista 1996). Arranged marriage is mainly common in very rich families and arranged at early ages. Parents generally take the initiative in this form of marriage and it is settled when both parties agree. In the capture marriage, the boy selects a bride who may not consent, or he is not willing to go through the long process of expensive arranged marriage. A girl is captured from a fair or market and kept at the boy's house. If she agrees, a formal wedding is organized in the presence of guests and relatives including the girl's family. If she refuses, then she is allowed to go, and her parents may demand compensation which the boy has to pay. In the mutual agreement marriage, which is most preferred, when a boy and girl are in love and decide to marry, the boys' parents approach the girls' family. Once they agree, the marriage is arranged (Bista 1996). Among Tamangs self-choice marriage (termed mutual agreement marriage by Bista 1996) is more common (65 per cent) than arranged marriage (35 per cent) (Fricke 1988). Wife-givers have more status than wife-takers among the Tamangs of Timling; however, among wealthier (in terms of land-holding) Tamang families in Timling, a high percentage of marriages were arranged marriages with village exogamy, which indicates a desire to maintain their superior position across generations (Fricke 1988).

The same kind of marriage system exists among the Rais and Limbus and marriages are strictly monogamous (Bista 1996). Among the Thakali marriages are usually by capture, but young and educated Thakalis now prefer arranged marriages (Bista 1996). Among Sunwars and Jirels most marriages are by mutual agreement. Sunwars also have a common system of marrying someone else's wife, but in such marriages, compensation has to be paid to the offended husband. Where Sunwars marry a Jirel girl by elopement, then the man has to offer a feast as a fine for ignoring the community rules and then they are accepted (Bista 1996).

²⁹ In this marriage the girl is not willing to marry but the boy and his friends capture and bring her home forcefully.

Among Magars, marriage is generally by self-choice: girls are given freedom to choose their spouse. In Thabang, marriage is matrilineal cross-cousin with the stipulation that one cannot marry into a lineage whose women are classificatory sister's children (*bhanji*). Bista (1996), however, mentions that a great majority of Magars are close to the Brahmins-Chhetri marriage traditions where the marriages are most often arranged and follow processes like *swayamvara*³⁰, *kanyadan* and other rituals.

Among the Dalits of the Hills and Terai, intracaste arranged marriage is mostly preferred. NNDSWO (2006b) studied Dalits in six districts (three from the Terai and three from the Hills) in 2004-05, and found that 95-99 per cent of marriages were within the same caste, less than two per cent were intercaste marriages between Dalits and non-Dalits, and less than one per cent were intercaste marriages among Dalits. There were even fewer cases of intercaste marriages among Terai Dalits than among the Hill Dalits.

Love marriage is marriage without parental arrangement and involves little or no customary ceremony. Love marriage in which young people fall in love and decide to marry with or without parental consent is more common in the Hills than in the Terai. Love marriage has negative connotations in Nepal even among the educated and elite class. In recent years, there has been some increase in love marriage among educated youth, especially in the urban areas, but in most cases, though the choice of bride and groom is made by the couple themselves, parents formalize this choice as an arranged marriage to make it socially acceptable; this is known as 'love-cum-arranged' marriage. Nonetheless, most love matches are made within the permitted caste group (i.e. caste endogamy) where parents accept the matches.

Other studies also provide evidence of differences between the Hills and the Terai in the choice of marriage type. Niraula and Morgan (1996) found in a study in two areas (one each in the Hills and the Terai) that love marriages were 25.5 times more likely in the Hills than in the Terai. They also found that women in the Hills were 14 times more likely than those in the Terai to have some knowledge about their husbands before marriage. Parents in the Terai also had greater concern about elopement that brings shame to the family, and so strongly oppose love matches (see Appendix D). Niraula

³⁰ Ceremony of formally choosing one's partner and the exchanging of garlands and gold rings.

and Morgan (1996) reported only three love matches in the Terai study village in contrast to 45 in the Hills study village, and those couples had to suffer extreme harassment such as being forced to leave the village and in one case being driven to suicide.

Some casets classified as Indo-Nepalese (see Chapter 4) have restrictive attitudes towards women. Among the Madhesi people, there is the *purdah* (veil) system and the mobility of women is restricted; this is not found among Pahadi (Hills-origin) women (Jha 1993). This is important in marriage customs and practices since women who cannot go where they wish or mix with men have less freedom to select their own husband; this reduces the possibility of love marriage.

3.1.4 Monogamy and polygamy

Based on the number of wives and husbands, marriage can be divided into two categories, monogamous and polygamous. In monogamous marriage, each person has only one spouse; this is the most common form of marriage in contemporary Nepalese society. According to the 2006 NDHS, only 4.4 per cent of women aged 15-49 reported having co-wives while only 1.6 per cent of men aged 15-59 reported having two or more wives (MoH/N et al. 2007). This pattern, however, decreases by age of respondents and their education status. The rise in the prevalence of monogamous marriage is due to the increased level of education, awareness of rights among women, and legal reform.

A polygamous marriage, on the other hand, is one in which one person has more than one spouse at the same time. There are two types: polygyny where the man has more than one wife at the same time; polyandry where a woman has more than one husband at the same time.

Polygyny was once common in the Terai and Hills of Nepal and was legal. While the present Law of Nepal bans polygamous marriage, it is still in practice. Some clauses of Nepalese law permit men to have more than one wife at the same time in some conditions such as if the woman (a) is unable to bear a child within 10 years of marriage; (b) is suffering from chronic reproductive diseases which are non-recoverable; (c) commits adultery; (d) suffers from incurable madness; (e) is crippled or blind; or (f) is living separately after claiming her share of the property (Shrestha

2006). But there is no such provision for women. Apart from these conditions, polygynous marriage is prohibited and there are penalties for a man who marries another woman, and also for the woman who knowingly marries a man who already has a wife. The man can be imprisoned for one to three years and fined NRs 5,000 to NRs 25,000. A woman who enters marriage knowingly in such circumstances would receive the same penalty. However, polygynous marriage continues by virtue of legal exceptions, a lack of enforcement, and a patriarchal form of society in which women remain subservient to men.

Another form of polygamous marriage is polyandry in which one woman shares multiple men as husbands at the same time. There are mainly two types of polyandrous marriage; fraternal polyandry where all the brothers in one generation share a common wife, and non-fraternal polyandry, where a group of like-minded men from different households share a single woman (Luintel 2004). Fraternal polyandry is in practice in the Himalayan region of Nepal, also in India, Tibet and Sri Lanka (Levine 1981-1982; Luintel 2004). As polygamous marriage is illegal for women, the elder brother marries a woman and that marriage is registered. But under customary law and tradition, other younger brothers also share the same wife, though these unions are not legally registered. Fraternal polyandry is common in the north and in the west of Nepal, particularly among the Tibetan-speaking communities, the Gurungs of Gorkha and the people of Manang district (Gurung 1993; Luintel 2004; Majumdar 1962). Gurung in 1993 found in Tangin, Humla district, that 42.5 per cent of the families were polyandrous and 57.5 per cent were monogamous (Gurung 1993).

Although the general rule is that all the brothers of the same family should share the same wife in a polyandrous marriage, among the Nyinba, if a woman fails to bear children, the husband is encouraged to take another wife which is known as polygynous polyandry (Levine 1981-1982). In situations where the sibling groups (of men) are large, polygynous polyandry is adopted to add a wife in what is known as conjoint marriage (Levine 1977, cited in Levine 1981-1982). In a survey in 1973-75 among Nyinba women, 52 per cent of marriages were polyandrous and 28 per cent monogamous, 15 per cent conjoint marriage and five per cent polygynous or simple polygynous polyandry (Levine 1977, cited in Levine 1981-1982). In recent years where a younger brother is much younger than the wife of the elder brother, they tend to marry separately rather than entering into polyandrous marriage (Gurung 1993).

Among the Tamangs of Samle in Nuwakot, women may marry more than once, but generally do not have more than one husband at a time (Panter-Brick 1986). This shows divorce as a common phenomenon among Tamang. Women can initiate divorce, which is formalized by the village leader by providing compensation and by local administration; this does not happen among the Kami, a lower caste group (Panter-Brick 1986). Tamang and Kami men of Samle, however, can have several wives at a time (Panter-Brick 1986).

There are several reasons for the existence of polyandrous marriage. In the case of prolonged absence of males in the family because of seasonal migration (Gough 1959; Peter Prince of Greece and Denmark 1955, cited in Luintel 2004), polyandry provides security for the family (Berreman 1962; Kapadia 1966). It also helps to remove the burden of bride-price (Majumdar 1955), and reduces the risk of friction within households (Leach 1955). Some scholars have found that polyandry is practised in societies where there is a high sex ratio resulting in fewer women than men (Aiyappan 1935; Westermarck 1930). One study from Tangin, Humla district in Nepal, however, does not support this argument (Gurung 1993). Polyandrous marriage also maintains the population at a desirable size (Goldstein 1971), can be a social response to adverse economic conditions (Goldstein 1971; Westermarck 1930), and helps to protect household property and land from fragmentation (Kapadia 1966; Goldstein 1971).

Despite the many benefits of polyandrous marriage, the major issues are related to sexual activity: the chance to have sex with the wife, or the age of the wife in relation to the younger brothers (Gurung 1993). As there is more than one husband, the sexual rights to the wife are determined by age, so younger brothers have access to the wife only in the absence of their seniors. As a result, young brothers or husbands revolt and marry another woman, which can involve severe economic penalties. In such cases, the brother has to leave the house and forfeit all the patriarchal property, and start again (Gurung 1993).

There are also increasing levels of dispute over 'ownership' of children.³¹ In this custom of polyandrous marriage, the woman has the authority to make decisions about

³¹ The *Kantipur Daily* of 17-7-2009 raised the issue of the legitimacy and ownership of the child, reporting a dispute which has reached to court in Sankhuwasabha district of the eastern Mountains region of Nepal.

the legitimate paternity of her children. Scholars suggest that increasing social awareness, social contact with outsiders, and new values regarding sexual relations are leading to the decline of polyandry in favour of monogamous marriage (Gurung 1993). Polgreen (2010) reported that there is no polyandry in the contemporary Indian society of the Mountains region bordering Tibet, a region where it was widespread among the previous generation. This change is due to advances in transport, communication, and other technological development, along with the spread of education.

3.1.5 Bride-price and dowry

Marriages can be categorized as bride-price marriage and groom-price or dowry marriage. Bride-price marriage is similar to the ancient form of *Asura* marriage in which the parents or guardians of the bride received compensation either in cash or kind from the parents or guardians of the groom. The rationale behind the bride-price is that the parents should be compensated for the transfer of the bride's labour and services from her parents' household to her in-laws' household (Rajaraman 1983). Bride-wealth is also used by some ethnographers (Schlegel and Eloul 1988; Tambiah 1973) interchangeably for bride-price. Schlegel and Eloul (1988), believed bride-wealth to be the same as bride-price, but according to Tambiah (1973), bride-wealth is a payment from the groom's family to the bride's family and part of it remains in the bride's possession and moves with her.

In the past, bride-price marriage was the most common form of marriage in South Asia including Nepal. A boy's parents generally took the offer of marriage to the girl's parents, and marriage was decided on the basis of mutual consent and agreement for payment of bride-price. This practice is well documented in India and other countries (Singh 1990), but less so in Nepal. Among the Dhangar in the Terai, there is bride-price marriage but the amount is not high (Bista 1996). Rajbanshi has a matrilineal system and still practises the bride-price form of marriage in some families where the boy works in his in-laws' home as a contribution to the bride-price (Bista 1996).

This system is still common in some ethnic groups in the Hills where it can continue after marriage in the form of the husband's labour for the in-laws' family, but parents do not pay a significant amount of bride-wealth at the time of marriage (Dahal et al. 1996). A study among the Tamang has shown that they have bride-price marriage in the form of the groom's service to the woman's patriline (Fricke 1988). Dahal and

colleagues noted that ‘...wife receivers are expected to provide labor and services throughout the seasonal round as well as at specified ritual occasions’ (Dahal et al. 1996:378).

In recent decades, the bride-price marriage phenomenon has been reversed, replaced by groom-price or dowry marriage. Bride-price is declining in most Indian societies because girls’ parents have to pay for other ways to attract well-educated and established sons-in-law, according to Caldwell et al. (1988) in their study of South India.

The word dowry means a gift to the bridegroom at the time of marriage, but in practice it is quite different. The dowry, which is popularly known as *Tilak* or *Dahej* in the Terai and *Daijo* in the Hills and Mountains region, is demanded by the groom and his parents, to be paid in both cash and goods; these can range from jewellery to various consumer items such as a bike, car, furniture, utensils, land, cattle and other goods available in the local market. The dowry is decided by negotiation between the bride’s and groom’s parents with the involvement of a mediator (Niraula and Morgan 1996). The girls’ parents approach the boys’ family in the Terai, but often in the Hills and Mountains the boys’ parents approach the girls’ parents. Usually, there is a mediator who conveys the message about the demand from the groom’s side to the bride’s side and then negotiation starts. The negotiation of bride-price and groom-price is done within arranged marriages. Only when payments have been agreed on can marriage arrangements be finalized and the wedding held (see Chapter 7).

There are significant differences in customs and practices of marriage among various caste and ethnic groups. Hills higher castes and Dalits have lower age at marriage, put a high priority on sexual purity before marriage and prefer to marry girls before menstruation. They have strict rules related to the free movement and courtship of females.

On the other hand, most of the ethnic groups of the Hills allow young people the freedom to choose their own spouse, courtship before marriage and premarital sexual relationships. Some of the ethnic groups have cross-cousin marriage and also widow remarriage.

The Terai is dominated by caste groups with only a small proportion of ethnic groups. Most of the Terai higher castes, middle castes and Dalits are attached to Hindu culture and traditions, with more restriction on women. Most of the marriages are caste endogamy and hypergamy. Arranged marriage is common and love marriage is restricted; inter-caste marriage is uncommon. Muslims in the Terai also have strict customs and traditions of marriage which differ from those of Hindus' marriage. Some of the ethnic groups of the Terai have traditions of late marriage and freedom to choose the spouse.

Terai-origin people have very different marriage traditions from Hills people, but through the migration of Hills people to the Terai, the population composition of the Terai has changed significantly. The heterogeneity of the Terai, complex within the Terai caste-groups, has become more complex. This undermines the relevance of the conventional tripartite division of Nepal, which has been used to represent demographic change by those geographic regions without considering the diversity of populations and their diversities and their varying traditions of marriage that have a significant effect on marriage prevalence and timing.

3.2 Laws related to marriage

This section explains the legal provisions on marriage age in Nepal, and assesses people's level of awareness of the legal provisions on marriage, and the factors associated with poor implementation of the laws in Nepal. Global and regional perspectives particularly from India are also noted here.

3.2.1 Global perspectives

Internationally any person under the age of 18 is considered a child. The Universal Declaration of Human Rights grants rights to 'free and full' consent to marriage (UNICEF 2005:11). The Convention on the Elimination of all Forms of Discrimination against Women (CEDAW), adopted in 1979 by the United Nations, gives protection to women from child marriage. According to article 16 of CEDAW 'The betrothal and the marriage of a child shall have no legal effect, and all necessary action, including legislation, shall be taken to specify a minimum age for marriage' (UNICEF 2005:1).

Although marriage is not considered and addressed directly by the United Nations Convention on the Rights of the Child (UNCRC), there are several articles which

address the issue of rights to education and rights to express their views freely, to protection from all forms of abuse, and to be protected from harmful traditional practices. According to Article 12 (1),

States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child (UNCRC 1989:4).

According to Article 19 (1)

States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child (UNCRC 1989:5).

According to Article 28 (1)

States Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular: (a) Make primary education compulsory and available free to all... (UNCRC 1989:8).

Article 34 emphasizes that governments should undertake appropriate measures to protect the child from all forms of sexual exploitation and sexual abuse. It also emphasizes that to fulfil this duty, according to Article 34 (a),

States Parties shall in particular take all appropriate national, bilateral and multilateral measures to prevent..., the inducement or, coercion of a child to engage in any unlawful sexual activity (UNCRC 1989:10).

All these provisions in the UNCRC show that state and other authorities are accountable and responsible for guaranteeing the rights of the child which also protect them from early entry into marital life and motherhood.

Several international conventions and declarations urge revision of the existing laws and regulations, and removal of customs and practices which discriminate against and cause harm to the girl child, as in the Vienna Declaration and Programme of Action from the World Conference on Human Rights 1993, cited in Forum on Marriage and the Rights of Women and Girls (2001:11). The UN Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages ratified in 1964 readdresses the article of the 1948 Universal Declaration of Human Rights (UNDHR) that focuses on marriage age, specifying 'men and women of full age' and that

‘marriage shall be entered into only with the free and full consent of the intending spouses’.

3.2.2 Nepal

The legal provisions on age at marriage in Nepal seem progressive, and the age at marriage has risen substantially in recent decades. Documentary evidence in Nepal includes the first codified law of Nepal in 1854 that prohibited marriage of a girl below the age of five and provided for severe punishment of guardians who arranged marriage of a girl below the age of 30 months (Kandel 2001). In a progressive step, the *Muluki Ain* (Civil Code) of Nepal, 1965, banned early marriage and provided various penalties. This has been the fundamental law of the country to date with some timely amendment of various articles. The law specifies the legal age of marriage of girls as age 16 and of boys as age 18 with parents’ consent, and of girls as age 18 and boys as age 21 without parents’ consent.

The most recent Eleventh Amendment (2002) to the *Muluki Ain* fixed the minimum marriageable age³² for both sexes at 18 years with parents’ consent and 20 years without consent (Centre for Reproductive Rights n.d.). Although the marriage age has been revised and raised, the provisions related to punishment for breaches of the Law have not been revised. In the present law on marriage, several penalties have been specified to discourage people from arranging early marriage of their children. Article 17.2 of the *Muluki Ain* has prescribed the following penalties for perpetrators of under-age marriage (Shrestha 2006:784).

- If a girl or boy is married below age 10, the perpetrator will be imprisoned for six months to three years along with a fine of NRs 1,000 to NRs 10,000;
- If a girl or boy is married above age 10 and below age 14, the perpetrator will be imprisoned for three months to one year along with a fine of NRs 5,000;

³² In India, the Child Marriage Restraint Act of 1929 had set 14 for girls and 18 for boys as the legal age at marriage. This was subsequently raised by amendment in 1978 to 18 for girls and 21 for boys (Gupta et al. 2008), which is the current legal age at marriage with provision of some stricter clauses on early marriages as specified in the Prohibition of Child Marriage Act, 2006 (Ministry of Law and Justice/India 2007). The present Act on child marriage has several clauses that give rights to a girl married before age 18 to nullify the marriage without being considered a divorcee; the husband is held responsible for payment of maintenance to the girl until her remarriage.

- If a girl or boy is married above age 14 and below age 18, the perpetrator will be imprisoned for up to six months or a fine of up to NRs 10,000 or both;
- If a girl or boy is married under 20 years of age, the perpetrator will be imprisoned for up to six months or a fine of up to NRs 10,000 or both;
- The priest, mediator and other relatives who are involved in the marriage ceremony with knowledge of the age of the bride and groom will also be imprisoned for a month or fined a sum of up to NRs 1,000.

These various amendments suggest that there has been progressive change in the laws of Nepal regarding the marriage age. However, there is weak enforcement of the law that leads to perpetuation of early marriage in Nepal. The following section provides an account of the awareness of legal provisions for marriage age in Nepal.

3.2.3 Awareness and perception of legal marriage age

Although there is substantial progress in the laws regarding marriage age and there is a rise in minimum legal age at marriage, there is a lack of awareness among people regarding legal provisions; however, there is limited information available on this at the national level. Drawing upon some project-based information from some districts, a baseline survey carried out by UNFPA and the Ministry of Local Development (MoLD), Nepal in five districts³³ of the Population and Reproductive Health Initiative (PARHI) project in 2002 shows that only nine per cent and 12 per cent of women knew the legal age³⁴ of marriage for boys, with and without parents' consent respectively (UNFPA 2002). Similarly, 16 per cent and eight per cent of women knew the legal age of marriage for girls, with and without parents' consent. Among men, 16 per cent and 18 per cent knew the legal age at marriage for boys, with and without parents' consent; only 30 per cent and 15 per cent of men knew the legal age at marriage of girls with and without parents' consent. The study also found that among the adolescents sampled, only eight per cent and nine per cent of them knew the legal age at marriage of boys, and 19 per cent and nine per cent of them knew the legal age at marriage of girls, with and without parents' consent respectively (UNFPA 2002). The situation in

³³ Saptari, Mahotari, Rautahat, Kapilvastu and Dadeldhura, out of which the first four are Terai districts where there is prevalence of early marriage, and the last is in the Hills.

³⁴ 18 years with parents' consent and 20 years without parents' consent for both sexes.

the Terai district is worse. Out of five districts surveyed, four are Terai districts; people in these districts have much less awareness of the legal age at marriage than those in the Hills district with some exceptions. In summary, these data indicate that there is not a great deal of awareness among parents and adolescents themselves about the legal age at marriage which seem to be an impediment to improving the situation of early marriage (Table 3.1).

Table 3.1: Percentage of women (15-49), men (15-59) and adolescents (10-24) who correctly stated legal age at marriage of boys and girls by PARHI Project districts, Nepal, 2002

Types of respondents/District	With parental consent		Without parental consent		n
	Boys	Girls	Boys	Girls	
<i>Legal age at marriage</i>	18	18	20	20	
Women (15-49)	% correct				
Saptari	8.4	13.9	6.5	4.6	1,682
Mahotari	10.8	10.8	18.3	13.4	1,590
Rautahat	11.9	17.3	13.2	8.4	1,651
Kapilvastu	9.7	15.0	10.6	7.1	1,796
Dadeldhura (Hills)	5.5	21.8	12.6	6.9	1,633
Total^a	9.3	15.8	12.1	8.0	8,352
Men (15-59)	% correct				
Saptari	12.6	32.5	19.3	17.4	357
Mahotari	12.5	31.9	10.1	8.7	335
Rautahat	18.5	19.6	19.0	16.2	352
Kapilvastu	21.7	29.2	20.0	10.2	401
Dadeldhura (Hills)	14.0	37.0	20.5	22.3	292
Total^a	16.1	29.8	17.8	14.6	1,737
Adolescents (15-24)	% correct				
Saptari	5.2	20.5	8.8	7.7	365
Mahotari	6.9	16.7	9.4	6.6	318
Rautahat	8.7	14.2	7.8	13.4	344
Kapilvastu	11.9	16.4	8.8	7.3	464
Dadeldhura (Hills)	7.5	25.1	10.7	7.3	411
Total^a	8.2	18.6	9.1	8.4	1,902

Note: ^a calculated by author.

Source: UNFPA 2002, Table 6.3.

Awareness of the legal marriage age in the neighbouring country, India is also very low with the exception of some states. A study carried out in Rajasthan, Uttar Pradesh and Madhya Pradesh in 2008 found that only 12 per cent of respondents in Uttar Pradesh knew that child marriage was illegal (Gupta et al. 2008). However, some states

(Rajasthan and Madhya Pradesh) have higher awareness levels (86 per cent and 71 per cent respectively). The International Centre for Research on Women's (ICRW) work in Bihar and Jharkhand also shows a higher level of awareness (57 per cent) among adult community members on legal age at marriage (Gupta et al. 2008). Surender (1992) found in his study in Pondicherry that 85 per cent of the respondents in urban areas and 53 per cent of those in rural areas were aware of the legislation on age at marriage.

However, many people are deterred by the rising cost of marriage which increases with higher age at marriage, and so are reluctant to follow the legislation. A respondent stated '...we know that girls should not be married before the age of 18 according to the government's rule. We will try to follow it if the government assures to help us in solving the cost of marriage' (Surender 1992:229). Another urban respondent remarked '... legislation, we know, but why to bother about it? No one will come to help us in our problems, but will try to advise and stop the marriage, when we ourselves are trying to solve the problem by marriage early' (Surender 1992:229). Some parents emphasized the difficulty of finding a suitable match and started seeking a solution early, and the parents are responsible for the marriage of their children. A rural respondent said '... parents have to decide when they should get their daughters married and not the third person who is not at all aware of the real situation of the family' (Surender 1992:229). One woman said

I have four female children and now we started looking for a boy for the eldest girl, who is of age 17. We know that through radio they advise to marry the girls after 18, but what to do? We have to see to our problems too because if the first one is married, we can think of the rest (Surender 1992:229).

To implement the higher minimum age at marriage set out by the present law, several factors need to be considered. As explained by VandenHeuvel and McDonald (1999) the presence of customary law or tribal law, strong cultural and traditional beliefs, and low awareness of legal age at marriage and its importance make it difficult to implement a higher minimum age at marriage. A study in India showed that those who were aware of the Child Marriage Act 1978 were in favour of late marriage (Audinarayana 1988), but about two-fifths of the respondents preferred an early age for marriage of girls which was just half of that for boys. Gupta et al. (2008) also argue that poor implementation of the existing law in India is due to a lack of political will, lack of awareness about the recent Act, lack of effective accountability mechanisms and monitoring systems, and lack of resources.

3.2.4 Marriage registration: implementation status in Nepal

As marriage has been considered a sacred union between a man and woman, the process is formalized through elaborate ceremonies, which lend social sanction and legal validity to the marriage. Hence, there was no need for keeping official or legal records of marriages in the past. But later, with increased mobility of people and changing social needs, alternatives to traditional ceremonial form of marriage evolved to provide legal sanction to marriage; these were first enacted and put into effect in 1971 (ESCAP 1980).

Later, marriage registration was included as one of the five vital events – birth, marriage, divorce, migration and death - as specified in the Vital Registration Act of Nepal. According to the Vital Registration Act which came into effect in October 1976 (ESCAP 1980), registration of vital events including marriage is mandatory and is free of cost if within 35 days of the event. According to section 4 (1) of this Act, ‘it is the responsibility of the husband, and in his absence of the wife, to report the marriage in the prescribed form to the local registrar within thirty-five days of the solemnization if the event took place within the country, and if it took place outside the country, within sixty days of arrival in the country’ (ESCAP 1980:162).

The Vital Registration system was initially implemented in 10 districts³⁵ of Nepal in 1977; it was gradually expanded and has covered all 75 districts since 1991 (MoLD 2006). Initially, it was implemented by the Ministry of Home Affairs under the Office of the Registrar; later, a division-level unit was created under the same ministry. In 1993, it was transferred to the Ministry of Local Development as a Registrar Division which is currently named the Population and Registrar Division.

However, registration of vital events including marriage is not enforced as mandatory. The Ministry of Local Development published for the first time a status report on vital registration in 2004, according to which, only 125,644 marriages were registered and reported at the central level in 2004. In Nepal where the young population cohort is large and early marriage is prevalent, it can be said that this is a negligible number of marriages in a year. Further, the analysis of 160 cases of non-sampled marriage

³⁵ Jhapa, Morang, Saptari, Mahottari, Sarlahi, Rautahat, Kapilbastu, Banke, Kanchanpur and Kathmandu.

registration data obtained from a few Village Development Committees and municipalities (the local administrative units) in Siraha, an eastern Terai district, shows that only 2.7 per cent of marriages were registered within 35 days of the marriage, and 6.9 per cent within a year (data not shown). A study from Pondicherry, India, (Surender 1992) also reveals a low level of marriage registration (19 per cent among urban and 15 per cent among rural women), which is due not only to a poor level of awareness, but also to a lack of appreciation of its immediate usefulness and the link between marriage registration and other events. A woman respondent in Pondicherry said,

... marriage certificate is of no use in our day to day life, so why to register; by registering our marriages, does our income increase? Or if we do not register, does it decrease?; ... if we register our marriages, government will get figures about how many people are registered, but what the general public will benefit by that? Nothing (Surender 1992:208).

Further, unnecessary bureaucracy which consumes a lot of time taken from earning a living, in order to register a marriage is another factor causing a low level of marriage registration. According to a Pondicherry respondent,

...from day to night, we are busy with our work. In this situation, how can we go to the register office and spend the whole day for registering our marriage. Even then if we register, in turn we will not get any benefit out of it; ...why should we go to the register office and stand there for a long time at their mercy for registering our marriage. No need (Surender 1992:208).

Registration also has implications for marriages held below the legal age: people are reluctant to register such marriages for fear of legal action from the government. In Surender's Pondicherry study, a respondent said, '...why to invite unnecessary problems by registering the marriages. If a girl less than 18 gets married and if we go for registration, they will not allow us to perform the marriage. So, better not to go for registration' (Surender 1992:208). In such cases if people register their marriage, they may often misstate the age of the bride or groom and report a higher age. Iswarini (2008) also found in a study in Indonesia the manipulation of age at marriage in cases of marriage below the legal age.

Further, as there is no compulsory enforcement of birth registration, as also reported in Bangladesh (UNICEF 2005), this may also affect the age at marriage and marriage registration process. As there are no studies on the low level of marriage registration in Nepal, the findings from India indicate the major impediments of marriage registration

which may be relevant to the Nepalese situation owing to sociocultural similarities between India and Nepal.

The marriage registration data so far have not been used for any research. The basic marriage registration form includes information about the caste/ethnicity of the individual, place of birth, age at marriage, and education of husband and wife at the time of marriage. The data are valuable in explaining the magnitude of cross-border marriage migration, especially Indian girls marrying Nepalese boys. Although the Ministry of Local Development has published the annual report on vital registration, it only records the total number of events registered in each district, and does not provide any information about the background characteristics collected in the basic form. During my field work in Nepal in 2008, I learned from conversations with officials of the Population and Registrar Division, Ministry of Local Development that the information collected through the basic vital registration forms is not entered into any software at any level, and all the information remains in the stack of files. Further, getting access to the information requires a long process and needs an official lodgement of request and approval at the Secretary level, posing much difficulty in accessing and using marriage registration data for any research purpose.

3.3 Conclusion

The information presented in this chapter shows the differing marriage customs and practices due to presence of several caste and ethnic groups in Nepal. The particular differences in institutions and customs of marriage among caste and ethnic groups in the Hills and Terai, and the degree of freedom granted to young people, largely affect the age at marriage. The social stigma and cost attached to remaining unmarried to a later age also differs by caste and ethnic groups. The contrasting situations between caste and ethnic groups in the Hills and the Terai make the conventional tripartite division of Nepal irrelevant and inadequate to capture such diversity.

Although the legal marriage age in Nepal is officially progressive, there is poor enforcement of the law and most marriages go unregistered. There is little effort to raise people's awareness of the laws relating to marriage, and a lack of political will.

The findings point to the importance of social norms and cultural practices as major determinants of marriage timing along with poor level of personal awareness of laws.

Data and methods

From the review of literature in Chapter 2 and an examination in Chapter 3 of marriage institutions, customs and practices as well as legal provisions on marriage in Nepal, it has become clear that several factors influence marriage prevalence and timing in Nepal. In this chapter I describe the data sets, assess their strengths and limitations, and describe and set methods and models for my empirical analysis in Chapters 5 to 7.

This chapter is divided into three sections: the first gives a brief account of data sets used for this study, along with their qualities and limitations. The second section provides a summary of the variables and the third describes the analytic methods and models used in the analysis.

4.1 Data sets and their qualities

This study makes use of multiple (secondary) data sets. Common to the use of secondary data, the data sets have some limitations in terms of inclusion of some intended variables considered important for this research. Four primary data sets are analysed:

- 1) Nepal Demographic and Health Survey (NDHS) 2006,
- 2) Nepal Adolescents and Young Adults (NAYA) survey 2000,
- 3) Nepal Living Standards Survey (NLSS) 2003-04, and
- 4) Child Marriage Study 2004

The primary data sets used for analysis of patterns and determinants of age at marriage are the NDHS 2006 and NAYA 2000. The data sets used for analysing the factors associated with dowry and its relationship with age at marriage are NLSS 2003-04 and Child Marriage Study 2004. In addition, Census 2001 and NDHS 2001 were used to fill in the gaps in chapters which deal with marriage custom and traditions.

4.1.1 Nepal Demographic and Health Survey 2006

The Nepal Demographic and Health Survey (NDHS) is one of the most recent and systematic national surveys. It is carried out every five years to measure and collect

fertility information on men and women. In earlier collections, only married women of 15-49 were included (e.g. Nepal Family Health Survey (NFHS) 1996), but later, men of 15-59 were also included in NDHS 2001, as were unmarried women and men in NDHS 2006.

The data used in most of the analysis in this study are from NDHS 2006. The sample in the 2006 survey is a two-stage, stratified, nationally representative sample of households. At the first stage of sampling, 260 Primary Sampling Units (PSUs), 82 in urban areas and 178 in rural areas, were selected using systematic sampling with Probability Proportion to Size (PPS). A complete household listing was carried out in all the selected PSUs to provide a sampling framework for the second stage selection of households. At the second stage of sampling, systematic samples, of about 30 households per PSU on average in urban areas and about 36 households per PSU on average in rural areas, were selected in all the regions. Since Nepal is predominantly rural, in order to obtain statistically reliable estimates for urban areas, the urban area was over sampled (MoH/N et al. 2007).

Data were collected through three main questionnaire modules: the Household Questionnaire, the Women's Questionnaire, and the Men's Questionnaire, however, the men's questionnaire is not used in this study. These questionnaires were adapted to reflect the population and health issues relevant to Nepal at a series of meetings with various participants from government ministries and agencies, NGOs and international donors. The final draft of the questionnaires was discussed at a questionnaire design workshop organized by the Ministry of Health and Population (MoHP) followed by translation of the survey into the three main local languages, Nepali, Bhojpuri and Maithili. The Household Questionnaire was used to list all the usual members and visitors in the selected households and to identify women and men who were eligible for the individual interview. Some basic information was collected on the characteristics of each person listed, including age, sex, education, and relationship to the head of the household. The Household Questionnaire also collected information on characteristics of the household's dwelling unit, such as the source of water, type of toilet facilities, materials used for the floor of the house, ownership of various durable goods, and ownership of mosquito nets.

The Women's Questionnaire was used to collect information from all women aged 15-49. These women were asked questions on the following topics: respondent's

characteristics such as education, residential history, media exposure; pregnancy history, childhood mortality; knowledge and use of family planning methods; fertility preferences; antenatal, delivery, and postnatal care; breastfeeding and infant feeding practices; immunization and childhood illnesses; marriage and sexual activity; woman's work and husband's background characteristics; awareness and behaviour regarding AIDS and other sexually transmitted infections (STIs), and maternal mortality (MoH/N et al. 2007).

The data used for analysis are derived from both the household questionnaire and the women's questionnaire. The household survey of 22,247 women contains information on all female members of each household selected in the sample, including the current marital status of females aged 10 years and older. Information on variables related to religion, caste, place of residence, geographic region, age, marital status, education status, economic status of the household etc. come from this household module. The women's questionnaire has information on age at marriage of women, their sexual initiation, and information on their partner's age, age at marriage, education, occupation etc., including information on both married and unmarried women aged 15-49 years since 2006.

However, some variables in NDHS 2006 are not relevant for the study of age at marriage. Education status of women and men included in the survey is the current status at the time of survey and does not include the education status before or at the time of marriage. This potentially limits the use of this variable to assess its association with age at marriage because some women (and men) may have acquired some education after marriage. However, it is assumed that there is not much change in the education status of women after marriage so the education status at the time of survey is included in the analysis. Similarly, the NDHS 2006 data also lack information about education and occupation of parents at the time of marriage. This also limits the analysis as the effect of parents' education and occupation on marriage prevalence and age at marriage of their sons and daughters cannot be assessed. Further, the NDHS 2006 does not have information related to either attitudes or practices of dowry, ideal and legal age at marriage, legal provisions related to age at marriage and dowry, and age at menarche.

4.1.2 Nepal Adolescents and Young Adults Survey, 2000

The Nepal Adolescents and Young Adults (NAYA) survey includes interview data from both married and unmarried men and women aged 14-22. A total of 7,977 respondents (3,802 males and 4,175 females) from 13 districts (six Terai and seven Hills districts) were interviewed.

The urban areas were surveyed during July and August 2000 and the rural areas were surveyed in two phases: from 5 August to 2 October in the Hill region and from 29 August to 29 October 2000 in the Terai region. The urban areas were over sampled to allow reliable estimates based only on the urban adolescent and youth population (Choe et al. 2004; Thapa et al. 2002).

In the urban areas, more than 18,000 houses were visited in the 100 census wards or blocks. These houses contained nearly 25,000 households (defined as residents who shared the same kitchen), or about 1.4 households per house visited. Among all the urban households surveyed, 10,298 had eligible respondents, that is, males and females aged 14 to 22 who had spent the previous night in the house. Similarly, in the rural Hills and Terai regions, nearly 22,000 houses were visited in the selected wards (80 census wards or blocks respectively). Those houses contained nearly 23,000 households, or about 1.1 household per house visited. Among all the rural households surveyed, 10,610 had eligible respondents (Thapa et al. 2002).

In urban areas, 3,053 eligible respondents from 2,000 households were selected for interview, representing 19.4 per cent of the 10,298 households with eligible respondents. The sample households were selected by means of sampling intervals and random numbers based on a random table. The largest numbers of respondents were unmarried males (1,297, or 93 per cent of all males) and unmarried females (1,054, or 73 per cent of all females). In the rural areas, a total of 4,000 households and 5,478 eligible respondents were selected for interview. The 4,000 rural households represented 37.7 per cent of the 10,610 households with eligible respondents. Of the selected respondents, 58 per cent of the females and 79 per cent of the males were single.

Of the selected urban households, 96.4 per cent were successfully interviewed. The percentage for individual respondents was slightly lower, 92.5 per cent (ranging

narrowly from 91 per cent to 95 per cent). The ratio of eligible respondents selected for interview to the number of households selected for interview was 1.53 to 1 for all five urban areas. Altogether, 2,824 respondents (51 per cent female and 49 per cent male) were successfully interviewed in the five urban areas.

In the rural areas, about 94 per cent of the households and an equal percentage of individual respondents were successfully interviewed. The ratio of eligible respondents to the number of households was 1.4 to 1, slightly lower than in the urban areas. Altogether, 2,730 females and 2,423 males were successfully interviewed in the eight rural districts selected for the survey.

The survey questionnaire consisted of 13 modules: respondents' background; residential history; family characteristics; puberty; menstruation; friendship, love, and marriage; sexuality; pregnancy and childbearing; knowledge and practice of family planning, knowledge and incidence of sexually transmitted infections, including HIV/AIDS; gender roles; mass-media exposure; awareness of girl-trafficking; and miscellaneous topics, including smoking, alcohol use, and drug use. Separate questionnaires were designed for unmarried females, married females, unmarried males, and married males (Thapa et al. 2002).

This survey also includes qualitative information collected through focus group discussion, which is valuable in demystifying some of the sociocultural aspects affecting early marriage. The survey also includes attitudes and behaviour of adolescents and young adults on most of the socio-cultural and economic variables, which are useful for comparing trends and patterns of marriage prevalence and age at marriage. Several other variables are also useful: marital status, age at marriage, importance placed on virginity of girls before marriage, education at the time of marriage, education of partners at the time of marriage, education of parents, age at first menstruation, attitudes and perceptions related to types of marriage preferred, place of birth, attitudes on gender discrimination, and dowry.

There are some limitations to this survey, however. Although it is claimed to be the first national survey of this type covering a larger sample size, it only covers a few districts (17 per cent of total districts), totally excluding the districts in the Mountains region. Hence, it is not a properly representative national survey. Further, the age of

respondents ranges from 14 to 22 years, and so is not suitable to show trends of any specific variable over a period of time owing to the short age cohort.

4.1.3 Nepal Living Standards Survey 2003-04

The Nepal Living Standards Survey 2003/04 (NLSS II) is the second multi-topic national household survey conducted by the Central Bureau of Statistics (CBS) from April 2003 to April 2004. As a follow-up to the first NLSS of 1995/96 (NLSS I), NLSS II was conducted to track changes in the living standards of the Nepalese population in the preceding eight years (1995/96 to 2003/04). The survey follows the World Bank's Living Standards Measurement Survey (LSMS) methodology and uses a two-stage stratified sampling scheme, as was done in the first survey. NLSS II enumerated 3,912 households from 326 Primary Sampling Units (PSU) of the country, compared to 3,373 households from 274 PSUs in NLSS I. In addition to these cross-sectional households, NLSS II interviewed 1,160 households from 95 panel PSUs: 962 out of 1,160 households were panel households that were also interviewed in NLSS I. A total of 96 households from eight cross-sectional PSUs (out of 4,008 households, 334 PSUs in total), mostly from the Far-western development region, were not enumerated as a result of the prevailing insurgency in Nepal.

The design of the cross-section part of NLSS II was similar to that of NLSS I. The total sample size (4,008 households) was selected in two stages: 12 households in each of 334 Primary Sampling Units. The sample of 334 PSUs was selected from six strata using Probability Proportional to Size (PPS) sampling with the number of households as a measure of size. The numbers are all multiples of 12 with the intention of implementing a two-stage selection strategy with that many households per PSU in the second stage. Within each PSU, 12 households were selected by systematic sampling from the total number of households listed.

The NLSS II cross-section sample was allocated into six explicit strata as follows: Mountains (408 households in 34 PSUs), Kathmandu valley urban area (408 households in 34 PSUs), other Urban areas in the Hills (336 households in 28 PSUs), Rural Hills (1,224 households in 102 PSUs), Urban Terai (408 households in 34 PSUs) and Rural Terai (1,224 households in 102 PSUs).

The Nepal Living Standards Survey enumerates households. The data used for analysis in this study come from cross-sectional survey of 3,912 households. The education and dowry expenditure are at the household level. This data are used for analysing the trend of dowry expenditure at the household level across the region, and indicates the share of total expenditure.

However, there are some limitations to this data set. Although information on age at marriage of women is taken for all married women in the household, it is not possible to link the individual information and household information because the women enumerated for marital information are mostly daughters-in-law and the expenditure as dowry of the particular household is for daughters: once the daughters are married, they are not counted as members of the household.

Similarly, this data set does not explicitly enumerate the number of marriages that occurred in that particular household during the enumerated period of time. Further, it does not define the expenditure limit for the dowry or bride-price given and received which is reflected in the higher number of households reporting dowry or bride-price paid but a substantially lower number of households reporting receipt of dowry or bride-price.

4.1.4 Child Marriage Study 2004

Aasaman Nepal, a national NGO implementing program in various districts in Nepal, had carried out a micro-study of child marriage in Dhanusha, a central Terai district of Nepal. This survey enumerated all marriages that occurred in a year (from 15 May 2003 to 14 May 2004) in four Village Development Committees (VDCs): Raghunathpur, Paterba, Sabaila, and Thila Jaduwa. This study includes information about age at marriage, education level of boys and girls at the time of marriage, consultation by parents regarding marriage, dowry paid and received. This data set includes information on 429 marriages. The information is used for analysing the factors associated with dowry and relationships between dowry and age at marriage in Nepal.

This data set also has some limitations. First, it is a non-sampled study of a few VDCs in a district covering a small number of cases. Second, it has included only some of the

background variables. Despite these limitations, this data set helps in understanding the phenomenon of dowry and its association with age at marriage in the Terai.

4.1.5 Census 2001

This is the most recent comprehensive and large-scale national data set of Nepal, with information about marital status and age at marriage of all persons aged 10 years and above. This data set is used to calculate the Singulate Mean Age at Marriage (SMAM) and to analyse marriage prevalence and trends of age at marriage. The 2001 Census is the sample count of over 2.5 million people (2,583,245 with age 10+ samples 1,932,500) that includes information about marital status and age at marriage. Information about caste/ethnicity is also available in the 2001 census (while this variable was also included in the 1991 census, the full electronic data set is not available for analysis). Thus, Census 2001 is useful for examining trends and patterns of age at marriage among castes and ethnic groups. Censuses before 1991 do not have information about caste/ethnicity.

The individual enumeration was made from 10 June to 26 June 2001. The reference date of the census (or the census day) was the sunrise of 22 June; homeless persons were counted on the day before the census day. At the time of census there were 3,914 Village Development Committees (VDCs) and 58 municipalities. VDCs contained a total of 35,226 wards while urban areas contained 806 wards. Thus, the total number of wards in the country was 36,032. Out of these wards, 957 (including 2 urban wards) were affected by the political disturbances in Nepal. Work in 83 VDCs of 12 districts (747 wards) was disrupted, and two wards of two municipalities and some wards of 37 VDCs were party affected. In Salyan and Kalikot districts even listing was disturbed in some areas. In these districts the population was estimated on the basis of the listing sheets and by following other estimation procedures (CBS 2003).

One of the major objectives of the introduction of sampling in the census was to save cost as well as time. This has led to the design of two different types of questionnaire, the short form (Schedule 1) and the long form (Schedule 2). The short form represented a complete count of the basic information on households and individuals relating to the population, while the long form represented the sample enumeration (one in five households) of other detailed demographic, social and economic variables at the individual level as well as at the household level (CBS 2003).

Two visits were made for the sample enumeration. The first was the listing; during the first visit house numbering was carried out by the census supervisors. After the housing list was prepared, housing units were sampled by the supervisors.

The enumerators made the second visit for census enumeration. The short questionnaire was used for every household in each enumeration area (EA) and the long questionnaire was filled in for the sample housing units selected by the supervisor. Although census data available for analysis are a sample count only, the weight variable is not included in the data set, and weighted analysis could not be done. The proportion of women by age group from the sample data set was almost similar to that of the total population age structure, which indicates little variation in calculation without weighting of data.

The variables of interest for this study come from Schedule 2. Variables such as marital status, age at first marriage, geographic region, caste/ethnicity of the women were mainly used for analysis, from about 20 per cent of the total housing units.

There are some limitations to this data set as well. Except for some basic background characteristics such as religion, place of residence (rural/urban), caste and education level, there is a lack of other variables. Further, information about parents' education was not available here. Similarly, the survey is cross-sectional and all the information collected was for the time of survey, rather than the time of marriage

In addition to the availability³⁶ and use of secondary data sets, two months of fieldwork (March to April 2008) was conducted to collect more secondary data and literature. This visit included the major cities of Nepal and India. In Nepal, Kathmandu, the capital, and Janakpur, a Terai town, were visited to collect some additional information and data on marriage and dowry practices. Similarly, Delhi, Mumbai, Patna, Lucknow, Jaipur and Bangalore were visited to collect information on marriage and dowry practices in India. India was visited because of the similarity of the sociocultural status of the Terai to that of northern Indian states, and because many studies on dowry and

³⁶ NDHS data sets were available from the ORC Macro website with their permission. The NAYA 2000 data set was made available by Dr. Shyam Thapa, who was also involved in this study while he was working with Family Health International. Census 2001 and Nepal Living Standards Survey 2003-04 data sets were purchased from the Central Bureau of Statistics, Kathmandu during field work in Nepal. Similarly, the Child Marriage Study 2004 data set was obtained from Aasaman Nepal and their consent was taken for the use of data set.

marriage practices are carried out at the local level in those states and are not available at the international-level library collection or as on-line collections. Government organizations, renowned universities of the region and local non-governmental organizations working on the issue of marriage and dowry were contacted and visited during the fieldwork. Some leading demographers were also contacted to get their views on the issue of early marriage in the Terai region of Nepal (A detailed itinerary of the fieldwork is included in Appendix Table 4.1).

Table 4.1: Summary of sample size and features of major data sets

Survey	Year	Sample Size	Age group	Districts covered	Coverage	Variables
NDHS	2006	HHs ^a -8,707 Women-10,793 Men-4,397	Women 15-49 and men 15-59 (both married and unmarried)	260 PSUs (82 in urban areas and 178 in rural areas)	National	Sex, caste/ethnicity, region, religion, marital status, age at marriage, age at first sexual intercourse/cohabitation, education of women, education of partners, economic status of HH, awareness level
NAYA	2000	7,977 individuals (3,802 males, 4,175 females), in 2000 HHs each in rural and urban areas	Unmarried and married boys and girls 14-22	13 (6 Terai and 7 Hills), 260 census wards (100 in urban area, 160 in rural area equally divided in Hill and Terai)	National, proportionate for rural- urban, only Hills, but not Mountain districts	Sex, caste/ethnicity, region, religion, age at menarche, education of parents, marital status, age at marriage, education of women, education of partners, economic status of HH, awareness level, place/country of birth
NLSS	2003/04	HHs 3,912 (cross- section)	All HH members		National	Caste/ethnicity, religion, region, expenditure on education, dowry, total HH expenditure
Census	2001	HHs 520,624	All members of the HHs	All districts, but some VDCs/ Wards were affected by conflict	National, HH enumeration 100 per cent HHs, sociodemographic variables for 1 in 5 HHs (2.6 per cent of the wards in total from 12 districts were affected by Maoist insurgency)	Economic status of HH and women, sex, age, caste/ethnicity, religion, marital status, age at marriage, occupation, education, place of residence, place of birth,

Note: ^a HH = household.

4.2 Description of variables

The key demographic characteristics and socioeconomic variables included in this research are summarized below.

4.2.1 Dependent variables

1) **Marital status.** This variable shows the status of the person as single, never married, currently married, or formerly married (divorced, separated and widowed). This variable was recoded into a series of binary dummy variables for some of the modelling (e.g. survival analysis and regression analysis).

2) **Age at first marriage.** This variable was treated as a dependent variable for some of the analysis. Age at first marriage in single years as well as recoding into binary dummy and categorical variables was performed (e.g. whether married below 15, whether married below 18 or not). Marital status and age at marriage variables were combined to create a variable that explains percentage of women remaining single, percentage married below age 15, percentage married by single years of age from 15 to 19, and percentage married at and above 20.

4.2.2 Independent variables

1) **Current age.** Current age of the respondent (years) was used to assess the effect of this variable on marital status and age at first marriage. Both single years of age and five-year age-groups were used depending upon the requirement of the analysis. In some multivariate analysis (survival analysis and Cox proportional hazard regression), current age was also combined with the age at marriage variable and used as a time variable.

2) **Education of girls/women.** Highest educational attainment of women was considered in this analysis. The education status in NDHS 2006 and Census 2001 is at the time of survey, while in NAYA 2000 education status both at the survey and at the time of marriage is available. The highest educational attainment was broadly grouped into four categories: no education, primary education, secondary, and SLC and above. Single years of education (continuous variable) and categorical variable were both used depending upon the type of analysis.

3) Education of parents (mothers and fathers). Education of mother and father is available in some data sets. Education level of mothers and fathers was also enumerated at the time of survey rather than at the time of marriage. As most of the parents were illiterate, and distributions of parents with higher level of education were nominal, only two categories, illiterate and literate, were computed from the original variable.

4) Place of residence (rural/urban). Place of residence – rural and urban – is a key to many factors such as education and employment opportunities, better economic status, access to information and awareness level. Place of residence at the time of survey was available in most of the surveys whereas place of birth was also available in some surveys such as NAYA 2000.

5) Religion. Religion guides the culture and traditional practices of various caste and ethnic groups. Religion has been considered an important determining factor in marriage norms and practices, so this variable was also considered in this research. The variable was recoded into four main categories: Hindu, Buddhist, Muslim, and Others.

6) Caste/ethnicity. This is a very important factor especially in Hindu society where caste hierarchy is followed strictly in spite of the legal ban. Caste/ethnicity is also important because it is related to the sociocultural and traditional practices that differ from one caste/ethnic group to another. As there has been tremendous internal migration of Hills people to the Terai region, comparison of marital status and age at marriage by tripartite geographic division (Mountains, Hills and Terai) may be misleading where cultural aspects have much influence on the situation. Further, while grouping caste/ethnicity, special consideration was given to their sociocultural similarities. Caste/ethnicity was grouped according to the classification adopted in the Nepal Human Development Report 2009 by the UNDP (2009). This is mainly because as a result of internal migration from the Hills to the Terai, there is a very high proportion of Hills people living in the Terai, so simple comparison of the Terai with the Hills may be misleading.

7) Age at menarche. The age at menarche variable is only available in the NAYA 2000 data set. For bivariate analysis, age at menarche was recoded into a categorical variable to fit into the intended analysis, whereas in multivariate analysis, the original form of this variable was included in the model.

8) Economic status of the households. Economic status of the household which is calculated from indices of household assets in NDHS 2006 and expenditure in NLSS 2003-04 was included in the analysis. The variable includes five quartiles: lowest quintile (poorest), second, middle, fourth, and highest quintile (richest). The economic status of the household in most of the surveys is, however, the current economic status at the time of interview rather than before or at the time of marriage. This means that the economic status of the household may have changed significantly after marriage.

9) Dowry and marriage expenses. Information on dowry and marriage expenses is available in NLSS 2003-04 which was enumerated at the household level. This information was used to analyse the trend of dowry and marriage expenses at the national level. Similarly, a micro-level study on Child Marriage in Dhanusha 2004 included information on amount of dowry paid, education of girls and boys and their parents, and age at marriage. This information was used to assess the bivariate association between age at marriage and dowry, and between other variables. To ensure that a standardized matrix was used, the amount of dowry paid in respective years of survey was converted to a nominal price for 2008 based on the 'consumer price index' (CPI) of Nepal.

4.3 Analytic methods and models

Individual women were considered as the unit of analysis in this study. Some of the household-level characteristics from the household file were also matched to individuals to fit the analysis. In some cases, such as the Nepal Living Standards Survey, where there was a lack of information at the individual level, household-level analysis of information on education expenditure and dowry expenditure was used to provide proxy measurement of those variables and to examine their prevalence. Each of the analyses was applied using the SPSS software.

a) Univariate and bivariate analyses

The univariate method was mainly used to examine the variables to be analysed for proper recoding or computing into another variable to fit into bivariate and multivariate analysis at the desired level. This was applied to all variables mentioned above; however, outputs were not presented.

Similarly, bivariate analysis was adopted to examine the relationship or association between two variables. Chi-square test, *t*-test, F-test or ANOVA, and correlation were applied depending on the type and nature of the dependent and independent variables.

b) Multivariate analysis

Multivariate analysis such as regression followed by multiple classification analysis (MCA), survival analysis, and Cox-regression were used to predict the effect of various independent variables on dependent variable for different models depending on the nature of the variables and required analysis.

4.4 Conclusion

This chapter has examined the data sets used for analysis in Chapters 5 to 7. The available data sets have information on variables that were relevant to the research questions and related to the analytical framework used to understand the determinants of age at marriage (see Chapter 2), but also have some limitations.

To overcome the limitations of the available data sets, multiple data sets were used to complement each other in addressing the gaps. A blend of bivariate and multivariate analytic models was used to test the proposed hypotheses of the study along with the use of qualitative information from various sources. Trends in age at marriage are analysed in Chapter 5.

Persistence of early marriage in Nepal

One of the core aims of this investigation is to identify the pattern of age at marriage of women in Nepal over time. To achieve this aim, I analysed the pattern of age at marriage of women over four decades. Patterns of age at marriage by geographic region, rural-urban place of residence, caste/ethnic group, and religion are also analysed which will help to explain the dynamics of age at marriage. This also shows the limitation of analysing demographic changes including age at marriage by the conventional tripartite geographic division.

This chapter consists of six sections: the first section presents the trend of never-married women over a period of time, and also discusses the inconsistency of data in different demographic surveys which has some implications for the proportion of never-married women reported by various surveys. The second section analyses the percentage of ever married women married below age 15, and the third the percentage married between ages 15 and 17, and below 18. The fourth section presents the percentage of women married at 18-19, and below 20. The conclusion follows.

5.1 Proportion of never married women: intercensal change

Being single or never married is important for educational development, physical and mental development and acquiring many life skills related to marital and career life in the future (Field and Ambrus 2008; Forum on Marriage and the Rights of Women and Girls 2003; ICDDR 2007; Kishor and Neitzel 1996; Lloyd and Mensch 2006; Mensch et al. 1998). Women in particular benefit from their never-married status, especially in their teens, as marriage places several restrictions on their free movement, and decisions related to their educational and other development opportunities are restricted by the load of household chores in their in-laws' home while they are still in their childhood.

According to Hajnal (1953), timing and prevalence are two major dimensions of the study of marriage behaviour for comparison in different societies. The index of timing is the mean (or median) age at first marriage, and the index of prevalence is the

proportion ever married by age 50. Both of these indices are used here but with some modification.

The proportion never-married by five-year age groups was analysed and presented to compare the prevalence of marriage. The percentages of ever married women married below age 15, between ages 15 and 17, at 18 and 19, and below 18 and 20 were calculated by age cohort (20-24 and 40-44) of women by geographic region, rural or urban place of residence, caste/ethnic group and religion to assess the difference in pattern. Data from Censuses 1971 to 2001 and the Nepal Demographic and Health Survey (NDHS) of 2006, which is the latest and most comprehensive relevant data source, were analysed. Census 2001 and NDHS 2001 were also analysed and compared to assess the inconsistency in proportion never-married.

Table 5.1 shows three major patterns. First, there is gradual shift in teen-age marriage of girls in Nepal: this is evident from substantially higher proportion of girls aged 15-19 remaining single in recent years. The proportion of women remaining single was just over a quarter for 15-19-year-old women in 1961; this increased to over two-thirds in 2006. This reveals a shift in age at marriage from the teens to the early 20s. However, it is noteworthy that about a third of girls were still married in their teens, and some were even married before puberty.

Second, most of the marriages occur in the early or mid-20s, which is evident from the lower proportion of women aged 20-24 remaining single. For instance, only 17.9 per cent of women aged 20-24 were single in 2006, which is, however, a gradual increase compared to the past four decades. Only 5.3 per cent of women aged 20-24 were single in 1971, which indicates a big shift in 2001-2006 (Table 5.1).

Third, marriage is still universal in Nepal as is evident from the tiny proportion of women remaining unmarried in the age cohorts ranging from 30 to 34 with further decrease among the older cohorts in all years. For example, just one in every 100 women was unmarried among the 30-34 age group in 1961; this dropped to less than one in every 100 for the 45-49 age cohort in the same year. From 1961 to 2006, there is a slight increase in the percentage of women remaining single in these two age groups: 1.6 per cent for the 30-34 age group and 1.2 per cent for the 45-49 age group in 2006 (Table 5.1).

Table 5.1: Percentage of never married women by current age group (at the time of survey) and year of survey, Nepal

Age group	1961	1971	1981	1991	2001	2006
15-19	25.7	39.3	49.2	52.7	66.1	67.7
20-24	5.3	7.9	13.1	12.8	21.0	17.9
25-29	1.9	2.6	5.4	3.7	5.6	4.4
30-34	1.0	1.4	3.1	1.9	2.6	1.6
35-39	0.8	1.1	2.6	1.3	1.8	1.4
40-44	0.7	0.9	2.5	1.1	1.5	1.3
45-49	0.6	0.8	2.9	0.9	1.2	1.2

Sources: 1961 to 1991, MoH/N et al. (1996), Table 5.2; 2001, CBS (2003), Table 7.1; 2006, MoH/N et al. (2007), Table 6.1.

5.1.1 Women never-married by geographic region

Table 5.2 shows a clear pattern of differences in the percentage of women never-married by geographic region. The Mountains region has the highest percentage of never-married women in the 1971 and 1981 censuses, and was later overtaken by the Hills region. The lower percentage of women remaining never-married in the Terai in all census years indicates the prevalence of early marriage in this region. The smaller gap in the percentage of never-married women between the Hills and Terai regions in the later census years may be attributed to the heavy migration of Hills people in the Terai region under the national settlement program (see Chapter 1). Another noticeable difference by geographic region is that there is prevalence of more strict forms of universal marriage among Terai caste groups of the Terai region.

Table 5.2: Percentage of never married women by current age at the time of survey and geographic region, Nepal

Age group	Mountains				Hills				Terai			
	1971	1981	1991	2001	1971	1981	1991	2001	1971	1981	1991	2001
15-19	65.2	59.6	56.1	67.1	48.6	56.2	61.7	72.7	24.9	36.0	42.2	59.7
20-24	24.7	19.7	15.5	20.7	11.3	17.0	16.4	25.4	3.7	6.8	8.6	17.6
25-29	10.2	8.4	5.8	7.0	3.4	7.0	5.1	7.3	1.1	7.7	1.9	3.9
30-34	5.7	4.2	3.4	4.0	1.8	4.1	2.9	3.6	0.5	1.6	0.8	1.6
35-39	3.8	3.4	2.3	3.0	1.2	3.3	2.0	2.5	0.3	1.5	0.5	1.0
40-44	2.9	2.9	2.0	2.5	0.9	3.1	1.6	2.2	0.2	1.6	0.5	0.8
45-49	2.5	3.3	1.6	2.0	0.9	3.5	1.3	2.0	0.2	2.1	0.4	0.7

Sources: 1971, ESCAP (1980), Table 24; 1981, CBS (1987), Table 5.12; 1991, CBS (1995), Table 10; 2001, CBS (2003), Table 7.9.

When the Census 2001 data were analysed and disaggregated by broad caste/ethnic group, it became clear that the number of women remaining single in the later age

groups (30-34 onwards) was negligible among Madhesi (Terai-origin) women, and was substantially higher for Pahadi (Hill-origin) women (Table 5.3). This indicates that although there is a substantial difference in the proportion of women remaining single by geographic region, the situation reflected in the Terai region may be sometimes misleading as the marriage customs and traditions of Hills-caste people and Terai caste people are contrastingly different along with distinct differences in sociocultural norms and traditions.

Table 5.3: Percentage of never-married women by current age group (at the time of survey) and caste/ethnic group, Nepal, 2001

Age group	Major caste groups										
	Hills-origin				Terai-origin					Mus-lim	Others
	Higher caste	Jana-jati	Newar	Dalit	Higher caste	Middle caste	Jana-jati	Dalit	Other		
10-14	99.6	99.5	99.7	99.2	98.5	95.4	98.9	93.1	99.8	95.6	96.9
15-19	74.9	73.2	85.4	57.7	74.1	43.3	62.2	29.3	84.2	49.5	49.3
20-24	22.7	26.1	42.2	11.5	25.4	6.0	12.7	3.0	34.6	9.5	10.3
25-29	4.3	9.4	13.3	2.7	5.0	1.0	2.0	0.5	3.2	2.1	2.8
30-34	1.7	5.2	5.3	1.5	0.7	0.3	0.7	0.3	1.6	0.7	1.4
35-39	1.0	3.7	3.3	1.1	0.6	0.2	0.4	0.1	0.4	0.3	0.8
40-44	0.9	3.0	3.0	0.9	0.1	0.2	0.3	0.1	0.0	0.5	0.6
45-49	0.7	2.7	2.8	1.0	0.2	0.2	0.2	0.1	1.8	0.2	0.6

Source: Calculated from 2001 Census sample data.

5.1.2 Inconsistency in proportion of women never married in surveys

The Nepal Demographic and Health Survey (NDHS) 2001 and Census 2001 were carried out in the same year. The former is the nationally representative sample survey, while the latter is the sampled census covering more households and people. As both of these surveys were carried out in the same year and were nationally representative, one would expect similarity in the proportion of never-married women by age group except for some variation which might be caused due to standard deviation.

Surprisingly, different proportions of women were found remaining single by age cohort (data not shown). The lower proportion of women never-married reported in NDHS 2001 indicates some error in the enumeration process; this may be caused by the missing single women in NDHS as argued by Hull and Mosley (2008) in the case of Indonesian data, which these authors believe may be due to the NDHS interviewers looking out for ever-married women. This is also evident from the calculations derived

from NDHS 2001 and Census 2001 (Appendix Tables 5.1 and 5.2). According to these calculations, NDHS 2001 had enumerated 10,626³⁷ women of reproductive age (15-49), which when standardized with Census (2001) proportions shows 2,476 (18.9 per cent) women as missing, with the largest number of missing women in the 15-19 age group followed by the 20-24 and 25-29 age groups. Chaudhury and Niraula (2003) have also reported that a relatively high proportion of single women in ages below 25 were enumerated in Census 2001 compared to NDHS 2001. This confirms that the NDHS had oversampled ever-married women, thus underestimating single women. The findings reveal that accurate methods and strategies are needed in the NDHS to enumerate women correctly if the data were to be used for analysis of marital status and age at marriage in the future. These differences may have some implications for the results that have been used in this research. The percentage of women remaining single as reported in NDHS 2006 may be higher than the reported figure if calculated considering the missing single women as shown in the above calculation.

5.2 Women marrying before fifteenth birthday

To understand the phenomenon of change in age at marriage, trends in age at first marriage were examined by geographic region, rural-urban place of residence, caste/ethnicity, and religion calculated for two age cohorts, 40-44 and 20-24. Cross tabulations were run between the dependent variable and background characteristics separately for two age cohorts. A new binary dummy variable, whether married below age 15 or over, was computed from the variable - age at first marriage of ever married women. NDHS 2006 was used to explain the differentials by available background variables in the data set. This data set was chosen for two reasons: first, this is the latest nationally representative data set available for analysis which captures information on both married and unmarried women aged 15-49. Second, women aged 15-49 were interviewed separately after the household interview, so information on marriage age and other variables may be more accurate than in other surveys (e.g. Census 2001) in which the household head or other senior members of the household provided information on all members of the household. Two age cohorts, 20-24 and 40-44, were chosen to compare the trend in age at marriage as the majority of women were married by age 20, and there were a good number of cases in these two age cohorts.

³⁷ Figure taken from the 2001 NDHS report (MOH/N et al. 2002).

Marriage of a girl during adolescence – particularly before the fifteenth birthday – has several consequences on her schooling, future educational opportunities and labour force participation. By the age of 14, a girl in Nepal would be just finishing her secondary schooling³⁸ if she had started her education at the age specified by the government and continued her education. Marriage at this age means the girl will drop out of school and will never return as married girls are discouraged by the parents and parents-in-law from going to school. In many cases, the school's administration and the environment are also not conducive to married adolescent girls' continuing their education. They are typically forced to discontinue their schooling.³⁹ Girls married under 15 often miss out on their peer networks and join the in-laws as a presumed adult member, at risk of shouldering many responsibilities.

NDHS 2006 shows that the percentage of ever married women married below age 15 has been gradually declining in Nepal, from about one in five among the 40-44 age cohorts to about one in ten among the 20-24 age cohort in 2006: a 7.5 percentage points decline in the last 20 years or an annual average decline of less than half (0.4) a percentage point (Table 5.4).

Analysis of the percentage of women married before their fifteenth birthday also shows a somewhat mixed pattern by geographic region. There is a gradual decline in the percentage of women married before age 15 among women in the Hills and Terai which are significant, but non-significant changes in the Mountains; while there was not significant difference observed by geographic regions among two age cohorts women, the difference between two cohorts were substantial and significant among Hills and Terai women.

By rural-urban place of residence, a higher decline was observed for urban women (12.3 percentage point decline) than rural women (6.7 percentage point) (Table 5.4).

³⁸ Schooling level in Nepal is categorized into 4 levels - Primary level (grade 1-5, age 5 to 9), lower secondary level (grade 6-8, age 10-12), secondary level (grade 9-10, age 13-14), and higher secondary (grade 11-12, age 15-16) (DoE/N 2009).

³⁹ Some schools in Nepal rural areas discourage girls from attending school after marriage as they believe that married girls at school are a bad influence on other girls. For instance a girl in Dang district was not allowed to attend school after she married in a love marriage, reported in *Naya Patrika*, a national daily published 11 December 2009 (see Appendix D).

Table 5.4: Percentage of ever married women of 20-24 and 40-44 age cohorts married before fifteenth birthday by selected background characteristics, Nepal, 2006

Background characteristics	Percentage of women married <15 in age group		% point change ¹
	40-44	20-24	
Nepal***	19.9	12.4	-7.5
Geographic regions			
Mountains	15.7	15.2	-0.5
Hills***	21.5	11.6	-9.9
Terai**	19.3	12.6	-6.7
Rural-urban	*		
Urban**	25.7	13.4	-12.3
Rural***	18.9	12.2	-6.7
Caste/ ethnic group	***	***	
Hills higher-caste***	23.7	9.2	-14.5
Hills Janajati	9.7	10.4	0.7
Newar	21.4	10.5	-10.9
Hills Dalit	20.6	27.4	6.8
Terai higher-caste ^c	50.0	14.3	-35.7
Terai middle-caste**	27.0	12.2	-14.8
Terai Janajati	8.6	12.7	4.1
Terai Dalit	25.0	16.2	-8.8
Muslim	32.4	16.9	-15.5
Others***	62.1	3.6	-58.5
Religion	**		
Hindu***	21.0	12.7	-8.3
Buddhist	10.9	6.7	-4.2
Muslim	32.4	16.9	-15.5
Others	2.9	11.9	9.0

Notes:

¹ Negative value shows decline, positive value shows increase from 40-44 to 20-24 age cohort.

^c Due to small number of cases, χ^2 test was not appropriate to apply for that category by age cohort.

χ^2 significance value *p<.05, **p<.01, ***p<.001.

Significance which is noted in the results columns shows differences by background variables for that age group, while significance which is noted in the column of background characteristics refers to differences between age groups.

No. of cases: 40-44=1,105; 20-24=1,637 (weighted).

Source: Calculated from the 2006 NDHS data.

Analysis of the percentage of women married before age 15 by major caste/ethnic groups revealed a contrasting pattern. There was sharp decline in the percentage of women married below age 15 among Terai higher caste, and 'Other' caste groups. Among Hills higher-caste, Newar, Terai middle caste, Terai Dalits and Muslim women, there was a slow pace of decline in the percentage of women married before their fifteenth birthday. In contrast, there were slight increase in percentage of women married before age 15 among Hills Janajati, Hills Dalit, and Terai Janajati women in the 20-24 age cohort than the 40-44 age cohort (Table 5.4). While the

percentage of ever married women married <15 differed significantly by caste groups in both age cohorts, only some caste groups – Hills higher-caste, Terai middle-caste, and ‘Others’ caste group women – experienced significant changes between two age cohorts.

As regards religion, Hindu, Muslim and Buddhist women follow a similar pattern of a lower percentage of women married below age 15 among the 20-24 age cohort than the 40-44 age with highest decline among the Muslims, but in contrast, slight increase among ‘Other’ religion. However, the difference between two cohorts was significant only in case of Hindu women.

The above analysis shows that marriage below age 15 was a common phenomenon in Nepal about two decades ago, but it has been changing in contemporary society. Marriage below age 15 has changed to a slightly higher age above 15. However, it still exists for a considerable number of women, particularly among Hills Dalit (low-caste), Terai Dalit (low-caste), Muslim, Terai Janajati and Terai middle-caste women, with serious implications for both child rights and reproductive health.

5.3 Women marrying between ages 15 and 17, and below 18

The middle teen years are crucial for physiological growth and development of the sexual and reproductive organs of the body as well as psychosocial development. Most girls of this age have normally reached their menarche and developed secondary sexual characteristics. According to NAYA 2000, the median age at menarche of girls in Nepal is 14.5 years (14.6 Hills and 14.2 Terai), with only 5 per cent of 14-22-year-old girls not having menstruated by age 17.

This age is also important for educational development. In the current educational system in Nepal, a girl between 15 and 17 would have finished high school and reached higher secondary level (year 11-12) to first year of bachelor level education if she started school at the right age and continued her education.

The legal marriage age of women set out in the current Nepalese law is 18 years with parents’ consent. As the proportion of women married below age 15 has declined in the last two decades except in some caste/ethnic groups, the proportion of marriages taking place between 15 and 17 may shed light on the trend of marriage before age 18, the legal minimum age at marriage. As the majority of the girls have attained sexual

maturity (menarche being generally a proxy indicator of sexual maturity in traditional society), and many of them have left school, parents are under tremendous pressure to arrange the marriage of their daughters at this age.

Table 5.5: Percentage of ever married women of 20-24 and 40-44 age cohorts married between ages 15 and 17 by selected background characteristics, Nepal, 2006

Background characteristics	Percentage of women married between ages 15 and 17 in age group		% point change ¹
	40-44	20-24	
Nepal*	45.9	50.2	4.3
Geographic regions	***	**	
Mountains**	30.1	49.1	19.0
Hills***	32.9	45.0	12.1
Terai	58.6	54.2	-4.4
Rural-urban	***		
Urban**	32.6	45.3	12.7
Rural	48.5	51.0	2.5
Caste/ ethnic group	***	***	
Hills higher-caste	38.5	41.2	2.7
Hills Janajati**	36.0	48.2	12.2
Newar**	14.3	39.7	25.4
Hills Dalit	55.6	51.5	-4.1
Terai higher-caste ^c	50.0	42.9	-7.1
Terai middle-caste	64.0	73.5	9.5
Terai Janajati***	69.9	41.5	-28.4
Terai Dalit	66.1	69.2	3.1
Muslim	52.9	64.6	11.7
Others***	10.3	64.3	54.0
Religion	***	*	
Hindu	48.9	49.4	0.5
Buddhist***	25.5	55.0	29.5
Muslim	52.9	64.6	11.7
Others	24.2	37.2	13.0

Notes:

¹ Negative value shows decline, positive value shows increase from 40-44 to 20-24 age cohort.

^c Due to small number of cases, χ^2 test was not appropriate to apply for that category by age cohort.

χ^2 significance value *p<.05, **p<.01, ***p<.001.

Significance which is noted in the results columns shows differences by background variables for that age group, while significance which is noted in the column of background characteristics refers to differences between age groups.

No. of cases: 40-44=1,105; 20-24=1,637 (weighted).

Source: Calculated from the 2006 NDHS data.

The analysis of data of two age cohorts, 40-44 and 20-24, shows that marriage age is somewhat shifting towards a later age, but the pace seems to be quite slow (Table 5.5). Among the 40-44 age cohorts, 46 per cent of women were married between ages 15 and

17, and 50 per cent among the 20-24 age cohort showing a four per cent increase in the last 20 years.

By geographic region, a different pattern was observed. While there was a substantial increase in the percentage of 20-24-year-old women married between ages 15 and 17 compared to 40-44 age cohort in the Mountains (19 percentage points), the increase was slightly small in the Hills (12 percentage point), but there was a decline among the women in the Terai (4 percentage point). Percentage of ever married women married between ages 15 and 17 differed significantly among both age cohorts, and among the Mountains and Hills women by age cohorts (Table 5.5).

By rural-urban place of residence, both urban and rural women have experienced an increase in the percentage of women married between 15 and 17 among the 20-24 age cohort of urban women than among the 40-44 age cohort, but the difference is higher and significant among urban than rural women. This may be as a result of a more rapid decline in women marrying below age 15 among urban women than rural women is noted earlier.

By caste/ethnicity, there was a mixed pattern observed in the percentage of women married between 15 and 17 in two age cohorts. Five distinct patterns were found from the analysis of data. First, Terai Janajati women had experienced the largest decline (28 percentage point) in the percentage of women married between 15 and 17 among the 20-24 cohort compared to the 40-44 cohort. Second, Terai higher-caste and Hills Dalit women had a similar pattern with a slight decrease (7 percentage points and 4 percentage points respectively) in the percentage of women married between ages 15 and 17 in the 20-24 cohort compared to the 40-44 cohort. Third, Hills higher-caste and Terai Dalit women had just a slight increase in the percentage married between 15 and 17 among the 20-24 age cohorts and the 40-44 age cohort. Fourth, Terai middle-caste, Hills Janajati and Muslim women had a similar trend of slight increase (10 percentage, and 12 percentage point respectively) in the percentage married between 15 and 17 in the 20-24 cohort compared to the 40-44 cohort. Finally, Newar and 'Other' caste women had the highest level of increase (25 percentage and 54 percentage point respectively) in the percentage of women married between ages 15 and 17 in the 20-24 cohort compared to the 40-44 cohort. However, the difference between two age cohorts was only significant among Hills Janajati, Newar, Terai Janajati and 'Others' caste women.

By religion also there was a contrasting pattern of women married between 15 and 17 ages in two age cohorts, 40-44 and 20-24. Among Hindu women there was almost no decline in the percentage of 20-24 year old women married between 15 and 17 among 20-24 age group compared to the 40-44 cohort. Among Muslim and 'Others' caste women, slight increase in percentage of women married between 15 and 17 was observed among 20-24 age group compared to the 40-44 cohort, but the increase was substantial among Buddhist women (55 per cent) aged 20-24 compared to the 40-44 age cohort and was significant.

Women marrying below age 18

Data presented in Table 5.6 show that the proportion of women married below age 18 has declined from 65.9 per cent for the 40-44 age cohort to 62.6 per cent for 20-24 age cohort women, showing only 3.3 percentage point change in the last 20 years.

By geographic region, contrasting patterns are observed. While the women from the Terai had experienced significant decline in terms of marrying below age 18; women from the Hills and Mountains have in fact experienced increase in percentage married below age 18, which was substantially higher for Mountain women (Table 5.6). This may be due to the impact of war in the country which had most severely affected Mountains areas. By rural-urban place of residence, rural women have experienced some decline in percentage of them married below age 18 among the 20-24 age cohorts compared to the 40-44 cohort, but not significant difference among urban women.

By caste/ethnicity, a mixed pattern was observed in the percentage of women married below age 18. Four distinct patterns were observed from analysis of data. First, women from the Terai higher-caste and Terai Janajati had experienced the highest level of decline in percentage of women marrying below age 18 (43 percentage point and 25 percentage point) among the 20-24 age cohort compared to the 40-44 cohort. Second, women of Hills higher-caste had experienced a medium level of decline in the percentage of them marrying below age 18 among the 20-24 age cohort compared to the 40-44 cohort. Third, Muslim, Terai Dalits, Terai middle-caste, and 'Others' caste women experienced a very low level of decline (between 4 to 6 percentage point decline) in the percentage of women married below age 18 among the 20-24 age cohort compared to the 40-44 age cohort. Fourth, contrastingly Hills Janajati, Newar and Hills Dalit women experienced an increase (3 to 17 percentage point) in the percentage

of women married below age 18 among the 20-24 age cohort compared to the 40-44 age cohort. By caste groups, only Hills higher-caste, Hills Janajati, and Terai Janajati women had significant difference in percentage of women married below age 18 between two age cohorts (Table 5.6).

By religion, a mix pattern of change in the percentage of women married below age 18 was observed. Hindu women of the 20-24 age cohort had the highest decline (7.8 percentage points) compared to the 40-44 cohort, followed by Muslim women (3.8 percentage point). In contrast, Buddhist women and 'Others' religion women experienced an increase in percentage of them entering into marriage before age 18 among the 20-24 age cohort compared to the 40-44 age cohort. The difference in percentage of marriage between two age cohorts was only significant for Hindu and Buddhist women. It is noteworthy that Buddhist and 'Other' religion women in the 40-44 age group already were marrying at late ages compared to other religions (Hindu and Muslim) (Table 5.6).

Table 5.6: Percentage of ever married women of 20-24 and 40-44 age cohorts married below age 18 by selected background characteristics, Nepal, 2006

Background characteristics	Percentage of women married <18 in age group		% point change ¹
	40-44	20-24	
Nepal	65.9	62.6	-3.3
Geographic regions	***	***	
Mountains**	45.8	64.6	18.8
Hills	54.4	56.6	2.2
Terai***	77.9	66.9	-11.0
Rural-urban	*		
Urban	57.7	58.7	1.0
Rural*	67.4	63.3	-4.1
Caste/ ethnic group	***	***	
Hills higher-caste**	62.3	50.3	-12.0
Hills Janajati**	45.7	58.4	12.7
Newar	33.3	50.0	16.7
Hills Dalit	76.2	79.1	2.9
Terai higher-caste ^c	100.0	57.1	-42.9
Terai middle-caste	91.0	85.6	-5.4
Terai Janajati***	78.9	54.1	-24.8
Terai Dalit	91.5	85.6	-5.9
Muslim	85.3	81.5	-3.8
Others	72.4	66.7	-5.7
Religion	***	**	
Hindu***	69.9	62.1	-7.8
Buddhist***	36.9	62.5	25.6
Muslim	85.3	81.5	-3.8
Others	29.4	48.8	19.4

Notes:

¹ Negative value shows decline, positive value shows increase from 40-44 to 20-24 age cohort.

^c Due to small number of cases, χ^2 test was not appropriate to apply for that category by age cohort.

χ^2 significance value * $p < .05$, ** $p < .01$, *** $p < .001$.

Significance which is noted in the results columns shows differences by background variables for that age group, while significance which is noted in the column of background characteristics refers to differences between age groups.

No. of cases: 40-44=1,105; 20-24=1,637 (weighted).

Source: Calculated from the 2006 NDHS data.

There may be two possible reasons for the increase in the percentage of women married between ages 15 and 17, and below 18 among 20-24-year-old women in some caste groups, Buddhists in the Hills and Mountains. First, the decline in the percentage of women married below age 15 may have pushed age at marriage into the 15-17 range. Second, this may be the effect of people's war in Nepal led by the Maoist, which was intense from 1998 to 2003 and involved mostly youths from the middle and low castes and ethnic groups in the warrior group. Women aged 20-24 in 2006 who were married at age 16 would have been married between 1998 and 2003 when the people's war was

at its peak in the Mountains and Hills region and had gradually spread to the northern areas of the Terai region covering the Chure (forest) foothills, then to all other areas in the Terai. Through fear of mass recruitment by the warrior party and increased insecurity (rape, sexual assault and murder), parents may have married their daughters at an early age. Further, because of the closure of schools⁴⁰ and attacks at several schools by the warrior party and security forces (ACHR 2005), many children, especially girls, were forced to drop out of school. Furthermore, a study from Nepal that looked at the psychosocial trauma of child soldiers and their social reintegration found that girls who had joined the warrior party and had left home, had a greater difficulty in social integration and entrance into marital life due to the stigma attached to the sexual activity of the girls (Kohrt et al. 2008). Similarly, a study of war-affected Tamil populations in Northern and Eastern Sri Lanka also revealed that there was parental pressure for young girls to marry early to avoid conscription and ensure the safety and security of the persons concerned (Tambiah 2004).

5.4 Women marrying in late teens (18-19) and below 20

Current Nepalese law specifies the marriage age of both men and women as 18 with parental consent and 20 years without parental consent. Accordingly, marriage of girls at 18 and 19 is not illegal as the majority of the marriages are arranged by parents. However, from a reproductive health point of view, marriage at this age may be harmful as reproductive organs and pelvic bones are still not fully matured. Similarly, from an educational development point of view, girls at this age would just have finished their higher secondary education and would be studying at undergraduate (bachelor) level. So, this age group is crucial for reproductive health and educational development, as well as from a legal point of view particularly if a person wants to marry without parental intervention.

Table 5.7 shows that the percentage of women married at 18 and 19 slightly increased in Nepal over the past two decades, from 17.1 per cent for the 40-44 cohort to 23.8 per cent for the 20-24 cohort. The pattern of marriage in the late teens by geographic region

⁴⁰ Maoists, the warrior group, had imposed a ban on privately owned (boarding) schools and also they held nation-wide *bandha* (strikes) involving closure of educational institutions, when teachers joined the strikes.

was contrasting, with almost no change in percentage of women married at this age among women from the Mountains, but a substantial increase for women from the Hills and Terai and the differences between the cohorts were significant.

Table 5.7: Percentage of ever married women of 20-24 and 40-44 age cohorts married in late teens (ages 18 and 19) by selected background characteristics, Nepal, 2006

Background characteristics	Percentage of women married between ages 18 and 19 in age group		% point change ¹
	40-44	20-24	
Nepal***	17.1	23.8	6.7
Geographic regions	*		
Mountains	22.9	23.0	0.1
Hills*	19.9	25.6	5.7
Terai***	14.0	22.5	8.5
Rural-urban			
Urban*	16.7	25.2	8.5
Rural***	17.2	23.5	6.3
Caste/ ethnic group	**	***	
Hills higher-caste***	19.9	31.7	11.8
Hills Janajati	22.5	22.0	-0.5
Newar	19.0	25.9	6.9
Hills Dalit	7.9	17.2	9.3
Terai higher-caste ^c	0.0	28.6	28.6
Terai middle-caste	6.3	9.9	3.6
Terai Janajati***	17.0	34.6	17.6
Terai Dalit	6.7	11.4	4.7
Muslim	14.7	12.1	-2.6
Others	24.1	14.8	-9.3
Religion	**		
Hindu***	15.6	24.8	9.2
Buddhist	25.2	18.3	-6.9
Muslim	14.7	12.1	-2.6
Others	33.3	23.3	-10.0

Notes:

¹ Negative value shows decline, positive value shows increase from 40-44 to 20-24 age cohort.

^c Due to small number of cases, χ^2 test was not appropriate to apply for that category by age cohort.

χ^2 significance value *p<.05, **p<.01, ***p<.001.

Significance which is noted in the results columns shows differences by background variables for that age group, while significance which is noted in the column of background characteristics refers to differences between age groups.

No. of cases: 40-44=1,105; 20-24=1,637 (weighted).

Source: Calculated from the 2006 NDHS data.

By place of residence, almost similar pattern of increase in percentage of women married between ages 18 and 19 was observed and difference between age cohorts was significant both for rural and urban women.

By caste/ethnicity, three types of trend were observed. First, some caste/ethnic groups such as the Hills Janajati, Muslim and 'Others' caste experienced a decline in the percentage of women married in their late teens (0.5 to 9 percentage points) among the 20-24 age cohort compared to the 40-44 cohort. Second, Hills higher-caste, Hills Dalit, Newar, Terai middle-caste, and Terai Dalits experienced a moderate increase in the percentage of late teenage marriages among the 20-24 cohort compared to the 40-44 cohort (3.6 to 12 percentage points). In the third category, Terai higher-castes, and Terai Janajati women experienced substantially higher increases among the 20-24 cohort (compared to the 40-44 cohort. The difference in percentage of women marrying between ages 18 and 19 between two age cohorts of women was significant only among Hills higher-caste and Terai Janajati women (Table 5.7).

By religion, the pattern of marriage of women in the late teens was also contrasting. While there was a 9.2 percentage point increase in the number of Hindu women of the 20-24 age cohort married in this age group compared to the 40-44 cohort, among other religions there was a decline ranging between 2.6 to 10 percentage points. The difference between two age cohorts was only significant for Hindu women.

Women marrying below age 20

Table 5.8 shows that the percentage of women married below age 20 has slightly increased in Nepal over the past two decades, from 83 per cent for the 40-44 cohort to 86.3 per cent for 20-24 cohort.

By geographic region, a contrast pattern was observed. While women from the Mountains and Hills experienced significant increase in terms of marrying below age 20 from 40-44 age cohort to 20-24 cohort, which were also statistically significant; women from the Terai had a slight decline (Table 5.8).

By rural-urban place of residence, similar pattern of increase was observed for both rural and urban women married below age 20 among the 20-24 cohort compared to the 40-44 cohort, but with slightly higher percentage of increase among the urban women than the women from rural area, which was also significant (Table 5.8).

Table 5.8: Percentage of ever married women of 20-24 and 40-44 age cohorts married below age 20 by selected background characteristics, Nepal, 2006

Background characteristics	Percentage of women married <20 in age group		% point change ¹
	40-44	20-24	
Nepal*	83.0	86.3	3.3
Geographic regions	***	***	
Mountains**	68.3	87.5	19.2
Hills**	74.4	82.2	7.8
Terai	91.9	89.4	-2.5
Rural-urban	**		
Urban*	74.7	84.1	9.4
Rural	84.5	86.8	2.3
Caste/ ethnic group	***	***	
Hills higher-caste	82.2	82.0	-0.2
Hills Janajati**	68.2	80.3	12.1
Newar*	52.4	75.9	23.5
Hills Dalit**	84.1	96.3	12.2
Terai higher-caste ^c	100.0	83.3	-16.7
Terai middle-caste	97.3	95.6	-1.7
Terai Janajati*	95.4	88.8	-6.6
Terai Dalit	98.3	96.2	-2.1
Muslim	100.0	93.8	-6.2
Others	96.6	81.5	-15.1
Religion	***	**	
Hindu	85.7	86.9	1.2
Buddhist**	62.2	80.8	18.6
Muslim	100.0	93.8	-6.2
Others	61.8	74.4	12.6

Notes:

¹ Negative value shows decline, positive value shows increase from 40-44 to 20-24 age cohort.

^c Due to small number of cases, test was not appropriate to apply for that category by age cohort.

χ^2 significance value *p<.05, **p<.01, ***p<.001.

Significance which is noted in the results columns shows differences by background variables for that age group, while significance which is noted in the column of background characteristics refers to differences between age groups.

No. of cases: 40-44=1,105; 20-24=1,637 (weighted).

Source: Calculated from the 2006 NDHS data.

By caste/ethnicity, four major patterns were observed from comparison of the percentage of women married below 20. First, women from the Terai higher caste and 'Others' had experienced the highest level of decline in percentage marrying below age 20 among the 20-24 age cohort compared to the 40-44 cohort. Second, women of Terai Janajati, and Muslims had experienced a medium level of decline in the percentage marrying below age 20 among the 20-24 age cohort compared to the 40-44 cohorts. Third, women of Terai middle caste, Terai Dalit, and Hills higher-caste experienced a very low level of decline in the percentage marrying below 20 among the 20-24 age

cohort compared to the 40-44 cohorts. Fourth, contrastingly Hills Janajati, Newar and Hills Dalit women had an increase in the percentage marrying below age 20 among the 20-24 age cohort compared to the 40-44 age cohort (Table 5.8). The difference in percentage of women marrying below 20 between 40-44 and 20-24 cohorts were only significant among Hills Janajati, Newar, Hills Dalit, and Terai Janajati.

By religion, a mixed pattern in the percentage of women married below 20 was observed. Buddhist and 'Others' religion women experienced substantial increase in percentage of them married below 20 in 20-24 age group than 40-44 age cohort, which was only nominal in Hindu women. In contrast, Muslim women experienced slight decline in the percentage of women marrying below 20. However, the difference in percentage of women married below 20 between two age cohorts was only significant for Buddhist women (Table 5.8).

5.6 Conclusion

Three main patterns were distinctively observed. First, in general early marriage, particularly prepubertal marriage, is declining in Nepal with a gradual increase in age at marriage of women. Second, despite this general decline of prepubertal marriage, women of most Terai caste/ethnic groups including Terai Muslims, Terai middle-caste, and Hills Dalit women are married between 15 and 17, with higher incidence of marriage below age 18 among these groups. This indicates the persistence of early marriage among many subpopulation groups which constitute a high proportion of the total population of Nepal. Further, this age group is at a crucial stage of youth, adolescence and young adulthood, and is important for education, awareness, and physical and other development. Third, marriage is still universal among women in Nepal, and the majority of women are married between 15 and 24 years of age.

Analysis of the pattern of women remaining single and married at specific ages by geographic region and caste/ethnicity shows that many caste/ethnic groups of the Terai have the higher incidence of early age marriage. This shows that the conventional tripartite geographic or ecological division (Mountains, Hills and Terai) is not adequate and meaningful in capturing and explaining the transition of marriage and age at marriage in Nepal. Many caste/ethnic groups of Terai origin have a very high rate of early marriage of women which is underrepresented or overestimated when presented as single Terai category. As noted in Chapter 1, the Terai itself used to be very

heterogeneous in its population composition and diversity of social and cultural norms and traditions before the migration of the Hills people began in 1960s. Since this migration the Terai has become more heterogeneous and thus represents the population of the whole country.

empirical analysis

Apart from the pattern, another issue arises from comparison of the 2001 NDHS and 2001 Census data. Comparison of these two data sets confirms oversampling of ever-married women and thus missing a number of single women in the NDHS. Thus, analysis of marriage and age at marriage based on NDHS data has some limitations. The percentage of women reported single in the analysis based on NDHS 2006 would have been slightly higher if it was standardized with the Census data of same year. But since Census data were not available for the same comparable year, I was not able to calculate the missing number of women remaining single.

This chapter focuses on the analysis of factors that influence the marriage of women that builds on and supports the findings from Chapters 2 and 3.

This chapter examines the relationship between various sociodemographic and cultural factors, and age at marriage of women, based on some empirical analysis. It particularly addresses the second objective of this study that intends to investigate the reasons for the persistence of early marriage among rural families in the Terai. Also addressed are the second and third research questions that focus on the influence of the regional geographic divisions, especially used to explain demographic patterns, and the potential sociodemographic and cultural factors that influence women's marriage timing. This chapter also tests hypotheses 1 to 8.

The chapter is divided into two sections: the first section provides details of the analytic models; the second analyses the relationship between the proposed independent variables and age at marriage.

6.1 The analytic models

Both bivariate and multivariate analyses were applied to assess the effect of predictor variables on age at marriage of women. As noted in Chapter 2, one-way, two-way and F-test or ANOVA were applied to calculate the mean age at marriage of women and some individual aspects by various background characteristics.

Socio-demographic correlates of age at marriage: empirical analysis

Examination of the trends and patterns of age at marriage of women in Chapter 5 reaffirms the differences in the marriage customs and practices among various caste or ethnic groups in Nepal as noted in Chapter 3. Despite a general trend of increasing age at marriage of women, marriage before age 18 still persists in many subpopulations of the Terai region. Analysis also shows that measurement of the demographic changes including age at marriage by the conventional tripartite geographic divisions (Mountains, Hills and Terai) has some limitations, and thus is not meaningful. This chapter focuses on the analysis of sociodemographic determinants of age at marriage of women that builds on and supports the findings from Chapters 3 and 5.

This chapter examines the relationship between various sociodemographic and cultural factors, and age at marriage of women, based on some empirical analysis. It particularly addresses the second objective of this study that focuses on investigation of the reasons for the persistence of early marriage among some families in the Terai. Also addressed are the second and third research questions that focus on the relevance of the present tripartite geographic divisions commonly used to explain demographic change, and the prominent sociodemographic and cultural factors that influence women's marriage timing. This chapter also tests hypotheses 1 to 8.

The chapter is divided into two sections: the first section provides details of the analytic models; the second analyses the relationship between the proposed independent variables and age at marriage.

6.1 The analytic models

Both bivariate and multivariate analyses were applied to assess the effect of predictor variables on age at marriage of women. As noted in Chapter 4, *chi-square*, *t-test* and *F-test* or *ANOVA* were applied to calculate the mean age at marriage of women, and some attitudinal aspects by various background characteristics.

In the multivariate analysis, the proportional hazard model (Cox Regression) was applied. The proportional hazard model is the most general form of regression model because it is not based on any assumptions concerning the nature or shape of the underlying survival distribution (Newman 1995; Vittinghoff et al. 2005). The model assumes that the underlying hazard rate (rather than survival time) is a function of the independent variables (covariates); no assumptions are made about the nature or shape of the hazard function. Another reason for choosing this method is that some of the variables such as age at menarche and education of mother and father were available in the NAYA 2000 data sets which included respondents aged 14-22. To make the findings of NAYA 2000 and NDHS 2006 comparable, the proportional hazard model is more appropriate as just over a third of the respondents in the former data set are married while four-fifths in the latter are married. For example, if logistic regression was applied to predict the effect of independent variables on age at marriage, only the married respondents would be included in the model. But in this model, all the respondents exposed to risk of marriage with similar socio-economic characteristics were included in the model to predict the hazard of marriage.

The probability of the endpoint (in this case marriage) is called the hazard. The hazard is modelled as:

$$H(t) = H_0(t) \times \exp(b_1 X_1 + b_2 X_2 + b_3 X_3 + \dots + b_k X_k)$$

where $X_1 \dots X_k$ are a collection of predictor variables and $H_0(t)$ is the baseline hazard at time t , representing the hazard for a person with the value 0 for all the predictor variables.

By dividing both sides of the above equation by $H_0(t)$ and taking logarithms, we obtain:

$$\ln \left[\frac{H(t)}{H_0(t)} \right] = b_1 X_1 + b_2 X_2 + b_3 X_3 + \dots + b_k X_k$$

We call $H(t)/H_0(t)$ the hazard ratio. The coefficients $b_1 \dots b_k$ are estimated by Cox regression, and can be interpreted in a similar manner to that of multiple logistic regression.

In the case of marriage, the covariate (risk factor) is dichotomous and is coded 1 if present (married) and 0 if absent (not married or single). Then the quantity $\exp(b_i)$ can be interpreted as the instantaneous relative risk of an event, at any time, for an

individual with the risk factor present compared with an individual with the risk factor absent, given both individuals are the same on all other covariates.

A few modifications of the dependent variables were executed to compute appropriate dependent variables for the proportional hazard model (Cox regression). Age at marriage and current age of the respondents were combined to create the variable 'age at marriage or current age of the respondent' which was treated as a time variable. Similarly, marital status of the respondents was recoded into another dichotomous variable with response categories, single or married, which was treated as an event variable. The independent variables were geographic region, place of residence (place of birth in NAYA 2000), age of respondents, age at menarche (in NAYA 2000 only), education level (current at the time of survey in NDHS 2006 and at marriage time in NAYA 2000), economic status of the household (NAYA 2000 only), and combined religion and caste.

Although Chapters 1, 3 and 5 revealed that the conventional tripartite geographic division (Mountains, Hills and Terai) of Nepal has limitations in capturing and explaining the demographic changes including marriage prevalence and timing, geographic region was also included in the model. This will further help in assessing its limitations compared to other variables such as caste and religion. Caste and religion were found to be significantly associated; so a combined variable of caste and religion was computed. For instance, Muslim was a category under both caste and religion and when entered into the multivariate model (Cox proportional hazard model), it was found significant for caste but non-significant for religion in the NAYA 2000 analysis and non-significant for both caste and religion in NDHS 2006 (data not shown). Almost all (98-99 per cent) of the Hills higher-castes, Hills lower-castes, Terai higher-castes, Terai middle-castes, and Terai lower-castes were Hindu and only a few cases were of 'Other' religions. Among the Hills Janajati (or middle-caste), while the majority were Hindu, considerable proportions were Buddhist and a small percentage (around 4-5 per cent) were 'Other' religions. From bivariate analysis, there was similarity in marriage prevalence and age at marriage among Buddhists and 'Other' religions, so these two were combined in one category. This was also because there were few cases under 'Other' religion. Musalmans were, of course, of Muslim religion. Although there is social hierarchy among Muslims as well, all Muslims were enumerated as a single

category, so a decision was made to compute a combined caste and religion variable to have distinct differences by religion within the caste as well.

In the Cox regression analysis (proportional hazard model), independent variables need to be either dichotomous dummies or continuous. Age of respondents and age at first menstruation were continuous variables. Place of residence, education of father, and education of mother were dichotomous dummies. Education of respondents was a categorical variable with four categories; three binary dummy variables were created. Similarly, combined caste and religion variables had 12 categories and thus 11 binary dummy variables were created. In the case of binary dummy variables, the remaining category of the variable which was not included as a binary dummy variable was treated as the reference category.

Basically two data sets, NDHS 2006, and NAYA 2000, were used for analysis. Table 6.1 presents the descriptive statistics from the analysis. The mean age of women was 28.6 years in NDHS 2006 and 17.6 years in NAYA 2000. The respondents in NDHS were aged 15-49 and 80 per cent of them were ever-married while the respondents in NAYA were aged 14-22 and just over a third of them were ever-married. Girls on average first menstruated at 13.8 years which was only available in NAYA data set. By rural-urban place of residence, 27 per cent of women in NDHS 2006 were living in urban areas, and 36 per cent in NAYA.

By education, 53 per cent of women had no education in NDHS 2006 and 27 per cent in NAYA; 18 per cent had primary education in the former data set and 16 per cent in the latter. One-fifth of women had some secondary education in both data sets, but those with high school and above education constituted nine per cent among NDHS 2006 respondents and just over a third in NAYA 2000 (Table 6.1).

By parental education, while 71 per cent of fathers of the women were literate, only 36 per cent of mothers were. The wealth index of the women's household was only included in the NAYA 2000 analysis. Slightly over a third of the respondents were from households with high economic status (Table 6.1). Although this variable was present in NDHS 2006, it was not included in the model because the economic status of the women was enumerated at the time of survey and not at the time of marriage. In the patrilocal form of marriage which is common in Nepal, women after marriage live in

the husband's house, so the economic status of the household enumerated is of her husband's household and not of her parental household.

Table 6.1: Descriptive statistics of the variables included in the multivariate analysis

Variables	NDHS 2006	NAYA 2000
Urban place of residence (%)	27.3	36.3
Geographic region (%)		
Mountains	13.7	N/A
Hills	39.2	53.0
Terai	47.1	47.0
Age of respondents (mean years)	28.6	17.6
Age at menstruation (mean years)	N/A	13.8
Highest education level of women (%)		
No education	52.6	27.3
Primary	17.7	15.7
Some secondary	20.4	19.9
SLC & above	9.3	37.1
Father literate (%)	N/A	71.1
Mother literate (%)	N/A	36.2
High wealth index of HH (%)	N/A	36.4
Combined caste/ethnic and religion (%)		
Hills high-caste	36.8	34.0
Hills middle-caste Hindu	17.1	19.8
Hills middle-caste Buddhist & 'Other' religion	9.3	7.9
Hills low-caste	8.6	6.7
Terai high-caste	0.6	N/A
Terai middle-caste	8.9	7.9
Terai Janajati	10.2	N/A
Terai low-caste	3.6	N/A
Terai 'other'-caste	N/A	18.8
'Other'-caste Hindu	1.5	0.6
'Other'-caste Buddhist & 'Other'-religion	0.3	N/A
Musalman (Muslims)	3.1	4.3
N (total)	10,793	3,487
	8,640	1,347
Event	(80.1 %)	(38.6 %)
	2,153	2,140
Censored	(19.9%)	(61.4 %)

Note: In NAYA 2000 data sets, Terai high-caste, Terai Janajati and Terai Dalit are not enumerated separately. Many caste groups are categorized as 'Others' category; N/A - not available.

Source: 2006 NDHS and 2000 NAYA data sets.

As noted above, a combined caste and religion variable was used in the multivariate analysis. Hills high-caste women, who follow mainly Hinduism, are the major caste group and constitute 37 per cent in NDHS 2006 and 34 per cent in NAYA 2000. Hills middle-castes (or Janajati), who follow Hinduism, are at 17 per cent and 20 per cent in the respective data sets whereas Hills middle-caste Buddhists and 'Other' religion are nine per cent and eight per cent. Hills low-caste women (mainly Hindu) are at nine per cent and seven per cent in the NDHS and NAYA. Terai high-caste Hindu women are less than one per cent and only enumerated in NDHS. Terai middle-caste Hindu women are at nine per cent and eight per cent in the respective data sets. Terai Janajati women who are mainly Hindu constitute 10 per cent of the respondents and were only enumerated separately in NDHS, as were Terai low-caste Hindu women who constitute four per cent of the respondents. Terai other-caste Hindu women constitute 19 per cent of the respondents in NAYA and may include many of the Terai caste/ethnic groups such as Terai higher-caste, Terai low-caste, and Terai Janajati which were not enumerated separately, so this category is very large. Muslims constitute three and four per cent in the respective data sets. 'Other' caste Hindu women were at less than two per cent and less than one per cent in NDHS and NAYA data sets whereas 'Other' caste and 'Other' religion (Buddhist and 'Other') made up less than one per cent in NDHS 2006 (Table 6.1).

6.2 Correlates of age at marriage

Mean age at marriage of ever-married females aged 14-22 from NAYA 2000 was calculated using various background characteristics, age at menarche, education of parents, and types of marriage entered, which were not available in the NDHS 2006 data sets. As less than half of the respondents were married, median age at marriage was not applicable. Both *t*-test and F-test or ANOVA was applied based on types of independent variables to assess the association between the independent and dependent variables. Pearson correlation was also calculated to measure the degree of association between some independent (e.g. age at menarche) and dependent variables (e.g. age at marriage) which were in numeric scale.

Findings from the proportional hazard model (Cox regression analysis) which was applied to both NAYA 2000 and NDHS 2006 data sets are presented in the subsections on the independent variables.

6.2.1 Age of women

The hazard coefficients (reported as odds ratio in logistic regression) in Table 6.2 and Table 6.3 show that the higher age cohorts were at a higher risk of marrying earlier than younger age cohorts; age was found to be highly significant in the model in both data sets. For each additional year increase in the age of women, the risk of marrying at an earlier age increased from one per cent in NDHS to seven per cent in NAYA.

Age of women is significantly associated with marriage age, for several reasons, of which the first may be associated with the changing norms and attitudes among the women and their parents regarding marriage. As noted in Chapter 3, there is an increasing level of love matches among the young, and also 'love-cum-arranged' marriage is becoming popular among urban and educated people. Second, this change may be associated with an increased awareness level due to the expansion of mass media such as radio and television as well as the increased access and opportunities of girls' education in recent decades. Enhancement of education and increased awareness act as modernizing factors; as a result, people have a lower level of adherence to the social and traditional norms, and thus may delay marriage.

6.2.2 Tripartite geographic division

H₁: The standard differentiation of Nepalese society according to three geographic regions (Mountains, Hills and Terai) is problematic in describing and analysing socioeconomic phenomena including marriage practice and age at marriage in the present situation.

By geographic region, women in the Terai⁴¹ had a higher risk of marrying at an early age than women in the Hills. In NAYA 2000, Terai women had a statistically significant 62 per cent higher risk of marrying young than women from the Hills (Table 6.2).

⁴¹ Owing to the present population composition as noted in Chapter 1, Terai women according to the geographic-region category include both Hills-origin and Terai-origin women.

Table 6.2: Hazard coefficients of marriage timing of women (aged 14-22) by selected background characteristics, Nepal, 2000

Background characteristics	Statistics		
	B	Exp (B)	
Age	.07	1.07	***
Age at menarche	-.13	.88	***
Place of birth			
Urban	-.15	.86	*
Rural (Ref)	.00	1.00	
Geographic region			
Hills (Ref)	.00	1.00	
Terai	.48	1.62	***
Education of women^a			
No education (Ref)	.00	1.00	
Some primary	-.29	.75	***
Some secondary	-.85	.43	***
High school & above	-1.83	.16	***
Education of father			
Illiterate (Ref)	.00	1.00	
Literate	-.10	.90	++
Education of mother			
Illiterate (Ref)	.00	1.00	
Literate	-.33	.72	**
Combined caste and religion			
Hills high-caste (ref)	.00	1.00	
Hills middle-caste Buddhist	-.65	.52	***
Hills middle-caste Hindu	-.42	.66	***
Hills low-caste	.28	1.33	**
Muslims	.14	1.16	++
Terai middle-caste	-.10	.90	++
Terai 'other'-caste	.28	1.33	**
'Other'-caste	.45	1.57	++
Economic status of the household			
Low (ref)	.00	1.00	
High	-.11	.89	++
-2 Log Likelihood	19104.3***		

Note: * $p < 0.05$; ** $p < 0.01$; *** $p < 0.001$; ++ $p > 0.05$; ^a Current at the time of survey for unmarried and at the time of marriage for married respondents combined.

Source: 2000 NAYA data set.

Table 6.3: Hazard coefficients of marriage timing of women (aged 15-49) by selected background characteristics, Nepal, 2006

Background characteristics	Statistics		
	B	Exp(B)	
Age	.01	1.01	***
Place of residence (current at the time of survey)			
Urban	.002	1.00	++
Rural (Ref)	.00	1.00	
Geographic region			
Mountains	-.12	.88	***
Hills (Ref)	.00	1.00	
Terai	.165	1.18	***
Education level (current at the time of survey)			
No education (Ref)	.00	1.00	
Primary	-.11	.90	**
Some secondary	-.61	.54	***
SLC & above	-1.1	.33	***
Combined caste & religion			
Hills high-caste (Ref)	.00	1.00	
Hills middle-caste Hindu	-.36	.69	***
Hills middle-caste Buddhist	-.53	.59	***
Hills low-caste	.23	1.26	***
Terai high-caste	.17	1.19	++
Terai middle-caste	.26	1.29	***
Terai Janajati	-.06	.94	++
Terai low-caste	.36	1.44	***
'Other'-caste Hindu	.12	1.13	++
'Other'-caste 'Other' religion	-.28	.76	++
Muslim	.21	1.23	**
-2 Log Likelihood	144640.3***		

Note: * $p < 0.05$; ** $p < 0.01$; *** $p < 0.001$; ++ non-significant.

Source: 2006 NDHS data set.

Similarly, analysis of NDHS 2006 shows that women in the Mountains had a 12 per cent lower risk of marrying young than the reference group women (Hills women). In contrast, Terai women had an 18 per cent higher risk of marrying at an earlier age than the reference group women. In both cases, the relationships were statistically highly significant (Table 6.3).

These findings correspond with the findings from previous studies (Choe et al. 2005; Niraula and Morgan 1996; Thapa 1989; UNFPA 2002). Women in the Terai are more likely to be married young than their counterparts in other regions.

Although there is a significant difference in marriage hazard of women by geographic regions, it should be noted that there are contrast differences in the sociocultural practices of Hills people and Terai-origin people which have been noted in Chapters 1 and 3. Because of the internal migration of Hills and Mountains people after 1950s, the sociocultural aspects of the Terai have substantially and significantly changed (Gurung 1988). As mentioned by Dahal (1992:17), 'All three main groups that reside within the region [Terai] — the original inhabitants, the people of "Indian origin" and the Nepali Highlanders ...' also indicate the cultural blend in the present Terai. Since the Terai category of geographic region contains people from the Hills and Mountains as well as native to the Terai, the Terai-origin or Madhesi women may have much greater hazard of marrying at an early age, as is evident from analysis of determinants in the following section.

6.2.3 Rural-urban place of residence

H₂: Type of place (rural/urban) is associated with age at marriage. It is hypothesized that rural girls are more likely to be married young than urban girls.

In contrast to the general trend, rural-urban place of residence was found to be non-significant in the multivariate analysis based on both NDHS 2006 and NAYA 2000. The magnitude of risk of marrying at an earlier age was, however, different in these two models. In the NAYA 2000 analysis, an urban woman had a 14 per cent lower risk of marrying young than the rural woman, which was significant (Table 6.2). In contrast, the urban women in the NDHS 2006 had a similar risk of marrying young to that of rural girls. There may be two reasons for this situation: first, only a small percentage of people live in the urban areas in Nepal, and many people living in urban areas have strong bonds with their traditional extended families living in rural areas. Thus, they may still have a strong attachment to the social norms and traditions that influence early marriage of girls. Second, place of residence was enumerated as current at the time of the NDHS survey and may have changed after marriage. But in the case of NAYA 2000, place of residence at birth was enumerated, which seems more meaningful than the current place of residence.

Previous studies from Nepal found that place of birth was associated with age at marriage of women (Choe et al. 2005; McLaughlin et al. 1993; Pradhan and Strachan 2003; UNFPA 2002; Westoff 2003). According to these studies, women from rural areas are often married at earlier ages than urban women. However, findings from this analysis contrast to the findings from previous studies, but partly correspond with the findings of UNICEF (2005) in which the relationship between rural-urban place of residence and age at marriage was insignificant in 30 countries. They also correspond with findings from a study in Vietnam (Minh 1997) in which there was an unclear association between rural-urban place of residence and age at marriage of females, but a clear association for males.

6.2.4 Caste/ethnicity and religion

H₃: It is hypothesized that caste/ethnicity is strongly associated with age at marriage of girls. Higher castes (Brahmin, Chhetri, Thakuri), lower castes (Dalits and untouchables) in the Hills, middle castes and lower castes in Terai, and Muslims have lower age at marriage than the Hills Janajatis and middle castes.

H₄: It is also hypothesized that religion is significantly associated with age at marriage. It is expected that Buddhist girls marry at higher ages than Hindus and Muslims.

Combined caste or ethnicity and religion in the multivariate analysis from the NAYA 2000 and NDHS 2006 show that women from these groups significantly differ in risk of marrying early by caste and religion. In general, Hindu and Muslim women had a higher risk of marrying young than Buddhist and 'Other'-religion women. Except for the Hills middle-caste or Janajati (both Hindu, and Buddhist and 'Other' religion), women of all other caste and religion groups were at a higher risk of marrying young than the reference group (Hills high-caste) in NAYA 2000. The Hills middle-caste or Janajati group includes women of Magar, Tamang, Gurung, Rai, Limbu and Newar ethnicity who most often marry later than rest of the caste groups in the Hills and Terai (see Chapter 3). However, the magnitude of risk varies by different castes and religions. Hills low-caste and Terai other-caste women are at a moderately high risk (33 per cent each) of marrying young than the reference group women. Muslim women and 'Other'-caste women are at moderate and substantially higher risk respectively (16 per cent, 57 per cent) of marrying young compared to the reference category, but were not statistically significant. The Terai middle-caste women had a 10 per cent lower risk of

marrying young than the reference group, but this was not statistically significant. The risk of marrying at an earlier age for Hills middle-caste women was lower than for Hills high-castes (reference group), but the risk differed for Hindu, and Buddhist and 'Other' religions. Hills middle-caste women who follow Hinduism had a 34 per cent lower risk of marrying young than the reference group women; the risk was 48 per cent lower for Hills middle-caste women who follow Buddhism and 'Other' religions (Table 6.2). This signifies the effect of religion on the risk of marrying younger among the Hills middle-caste women.

Analysis of NDHS 2006 data shows a similar trend but with some differences in magnitude of risk of marrying younger. Further, some more groupings could be included in this model to represent more accurately the reality of the society. Except for the Hills middle-caste women (both Hindu, and Buddhist and 'Other'-religion), Terai Janajati, and 'Other'-caste 'Other'-religion women, all caste groups had a higher risk of marrying young than the reference group women (Hills high-caste). Hills low-caste, Terai high-caste, Terai middle-caste, 'Other'-caste Hindu, and Muslim women were at moderately higher risk (26 per cent, 19 per cent, 29 per cent, 13 per cent, and 23 per cent respectively) of marrying at an early age than the reference group. Terai low-caste women had a substantially higher risk (44 per cent) of marrying young.

On the other hand, Terai Janajati women had only a six per cent lower risk of marrying young than the reference group women, but were not significant. In contrast, Hills middle-caste women who follow Hinduism, and Buddhist and 'Other'-religion, and 'Other'-caste 'Other'-religion women had a lower risk (31 per cent, 41 per cent and 24 per cent respectively) of marrying young than the reference group. Among the Hills middle-caste women, the decline in risk of marrying young was much higher among followers of Buddhist and 'Other'-religion than of Hinduism, as was the case with the 'Other'-caste group (Table 6.3).

The findings above show that caste or ethnicity of women is a significant factor that influences marriage timing of women, consistent with findings from past studies in Nepal and elsewhere (Adedokun 1999; Aryal 1991; Bista 1996; Choe et al. 2005; Kobrin and Goldscheider 1978; McLaughlin et al. 1993; Thapa 1989, 1997; UNFPA 2002). This difference by caste/ethnicity may be due to the difference in education and socio-economic status, and level of attachment to cultural norms and traditions, particularly those related to marriage practices. As noted in Chapter 3, cultural norms

and traditions related to marriage, notions of sexual purity, freedom of premarital sexual relationships, and choice of mate seem to be the primary factors influencing the marriage hazard rate among many caste/ethnic groups except for the Hills middle-caste (Janajati) (Bista 1996); an example among Newar is the *Ihi* or *Bel Bibah* which is held at prepubertal age (Bista 1996; Majupuria 2007) (see Chapter 3). Among the Hills middle-caste or Janajati (ethnic) groups, there is an increased freedom for women and girls to choose their spouse, and some freedom of premarital relationships with their spouse-to-be (Bista 1996; Gurung 1993), though this varies from one ethnic group to another. It is the case with some of the Terai Janajati group (Bista 1996) (see Chapter 3). In contrast, among many caste groups of Hindus and Muslims, there is much restriction of women's freedom of mobility, mingling with the opposite sex (CBS 1995) and choosing their own husband; parents in these groups may be cautious about the premarital chastity of their daughters and may fear involvement of their daughter in love affairs or premarital sex, bringing dishonour to her family.

The findings show that Hindu and Muslim women in Nepal marry at an earlier age than Buddhist and 'Other'-religion women. From the combined caste/ethnicity and religion variable, the effect of religion on age at marriage was further visible among the same caste/ethnic groups who follow different religions. Hills middle-caste (Janajati) women who follow Hinduism were at a higher risk of marrying young than those who follow Buddhism and 'Other'-religion. This was also the case with 'Other'-caste Hindus and 'Other' religions. This is consistent with findings from previous studies (Adedokun 1999; Aryal 1991; Bista 1996; Dixon 1971; Grenier et al. 1987).

The following five factors may be responsible for this difference. First, Hindus and Muslims are more rigid and strict about social norms and traditions related to marriage (see Chapter 3). A higher percentage of respondents of Hindus (Brahmin, Chhetri and Thakuri, Hills lower-castes, and Terai caste groups) and Muslims believed that girls should remain virgin before marriage (see Appendix Table 6.1). A second possibility is that as a higher percentage of Hindu and Muslim respondents preferred, and had entered arranged marriage than Buddhist and 'Other'-religion respondents, this may have an effect on early marriage of girls (data not shown). A third possibility is that the older members of the family assume the religious role of arranging the marriage of their children (Dixon 1971). Many of the orthodox Hindus still consider they will obtain religious merit if they marry their daughters at an early age, preferably before menarche

(Bennett 1978; Bista 1996). Fourth, there is also evidence that attitudes towards premarital sexual relationships and freedom of selection of spouse are more relaxed in some of the indigenous groups of the Hills, but are more restricted among caste groups of Hindus (Bennett 1978 ; Bista 1996) and Muslims. Owing to the tradition of *Ihi* (symbolic marriage to a *Bel* tree) among Newar, parents give the marriage of their daughters to a man a lower priority (Bista 1996; Majupuria 2007), so marriage is delayed. Indigenous groups of the Hills and Newar follow both the Hindu and Buddhist religions; while Hindus of these caste/ethnic groups are attached to the strict marriage traditions, Buddhists and 'Other'-religions are much more flexible. A fifth factor may be associated with the stricter practice of dowry among Hindus in the Terai and Muslims, due to which parents may be pressured to arrange the marriage of their daughters at an early age to escape having to pay a higher dowry (Dahal 1996; Hart 2001; Rakesh 1994).

The above analysis of risk of marrying earlier among various Terai caste-group women further indicates the inadequacy and irrelevancy of measurement and analysis of such demographic changes by geographic region. Most of the Terai caste-group women had a much higher level of risk of marrying early than the Hills caste groups.

6.2.5 Type of marriage

Type of marriage based on decision making entered by the women was also found to be significantly associated with their age at marriage. Not surprisingly, the mean age at marriage calculated from NAYA 2000 was lower for women in arranged marriages (14.9 years) than for women in love marriages (16.4 years) (Table 6.4). However, because of the small percentage of ever-married women in the sample, this variable was not included in the multivariate analysis as it would have resulted in a larger number of missing cases, thus reducing the number of cases included in the multivariate analysis.

This finding is consistent with past studies in Nepal and elsewhere (Adedokun 1999; Dahal et al. 1993a; Dixon 1971; Minh 1995). This difference in age at marriage may be due to the fact that parents are the prime decision-makers in arranged marriage, and they decide according to their attitude, prevailing customary laws, and social norms and traditions. Another possibility is that age at menarche is considered as a social and cultural marker in traditional societies (Bennett 1978; United Nations 2004) (see Chapters 2 and 3), so parents feel that their daughters at menarche are mature and ready

for marriage. Third, parents and their relatives take marriage of their children as a religious duty, which they want to fulfil as soon as possible to gain religious merit (Bennett 1978; Bista 1996) (see Chapters 2 and 3). Another reason may be that a majority of the people still have the attitude that girls should be married before their menarche or should be virgins before marriage (Bennett 1978; Bista 1996).

6.2.6 Parental education

H₅: Parental education has a significant influence on age at marriage of girls. We expect that girls whose parents are educated marry at higher ages than girls with uneducated parents.

Education of parents (mother's and father's education separately) was also found to be associated with age at marriage of women. Bivariate analysis found a higher mean age at marriage for women whose fathers and mothers were literate (15.6 and 16.1 years respectively) than women with illiterate fathers and mothers (14.7 and 14.9 years respectively) (Table 6.4). This encouraged me to include the parental education variable in the multivariate analytic model.

Table 6.4: Mean age at marriage of women (aged 14-22) by selected background characteristics, Nepal, 2000

Background characteristics	Statistics		
	Mean	Std. Error mean	n
All married women	15.16	0.07	1,497
Age at first menstruation***			
9-12	14.46	0.18	216
13	14.50	0.14	342
14	15.37	0.11	463
15+	15.94	0.12	424
Education of father***			
Illiterate	14.68	0.10	662
Literate	15.62	0.09	735
Education of mother***			
Illiterate	14.96	0.07	1,231
Literate	16.11	0.15	251
Type of marriage entered***			
Arranged	14.93	0.07	1,262
Love	16.43	0.13	234
Correlation	Cor. Coeff.		N
Age at menarche & marriage age***	0.243		1,445

Note: *t*-test, ANOVA, and correlation significance: **p*<0.05; ***p*<0.01; ****p*<0.001; ++*p*>0.05

Source: 2000 NAYA data set.

From the multivariate analysis based on NAYA 2000 data, the education of women's parents influenced their risk of marrying young. Women with literate fathers and mothers had a lower risk of marrying young than those with illiterate parents, but this was not significant for father's education (Table 6.2). Women whose fathers were literate had a 10 per cent lower risk of marrying young than women whose fathers were illiterate. In the case of mother's education, women whose mothers were literate had a 28 per cent lower risk of marrying young than women whose mothers were illiterate.

This is consistent with the findings from previous studies (Bates et al. 2007; Michael and Tuma 1985). One reason may be that daughters of educated parents are more likely to be educated as they may consider their parents as role models (Michael and Tuma 1985) and, therefore, aspire to higher education. Educated parents may also put emphasis on the education of their daughters as they want their daughters to be free of the drudgery of manual labour in the future through some level of education (Caldwell et al. 1983, 1988; Nag and Kak 1984). Another factor associated with this may be the increased level of awareness of educated parents on gender issues and the implications of early marriage for the lives of their daughters. As a result, educated parents may give more importance to the education of their daughter by discouraging their marriage at an early age (Bates et al. 2007; Schuler et al. 2008).

The difference in the effect of education of father and mother on marriage age of women may be because women who are educated are aware of the consequences of early marriage. Having known the importance of education for themselves and their daughter, and being aware on the consequences of early marriage, mothers may have more influence in decisions related to education and marriage of their daughters (Schuler et al. 2008) than fathers. Although some studies have focused on the intergenerational effect of women's education on their daughters' marriage and birth timing (Bates et al. 2007; Schuler et al. 2008), there is little focus on the effect of fathers' education on their daughters' marriage.

6.2.7 Education of girls

H₆: Education of girls influences age at which girls marry. It is expected that girls with higher education marry at later ages than illiterates and girls with less education.

The higher education of women helps to minimize the risk of being married at an early age, as is evident from both surveys, NDHS 2006 and NAYA 2000. In the analysis,

women with no education were the reference category. The analysis from NAYA 2000 shows that women with some primary education had a 25 per cent lower risk of marrying young than the reference group women. Women with some secondary education, and with high school and above had 57 per cent and 84 per cent lower risk of marrying young than the reference category women (Table 6.2). Although the magnitude of hazard differed by education level of girls, all were statistically highly significant.

A similar trend was found in NDHS 2006 analysis but with a different level of magnitude of risk. The analysis shows that women with primary school education had a 10 per cent lower risk of marrying young than women with no education at all (reference category) and was significant at the $p < 0.01$ level. Women with some secondary education, and with SLC and above level of education had a 46 per cent and 67 per cent lower hazard of marrying young than the reference category women; this was statistically highly significant (Table 6.3).

This finding is also consistent with the findings from previous studies in Nepal and elsewhere (Adedokun 1999; Axinn and Thornton 1992; Bates et al. 2007; CBS 2003; Choe et al. 2005; Glick et al. 2006; VandenHeuvel and McDonald 1999; Westoff 2003). This pattern may be associated with young women who aspire to continue further education at college level and generally do not marry while they are studying (Axinn and Thornton 1992; De Silva 1997).

Similarly, literacy and education can influence attitudes to marriage through the increased awareness of educated women (De Silva 1997). Education also acts as modernization factor that changes the traditions regarding mate selection and postpones marriage (Goode 1963). De Silva (1997) found in a study in Sri Lanka that while studying at a higher educational institution, students tend to develop friendships and have romantic relationships among themselves. Marriage in such cases is often delayed while they assess the desirability of making such relationships permanent. In such situations, they also want to be financially independent by obtaining employment before entering marital life.

In the case of arranged marriage, which is most often hypergamous and caste-endogamous in Nepal, the higher education of a girl may pose some difficulty in finding a suitable match, thus it takes a longer time to arrange the marriage.

Consequently, education plays a key role in determining marriage age, and women with higher education tend to marry later.

The hazard rate of marrying of women of each educational category was substantially lower for women in NAYA than their counterparts in NDHS. One possible reason is that in NAYA, education of married women was enumerated at the time of marriage, whereas in NDHS, education of married women was enumerated at the time of survey. This indicates that education at the time of marriage is a better measure when assessing its association with age at marriage. Another possibility may be that the age difference of the respondents in NAYA (14-22 years) and NDHS (15-49 years) influence awareness level and empowerment through other factors than education and thus result in a sharp decline in risk of marrying. However, this needs to be further tested through further large studies.

6.2.8 Age at menarche

H₇: Age at menarche of a girl, a biological factor, is associated with age at marriage of girls. It is hypothesized that girls who first menstruate at an early age marry earlier than those whose menarche is later.

The bivariate analysis from NAYA 2000 data sets in Table 6.4 revealed that mean age at marriage of women significantly differed by their age at first menstruation. The lower the age at menarche of women, the lower was their mean age at marriage. The girls who first menstruated between 9 and 12 years of age were married at 14.5 years and those who first menstruated at 15 or later were married on average at 15.9 years. The Pearson correlation between age at menarche and age at marriage was statistically significant and positive but weak (Pearson correlation value 0.243).

The multivariate analysis also shows a strong association between age at menarche of women and their hazard of marriage. For each additional year increase in age at menarche, the hazard of marriage decreased by 12 per cent. The higher the age at menarche, the lower was the hazard of marrying young (Table 6.2).

This finding is consistent with the findings from studies in Britain, US, Belgium, Pakistan, Malaysia (Udry and Cliquet 1982) and India (Surender 1992). This may be for the following reasons. First, the age at menarche still remains as an important social and cultural marker in many societies, defining girls' exit from childhood and readiness for marriage and childbearing (United Nations 2004). Second, this may also be

associated with premarital sexual purity. As libido increases after menarche through the release of sexual hormones, and secondary sexual characteristics become prominent and attract males (Udry and Cliquet 1982) (see Chapter 2), parents may worry about their daughters' chastity after menarche, and wish to keep their daughters at home to ensure their virginity until marriage (Dyson and Moore 1983; Waszak et al. 2003). Thus, parents may choose to arrange the marriage of their daughters to transfer their protection to the in-laws' family.

6.2.9 Economic status of the household

H₈: Economic status of the household is associated with age at marriage of women. It is hypothesized that girls from economically well-off families marry at later ages than those in poor families.

Multivariate analysis from NAYA 2000 shows that the general economic status of the women's household is not significantly associated with the hazard of marrying young (Table 6.2). Women in high economic status households had an 11 per cent lower risk of marrying young than the reference category women (low economic status), but this was not statistically significant.

Findings from previous studies (Axinn and Thornton 1992; Dahal et al. 1993a; Singh and Samara 1996) show that women of higher socio-economic status marry at later ages than women of middle and lower socio-economic status. There are several possible reasons. First, marriage traditions are mainly guided by caste or ethnicity and religion which may vary little across economic status within the strata. Women of higher socio-economic status may have less freedom of movement than poorer women who have to do paid work outside the home. The Nepal Labour Force Survey 2008 found that Hills lower-caste females on average spent 21 hours in paid work in the seven days preceding the survey; for Hills higher-caste females it was 18 hours. In the Terai Janajati and Dalit females spent 22.3 and 18.5 hours respectively in paid work. Terai higher-caste females spent just four hours and Terai middle-caste females 13.6 hours (CBS 2009). As landlessness and poverty are widespread among the low-caste people in both the Hills and the Terai, the majority of these caste/ethnic groups may be in lower economic strata than the higher-caste groups. Further, economically well-off families may often be more concerned about prestige and status than poor families, so they may wish to avoid the shame or gossip caused by the late marriage of their

daughters by arranging their marriage at an early age. However, a systematic study may be required on this matter.

6.3 Conclusion

The purpose of this chapter was to investigate the reasons for early marriage of girls among some families in Nepal with particular focus on the Terai. This chapter sought an answer to the research question ‘What are the prominent socio-demographic and cultural factors that influence marriage timing of women in Nepal?’ and test eight of the nine hypotheses.

Empirical data analysis reveals that determination of marriage timing is a complex phenomenon. There are several factors that influence marriage timing of women in Nepal. Although bivariate analysis shows a further elaborative list of factors, multivariate analysis confirms the effect of each variable while controlling the effect of other variables. The prominent factors influencing marriage timing of women are age, place of birth, age at menarche, education of women and their mothers, and caste or ethnicity, and religion.

The significant differences in the risk of marrying early among caste and religion groups, and the significantly higher risk among caste/ethnic groups of Terai origin and Muslims who reside mainly in the Terai, are supported by the distinct sociocultural differences with more strict marriage norms and practices prevalent among these groups. The low educational level of these groups in general and women in particular further increases their risk of marrying at an early age. An education level of some secondary and above seems to be a protective factor against early marriage, but many of the caste and ethnic groups (except Terai high-castes) and Muslims of Terai have substantially low education, particularly among women.

Lower age at menarche of girls of Terai origin⁴² (also in Aryal 2004) may also be associated with early marriage as age at menarche and age at marriage of girls were positively associated. The lower age at menarche of girls of Terai caste groups in

⁴² Mean age at menarche of Muslim girls 13.67 years, Terai middle-caste girls 13.48 years, Terai other-caste girls 13.64 years; mean age at menarche of Hills high-caste (Hindu) and Hills middle-caste Buddhist girls 13.98 years, Hills middle-caste Hindu 13.82 years and Hills lower-caste girls 13.81 years (calculated from 2000 NAYA data set, and ANOVA significant at the $p < .000$ level).

particular seems to be an important factor creating pressure on parents to arrange marriage of their daughters at an early age.

The hazard of marrying at an early age differed by geographic regions: women in the Terai, which includes both Hills and Terai origin women, had a higher hazard; but significant differences in the risk of marrying early by caste and religion groups along with the inter-caste group differences in marriage traditions indicate the inappropriateness of the use of the conventional tripartite divisions in Nepal to explain demographic changes including marriage patterns.

Another important issue is the relevance of variables to be studied in relation to marriage timing. Findings show that information enumerated before or at the time of marriage has a precise association with age at marriage (e.g. education level and place of residence) whereas the variables enumerated at the time of survey (e.g. NDHS in this case) have severe limitations.

Dowry in Nepal: customs, practice and factors

After empirical analysis of the socio-demographic determinants of age at marriage of women in Nepal in Chapter 6, this chapter describes the customs, practices and factors of dowry in contemporary Nepalese society in general, and the Terai in particular. A review of literature on theories of dowry in Chapter 2 showed that marriage costs and dowry are an important issue associated with decisions related to marriage and its timing.

This chapter explores various aspects of dowry customs and practices prevailing in Nepal. This chapter aims to achieve the third specific objective (To understand the mechanism of the dowry system, cross-border marriage migration, and ethnic mix, and their impact on age at marriage of girls in the Terai region) of this study through seeking answers to the fifth research question (What are the mechanism and dynamics of dowry in Nepal?) and the sixth (Does the prevalent dowry system influence age at marriage of Terai women in Nepal?).

This chapter has three main sections: the first section sheds light on the customs and practices of dowry in Nepal. Updates on laws related to dowry and marriage expenses are summarized in the second section. The third section analyses the factors associated with dowry in Nepal.

7.1 Dowry: customs and practices in Nepal

This section covers the reasons for the practice of dowry, contents of dowry, and method and timing of payment of dowry as well as other major expenses in marriage in Nepal. Owing to the lack of studies on dowry in Nepal, these sections rely heavily on relevant information from studies in other parts of South Asia, particularly India because of its sociocultural similarities to Nepal. Some attitudinal data on dowry are also drawn from the NAYA 2000 survey of Nepal.

7.1.1 Why dowries?

There are several reasons for the practice of dowry in Nepal and other countries in Asia (see Chapter 2). Several theories explain the factors associated with dowry. According

to the 'Son preference theory', sons are often seen as old-age security (Karki 1988) and daughters as others' property. According to NAYA 2000, over two-fifths of respondents believed that sons should support their parents in old age. Only one percent believed that daughters should support their parents in old age; but slightly over half believed that sons and daughters should both support them. The attitudes differ significantly and substantially by sex, geographic regions, caste groups and religion. Male respondents are more inclined towards preference of sons for old-age support, as are most of the caste groups of Terai origin, Muslims and also Hills lower-caste people (Table 7.1).

Table 7.1: Percentage distribution of 14-22 year olds' attitudes towards who should support parents in old age by selected background characteristics, Nepal, 2000

Background characteristics	Who should support their parents in old age?				N
	Son	Both	Daughter	Total	
All respondents	43.6	55.3	1.1	100	7,957
Sex***					
Female	32.9	65.2	1.8	100	4,164
Male	55.3	44.4	0.3	100	3,793
Geographic region***					
Hills/Mountains	37.7	61.0	1.3	100	4,138
Terai	50.1	49.0	0.9	100	3,819
Caste group***					
Hills high-caste	33.8	65.4	0.8	100	2,619
Hills middle-caste (Janajati)	35.0	63.1	1.8	100	2,132
Hills lower-caste	57.9	41.7	0.4	100	518
Terai middle-caste	55.6	43.8	0.6	100	721
Other Terai caste (unspecified)	56.5	42.3	1.2	100	1,548
Other caste	47.1	51.0	2.0	100	51
Muslim	64.7	34.2	1.1	100	368
Religion***					
Hindu	42.8	1.1	56.1	100	6,869
Buddhist	37.6	1.3	61.2	100	559
Muslim	64.7	1.1	34.2	100	368
Others	51.0	0.7	48.3	100	149

Note: χ^2 sig. value * $p < 0.05$; ** $p < 0.01$; *** $p < 0.001$; ++ $p > 0.05$

Source: 2000 NAYA data set.

This leads to gender discrimination in many aspects, such as that parents are reluctant to invest in their daughters' education. As a result, girls are equipped with skills needed for household chores and duties, and are encouraged to bear and raise children and

perform household duties. Consequently, women have lower status in the marriage market than men, and a bride's parents have to pay dowry.

The Bequest theory also applies in Nepal as there is a patriarchal system of inheritance of parental properties which means sons get the ownership of those properties. In such situations, girls would expect to get their share at the time of marriage in the form of dowry. The present legal provisions in Nepal give equal rights to the girls in the parental properties, but the properties have to be returned after marriage to their parents or their brothers in the case of parents' death (Legal Aid and Consultancy Centre n.d.). Although she is granted full rights, a girl may not be able to exercise her rights fully without the co-operation and approval of males of the family. This means the legal provisions are not enforced, and indicates the inferior position of women in inheritance rights; so women expect to receive dowry in their marriage.

From a religious point of view, parents see *kanyadan* as a religious duty, which involves giving gifts along with daughters to gain religious credit. As noted in Chapter 6, 88 per cent of adolescents and young adult respondents in NAYA 2000 strongly agreed that girls should remain virgin until marriage (see Appendix Table 6.1). Although the practice of *kanyadan* supports the practice of voluntary dowry gifts, the present form of dowry and gift giving has become extortionate, and the groom and his parents use it as a weapon for dowry demands.

Many parents see dowry as a means to recuperate the cost of educating their sons. Some studies in India found that many parents wish to recover this cost (Jananeethi 2004; PRC and IIPS 1995); a study by Jananeethi (2004) in Kerala found that 39.2 per cent of young men, 49.2 per cent of young women and 52.6 per cent of parents justified demanding dowry as a compensation for the expense incurred for educating or finding a job for the groom (Table 7.2).

Many parents claim that they deserve the right to claim dowry for their son's marriage because they have invested a lot of resources in their sons. Once the son gets married, he lives with his wife and leaves his parents alone. The wife is the one who mostly enjoys the returns from the education of her husband (Paul 1985), so parents assume that they get the return of their investment in their sons in the form of dowry.

Table 7.2: Percentage of respondents who said yes to the specific justification for demanding dowry, Kerala, India, 2004

Justification of demanding dowry	Young Men	Young women	Parents
It is bride's share in parental property	72.2	76.4	78.5
To maintain wife for future life	61.9	71.1	71.6
Because groom's sister was paid dowry	63.0	66.7	68.2
For equality in status and manifestation of status	46.0	59.1	59.5
To follow tradition	67.4	73.0	70.7
To compensate for expense incurred for educating/ job of the groom	39.2	49.2	52.6
To get back what was lost through marrying off daughter/ groom's sister	54.5	58.7	60.2
To set up a life of their own	71.8	75.7	76.5
As rightful expenditure for getting such a good alliance	67.8	80.1	80.2
N	529	1,972	1,429

Source: Jananeethi 2004, Table 9.

Parents also claim that they need to pay dowry for their daughters, and hence they claim dowry for their sons (Jananeethi 2004; PRC and IIPS 1995). A study in Kerala (Jananeethi 2004) found that 63.0 per cent of young men, 66.7 per cent of young women, and 68.2 per cent of parents justified demanding dowry because the groom's sister was paid dowry, and 54.5 per cent of young men, 58.7 per cent of young women, and 60.2 per cent of parents justified demanding dowry to get back what was lost through marrying off a daughter or groom's sister (Table 7.2). This perpetuates the cycle of dowry.

Marriage is also seen as an opportunity to enhance the material wealth of the husband's family. As people have high expectations due to the expanding consumer market, grooms and their parents see marriage as an opportunity to enhance their material wealth in the form of marriage (Lindenbaum 1981; Paul 1985; Singerman and Ibrahim 2001). The bride too has such expectations, and expects them to be fulfilled either by her parents or her husband.

The Marriage squeeze theory also applies to Nepal as there is a practice of marriage of younger girls to older man that creates female competition. For instance, half of the women were married to men who were 4+ years older and 36 per cent were married to men who were 1 to 3 years older (see Appendix Table 7.1). This practice is common among all women except in the Janajati caste and Buddhists where a slightly smaller

proportion of women marry older men. Owing to the practice of caste endogamy in most caste and ethnic groups in Nepal, a general sex ratio by particular location does not make sense in assessing the effect of the marriage squeeze. For this, the sex ratio of particular caste-groups within the localities where most of the marriage ties are fixed needs to be examined.

Further, social status factors that lead to hypergamous marriage exacerbate the situation, and can lead to increased dowry payments (Hagul 2008; Jananeethi 2004; Paul 1985). This is also evident from a study in Kerala (Jananeethi 2004) where 68 per cent of young men, and 80 per cent of young women, and parents justified demanding dowry as a rightful expenditure for getting such a good alliance (Table 7.2).

There are several attributes of a bride and a groom that affect the quantity and size of a dowry. The skin colour and physique of a girl are found to be important attributes in Bangladesh that determined the size of dowry (Davis 2007). Pretty girls in Indonesia attract a higher bride-price (Hagul 2008). Education level and employment in the formal sector, and earning capacity of the groom are also major attributes that affect the quantity and size of dowry in India (Jananeethi 2004) and Bangladesh (Davis 2007).

Age of a bride is another factor that determines the size of a dowry (Huda 2006; Reddy 1989). As the grooms and their parents prefer young girls who are believed to be virgin or chaste before marriage, the dowry is smaller and it increases with increase in age of girls. Reddy (1989) found in a study in India that girls are devalued after a certain age, so dowry increases as they get older. Moral character is determined by premarital sexual laxity or chastity, which is mainly assessed on the basis of gossip or rumours in the local community, and influences the amount of dowry. If the groom's family hears anything about a girl's premarital sexual behaviour, this is likely to lead either to the cancellation of the proposed marriage or to the groom's family demanding a higher dowry. Parents' characteristics such as economic status, education status, and social status or prestige in the community also determine the amount of dowry. On one hand, the bride's family offers a bigger dowry to maintain their own social status and prestige; on the other hand, the groom and his parents may also expect a higher dowry.

7.1.2 Contents of dowry

In the past, dowry mainly included clothes and jewellery, but in recent years, dowry includes expensive clothes, bedding materials, jewellery, mostly gold and silver, furniture including beds, couches, chairs, steel cupboards (which are highly valued) and dressing tables, cooking utensils, refrigerators, washing machines, micro-waves, fans, heaters, mobile phones, and computers. Wrist watches, bicycles, motor bikes, cars, radios, TVs, VCR/DVDs, and cameras have also become common items to be included in the dowry depending on the socio-economic status of the bride and groom (Upreti and Subedi 2005). Cash has become the major form of dowry payment, based on consensual agreement. The National Family Health Survey, Bihar 1993 showed that only 11 per cent of ever-married women reported that their family did not pay any cash as dowry in their family, and 12 per cent did not know (PRC and IIPS 1995). A study in Kerala (Jananeethi 2004) found that cash was the major part of the dowry payment: 94.5 per cent of young women, 91.8 per cent of young women, and 86.9 per cent of parents said that the dowry was in cash (Table 7.3).

Land and dwellings have also been part of dowry, but are less common. The National Family Health Survey, Bihar (1993) showed that less than one percent of ever-married women reported that their family gave land, house or flat as dowry (PRC and IIPS 1995); in contrast in Kerala, a high percentage of respondents reported property, land or house, as a major ingredient of dowry (Table 7.3). In the rural areas, cattle are also a common dowry item (Davis 2007), but owing to the difficulty of transporting cattle, even in rural areas where the marriages are arranged in distant villages, cattle are becoming less popular as a dowry gift. A study in Bangladesh shows that dowry may also include arranging jobs or paying the cost of finding a job for the groom (also in Kerala, Table 7.3), or for air travel and other costs associated with overseas jobs (Huda 2006).

Table 7.3: Percentage of respondents who said yes to the specific item of dowry, Kerala, India, 2004

Ingredients of dowry	Young Men	Young Women	Parents
Liquid cash	94.5	91.8	86.9
Fixed deposits	51.6	49.6	43.2
Mutual funds	30.0	27.8	26.2
Share and stocks	42.9	41.5	36.0
Marriage expenses	64.8	66.7	71.3
Property - house, land etc.	84.2	83.0	76.2
Ornaments	89.0	90.3	87.2
Household articles	67.0	72.8	72.0
Sweetmeats	37.6	47.8	49.4
Clothes for relatives and bride	48.6	52.7	54.9
Job/Offer of job	56.9	50.5	46.2
Arrangements for higher studies	41.1	40.3	38.7
Accommodation and meeting needs for a fixed period	40.7	28.8	30.9
Business partnership	56.9	46.4	41.8
Vehicle	79.9	75.6	60.0
N	529	1,972	1,429

Source: Jananeethi 2004, Table 6.

Dowry payment does not necessarily end at marriage, but can continue after marriage, sometimes for years. The bride's family is responsible for post-marriage support and payment at various religious and cultural events, and ceremonies held at daughters' homes, and whenever the daughter visits her parental home (Huda 2006). This is most often in the form of material and non-material gifts. There is also further demand of dowry or financial support for some activities associated with income generation or assets accumulation at the daughter's home. The culture and social norms play an important role in the continuation of post-marriage dowry payment and gift giving.

7.1.3 Other expenditure in marriage

Another important part of dowry or marriage expenses is the cost of the marriage ceremony, which typically is the responsibility of the bride's family. In the National Family Health Survey, Bihar, 1993, 81 per cent of women reported that the bride's family bore the cost of the wedding, 15 per cent responded that the wedding cost was borne by both the bride's and groom's families, and just four per cent said it was borne by the groom's family alone (PRC and IIPS 1995). There is evidence of a higher share

(43 per cent) in wedding expenses by the groom's family among scheduled tribes than in higher castes. A study in Kerala also shows a higher percentage of respondents indicating wedding expenses as part of dowry: 64.8 per cent young men, 66.7 per cent young women and 71.3 per cent parents (Table 7.3). This shows that not only are the material and cash forms of payment considered as dowry and cost of marriage, but bearing the full expenses of the wedding ceremony is another major burden to be shouldered by the bride's family. This becomes a major cost as the wedding procession (guests of the groom) is generally large, and their expectations of the wedding reception are high. They expect a variety of high-quality food, and a respectful welcome. This is also important in that whatever dowry is given is possessed by the groom and his family, and the members of the procession enjoy only the food and welcome offered by the bride's family.

Another expense related to marriage is the offering of a feast by the bride's family to their own relatives and the neighbourhood community. This also becomes a heavy expense because the number of guests depends on family and kin size, and the same quality and variety of food has to be offered as offered to the guests in the procession invited by the groom. There are social norms and customs about the size of the feast to be offered in various occasions, which is decided by the informal customary committee members of the particular caste group.

Other marriage expenses include gifts to the groom's relatives and the bride's own relatives. The bride's family has to arrange and give gifts to the relatives of the groom; this shows honour and respect to them. The expense of the gifts also depends on the size of the groom's family. Similarly, the bride's family has to arrange and offer gifts to the bride's relatives as well (Singh 1990).

7.1.4 Method and timing of payment

In the past, dowry payments which were mostly in kind were paid at the time of marriage, and were mainly voluntary. Dowry items were displayed and handed over in front of the marriage procession, the relatives of the bride and the community. However, in the contemporary Nepalese society (as in India and Bangladesh), negotiation generally takes place between the two parties about the amount of money and materials to be provided by the bride's family to the groom and his family before the marriage deal is finalized (Upreti and Subedi 2005). If the family of the bride is

unable to meet the dowry demands of the groom and his family, the consequence is that the marriage does not take place no matter how educated and cultured the bride may be. It seems that both parties want to finalize the dowry deal before marriage to avoid any kind of dispute over dowry. The bride's family wants this so that they can ascertain that there is no further dowry demand. The groom's family insists on finalizing the dowry deal so they can be guaranteed the payment of the agreed dowry preferably before marriage or at least by the time of marriage.

However, some studies show that dowry was also paid without any negotiations. A study in India found that where nearly two-thirds of women in Vadodara and about three-quarters in Diamond Harbour reported that their families had paid dowry to the groom's family, over one-third of women in Vadodara and nearly one-half in Diamond Harbour reported negotiations over dowry while others had paid dowry without any negotiation (Ram et al. 2006).

The recent emerging trend is that dowry is mostly in cash and payment is arranged before marriage (Jananeethi 2004; Upreti and Subedi 2005). Cash, gold and other expensive items such as motorbikes and cars are arranged before the actual wedding day. Goods such as furniture and utensils are arranged at the time of marriage; however, usually agreements are announced before the wedding, at the time of *tilak*. The bride's family announces such things in front of the gathering at the time of wedding ceremony, and if anything remains to be paid, a deadline is fixed, based on negotiation between the bride's and groom's family. As the payment arrangement is based on consensual agreement, some cash and other goods may be paid later on. But the groom's family always insists on full payment before or at the time of marriage, because after the marriage, the bride's family may refuse to pay any remaining items, and the groom's family may insist on payment, which may create disputes between the two families.

In recent years, the form of payment of dowry is changing in urban areas such as Kathmandu and other big cities and among the high social class. Generally, the bride's family takes responsibility for the decoration and refurbishment of the house of the groom which includes carpeting, painting, replacing all old items (such as furniture, appliances and other consumer and decorative objects) with new ones. The brand and quality of these items depends on the socio-economic status of the groom and bride (G. P. Subedi, Personal communication, 15 March 2008). During this process, the groom's

family most often insist on good-quality branded items in accordance with their social status.

7.2 Laws related to dowry and marriage expenses

The legal provisions of a country are important measures to control some of the social practices regulated by the State, so understanding of the laws and regulations related to dowry and marriage expenses is important. Laws related to dowry and marriage expenses both in Nepal and India are reviewed here to indicate the similarities and differences; this is also important because of cross-border marriage between northern Indian states and the Terai.

Nepal

The *Muluki Ain* (Civil Code) of Nepal, 1965, has specified the provision of *stridhan*. Article 14 (4) of this Act specifies that any goods and property (both movable and immovable) received from the family and relatives of the woman are considered as dowry or *stridhan* over which the woman gets the ownership (Shrestha 2006). Article 14 (5) provides that a woman has freedom of use of the properties, and may transfer ownership by sale or donation to other members of the family as she wishes (Shrestha 2006). This civil code, however, is silent about the act of dowry or bride-price payment or marriage expenses.

The Social Practice Reform Act, 1977 of Nepal outlined the legal provisions related to dowry, marriage expenses, and wedding ceremony. Apart from this Act, no reform or amendment has been made so far on dowry and marriage expenses. On 26 January 2009, Puspa Kamal Dahal, the ex-Prime Minister of Nepal who had led the People's War for more than a decade in Nepal and headed the government for the first time after the abolition of monarchy, announced a ban of dowry in a speech.⁴³ But there were no regulatory measures legislated, so the Social Practice Reform Act 1977 is the only Act on dowry. Some of the provisions in this Act are described below.

⁴³ Aired on Australian Broadcasting Corporation (ABC) radio news with the heading 'Nepal's Maoist PM bans dowry system in bid for support' (source: <http://www.abc.net.au/news/stories/2009/01/26/2474207.htm?site=news>, accessed 9 June 2010).

Section 3 (1) of the Social Practice Reform Act prohibits taking or giving of *tilak* (dowry). Section 3 (2) of the Act further specifies a penalty for those who breach the law: a fine of NRs 12,000 to 25,000 or imprisonment up to 30 days or both, along with seizure of the amount received as *tilak*. Section 4 (1 and 2) of the Act prohibits any demand for bride-price by the bride's family. Section 4 (3) of the Act specifies a penalty for the breach of the law; members of the bride's family who claim any bride-price shall be fined NRs 12,000 to 25,000 or imprisoned for up to one year or both, along with seizure of the amount received as bride-price. The giver shall be penalized for half of the penalty specified for the receiver. Section 5 (1) of the Act prohibits any negotiation between two families over the amount of dowry: the Article states 'The bridegroom's side shall not compel the bride's side to offer any specific amount in cash or in kind as dowry, donation or gift or farewell gift in any form to the bridegroom, nor shall the two sides settle in advance the amount to be gifted' (Government of Nepal 1977:1164).

However, there are some loopholes that permit a limited amount of voluntary dowry with some administrative process of registration of such dowries. According to section 5 (2), the amount of voluntary dowry allowed is NRs 10,000 and a set of gold ornaments. The Act also has provision for the *daijo* gifts to be registered with the appropriate local officials. The reasons for registration of the dowry gifts are, first, that it would prevent women from losing their property, and second, that it would check exorbitant *daijo*. Nonetheless, these clauses are not enforced in the present society and are manipulated by everyone.

Further, this Act also specifies some restriction on the number of guests to be invited in the wedding procession and feast. Article 7 (1) has specified that only up to 51 relatives and guests can take part in the procession, and if this is breached, there is a penalty of up to NRs 10,000 or imprisonment up to 15 days or both. Article 8 (1) of the Act specifies that only 51 guests other than the immediate relatives can be invited to the marriage feast, and if this is breached, there is a penalty of up to NRs 20,000 or imprisonment up to 15 days or both. Article 20 (4) of the Interim Constitution of Nepal, 2007, grants equal rights to the parental properties to both sons and daughters, and Article 20 (1) ensures non-discrimination in any matter on the basis of sex.

India

The legal provisions on dowry in India have much more severe penalties for the perpetrators than in Nepal, but still provisions for voluntary dowry weaken the laws leading to inadequate enforcement. Indian laws on dowry, however, are more progressive and up-to-date than the Nepalese laws.

The Dowry Prohibition Act, 1961, is the cornerstone in the legal provisions on dowry in India. According to Article 2 of this Act,

...dowry means any property or valuable security given or agreed to be given either directly or indirectly – a) by one party to a marriage to the other party to the marriage: or b) by the parents of either party to a marriage or by any other person, to either party to the marriage or to any other person; at or before or any time after the marriage, but does not include *dower* or *mahr* in the case of persons to whom the Muslim Personal Law (*Shariat*) applies (Government of India 1961:1).

Article 2 of this Act, however, specifies that this law does not apply to the presents which are given at the time of wedding to the bride and the bridegroom without any demand, and such presents are entered in a list maintained in accordance with the rules made in this Act. The Act has also specified penalties for the perpetrator who violates the Act. Article 3 of the Act specifies that

...any person who gives or takes or abets the giving or taking of dowry, he shall be punishable with imprisonment for a term which shall not be less than five years, and with fine which shall not be less than fifteen thousand rupees or the amount of the value of such dowry, whichever is more (Government of India 1961:1).

Article 4 of the Act further specifies some penalties for people who demand dowry: six months to two years imprisonment with a fine of up to ten thousand rupees.

The Act also specifies that where any dowry is received by any person other than the woman in connection with her marriage, that person has to transfer the dowry to the woman within three months after the date of marriage if the dowry was received before marriage, or within three months after the date of receipt if the dowry was received at the time of marriage. Failure to transfer a woman's dowry invites imprisonment for six months and a fine of IRs 10,000. If the dowry was received when the woman was a minor, it should be transferred to her within three months after she has attained the age of 18 years (Government of India 1961:2).

As dowry violence and dowry deaths are increasing in India (Suran et al. 2004; Surender et al. 1997), Section 304B of the Indian Penal Code (IPC), inserted as an amendment in 1986, has specified punishment for dowry death. This section defines 'dowry death' of a woman as death that is caused by burns or bodily injury or occurs under abnormal circumstances, within seven years of her marriage, and where it is shown that just before her death she was subjected to cruelty by her husband or his relatives, in connection with demands for dowry. In such cases, the husband or relative would be deemed to have caused her death. A person found guilty of a 'dowry death' may be punished with imprisonment for a term of seven years to life (Government of India 1986).

7.3 Factors associated with dowry: a micro-level analysis from Nepal

H₉: Dowry is a significant predictor of age at marriage of girls in the Terai. The higher the age of a girl, the more dowry parents have to pay, and hence parents are pressured to marry their daughters at an early age.

Now we turn to some of the analysis of the association between dowry and age at marriage; the relationship between other socio-economic factors and dowry is also examined. Two main data sets are used for this chapter: Nepal Living Standards Survey (NLSS) 2003-04 and Child Marriage Study 2004. While the analysis from NLSS 2003-04 is at household level as dowry and household expenditures were enumerated at the household level, the analysis from Child Marriage Study 2004 is at the individual level. To ensure that a standardized matrix was used, the dowry paid in the years of the surveys was converted to a nominal price for 2008 based on the 'consumer price index' (CPI).

The statistical methods used for this purpose are: correlation, *t*-test and F-test or ANOVA, and multiple regression analysis followed by Multiple Classification Analysis (MCA). Age at marriage and dowry paid are continuous variables which allow testing of the relationship between these two variables by the application of correlation. The mean age at marriage and mean dowry by various background variables were calculated using *t*-test (for dichotomous independent variable) or F-test or ANOVA (nominal categorical independent variable with more than two categories). In the multivariate analysis, the dependent variables (age at marriage or dowry) were continuous variables. This allowed the use of multiple regressions to predict the effect

of independent variables. MCA was applied to calculate the net effect of each independent variable controlling the effect of other independent variables.

7.3.1 Bivariate outputs

Although the purpose of this research was to assess the association between age at marriage and background characteristics of girls, including dowry paid in their marriage, an attempt was also made to examine the association between the individual and background characteristics of men and the dowry received in their marriage. This is because while the girls' parents pay dowry in their marriage, the men receive it and their qualities and socio-economic status are the determining factor for dowry size (see Chapter 2 and section 7.1 of this chapter). The findings from bivariate analysis are presented below separately for brides and grooms.

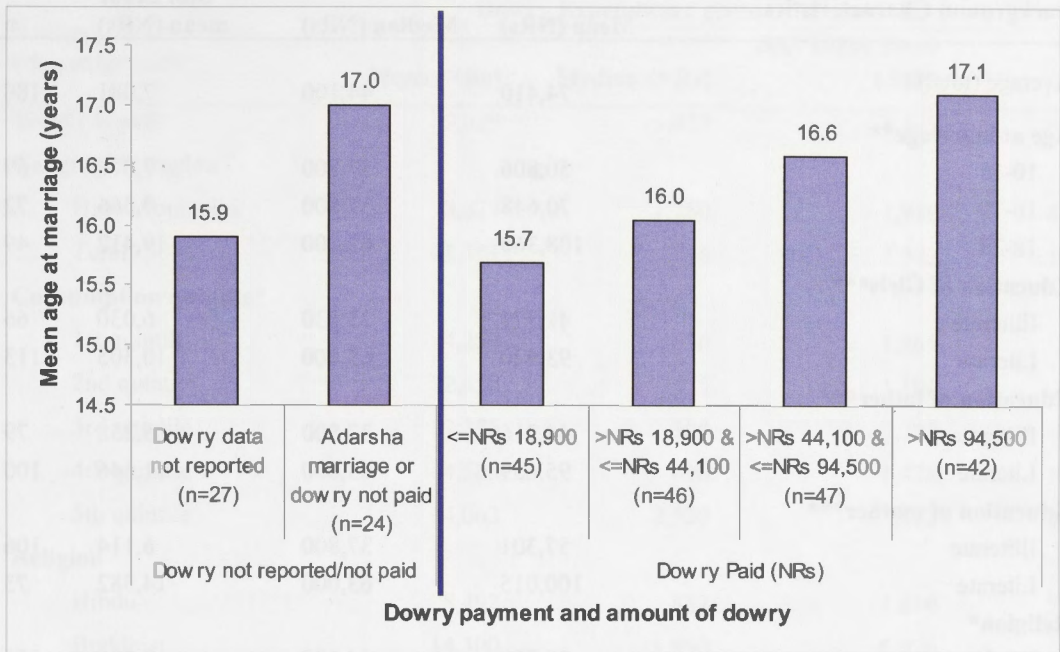
Dowry paid for girls' marriage

Analysis of the bivariate association between various individual and family background characteristics and dowry from Child Marriage Study 2004 data shows that age, education of girls, education of father and mother, religion, caste group, and economic status of the household were significantly associated with dowry paid.

The mean dowry paid by different marriage age groups of females substantially increased for older girls. The mean dowry paid for girls married at ages 10-15 was NRs 50,806; this increased to NRs 70,648 for girls married at ages 16-17, and to NRs 108,360 for girls married at ages 18-24; the difference was statistically significant ($p < 0.01$) (Table 7.4). This analysis further shows that 5.6 per cent of variance was explained by age at marriage. The correlation between age at marriage of girls and dowry paid for their marriage was positive and statistically significant but weak (Pearson Correlation 0.281, $p < 0.01$).

In analysis of the relationship between these two variables (age at marriage and dowry) the other way around, that is, considering dowry as an independent variable and age at marriage as a dependent variable, the relationship was highly significant. Figure 7.1 shows that except in some cases of '*Adarsh marriage*' (marriage without dowry demand or no dowry paid), the age at marriage of girls was significantly higher for the higher dowry paid in their marriage.

Figure 7.1: Mean age at marriage of girls by dowry payment and amount of dowry paid (NRs), Dhanusha, 2004



Note: F-test sig. $p=0.01$

Source: 2004 Child Marriage Study data set.

By education level of girls, the mean dowry paid differed significantly ($p<0.001$) for illiterate and literate girls. The mean dowry paid for illiterate girls was NRs 41,371; this was more than doubled (NRs 93,920) for literate girls (Table 7.4). Similarly, education of fathers and mothers was also significantly associated with amount of dowry paid, which for girls with a literate father and mother was significantly higher than for girls whose father and mother were illiterate (Table 7.4).

Religion and caste/ethnicity were also significantly associated with dowry: Hindu girls had to pay higher dowry than Muslim girls. By caste or ethnicity, Terai middle-caste and Janajati girls had to pay the highest dowry followed by Hills Janajati, Muslim and Terai low-caste girls (Table 7.4).

Table 7.4: Mean dowry paid for girls' marriage by selected background characteristics, Dhanusha, 2004

Background Characteristics	Mean (NRs)	Median (NRs)	Std. Error mean (NRs)	n
Average (total)	74,410	44,100	7,081	180
Age at marriage**				
10-15	50,806	37,800	7,070	59
16-17	70,648	37,800	9,566	72
18-24	108,360	63,000	19,412	49
Education of Girls***				
Illiterate	41,371	25,830	6,030	66
Literate	93,920	63,000	10,305	113
Education of father***				
Illiterate	48,216	37,800	5,258	79
Literate	95,659	63,000	11,646	100
Education of mother***				
Illiterate	57,301	37,800	6,114	106
Literate	100,015	63,000	14,582	73
Religion*				
Hindu	78,279	44,100	8,309	151
Muslim	54,267	44,100	6,801	29
Caste/ethnic group**				
Terai middle-caste & Janajati ^a	96,911	59,850	11,987	98
Terai low-caste	31,050	12,600	5,422	35
Muslim	53,382	42,210	6,630	30
Hills Janajati	71,079	37,800	13,199	17

Note: F-test and t-test sig. *p<0.05; **p<0.01; ***p<0.001; ++p>0.05

Pearson correlation between age at marriage of girls and dowry paid: 0.281 and significant at 0.01.

^a Only 4 cases of Janajati were available which were combined with Terai middle caste.

Source: 2004 Child Marriage Study data set.

However, the bivariate calculations from NLSS 2003-04 data show that although there were differences in dowry payment by religion and caste groups, they were not statistically significant (Table 7.5). According to this calculation, Muslim and Buddhist households paid higher dowry than Hindu and 'Other' religion households, but the difference was not statistically significant. Similarly, by caste group Terai higher-caste and Muslim households paid higher dowry than other caste groups, but this was not statistically significant (Table 7.5).

Table 7.5: Mean dowry paid for girls' marriage by households in the year preceding the survey by selected background characteristics, Nepal, 2003-04

Background Characteristics	Dowry Expenditure given by Households			n
	Mean (NRs)	Median (NRs)	Std. Error mean (NRs)	
Total (Nepal)	9,029	1,077	1,547	638
Geographic region⁺⁺				
Hills/Mountains	8,077	1,260	1,916	453
Terai	11,361	756	2,542	185
Consumption quintile*				
1st quintile	4,255	630	1,265	51
2nd quintile	2,438	315	1,106	67
3rd quintile	7,376	504	3,241	86
4th quintile	4,503	630	1,478	142
5th quintile	14,063	2,520	3,122	292
Religion⁺⁺				
Hindu	8,492	882	1,610	570
Buddhist	14,300	1,890	6,926	51
Muslim	18,792	7,560	10,027	9
Others	2,684	2,268	820	8
Caste⁺⁺				
Hills Janajati	7,376	1,512	2,536	243
Hills low-caste	3,997	630	1,536	41
Hills higher-caste	8,347	630	2,653	245
Terai Janajati	5,721	630	1,993	36
Terai low-caste	2,154	504	801	13
Terai higher-caste	28,590	2,520	8,109	46
Terai Muslim	16,930	4,284	9,160	10
Total amount of expenditure (NRs at the value of 2008)				
Hills/Mountains		3,658,702		
Terai		2,101,788		
Nepal		5,760,491		

Note: F-test and *t*-test sig. * $p < 0.05$; ** $p < 0.01$; *** $p < 0.001$; ++ $p > 0.05$

Source: 2003-04 NLSS data set.

Economic status of the household was also significantly associated with dowry size. The consumption quintile of the household, which was based on multiple indices of the household assets, income and expenditure in NLSS 2003-04, was used as the economic status of the household to assess the difference in dowry expenditure. The mean dowry calculated by F-test or ANOVA analysis shows that there was a difference in dowry expenses within economic classes. There was a tendency of increase in payment of

dowry among the middle class and the richest households. The difference was also statistically significant ($p < .05$) (Table. 7.5). Although the dowry seems small for the lower quintile households; it may be relatively high for such families as their income is generally low. When the ratio of dowry expenditure to the total household expenditure was calculated for the same households by consumption quintile, a clear pattern was observed. The ratio (in percentage) for combined first-to-third quintile households was 11 per cent; it was seven per cent for the fourth quintile households and four per cent for the fifth quintile households (data not shown). This indicates that even a small amount of dowry paid by a poor household is worth more for them than for the richer households who pay higher dowry.

Geographic region (Hills⁴⁴ vs. Terai) was not significant and was only applicable in the NLSS data. Table 7.5 shows a higher prevalence of dowry in the Terai region than in the Hills/Mountains, but it was statistically non-significant ($p > .05$). Based on the *t*-test, the mean amount of dowry expenditure by the households was NRs 8,077 in the Hills/Mountains and NRs 11,361 in Terai region in 2003/04. The mean value for Nepal was NRs 9,029.

Limited information available from NLSS 2003-04 shows that dowry is prevalent in both the Hills and Terai, but higher in the Terai region. Though only a small number of households had reported their expenditure on marriage and dowry, the total amount as listed in Table 7.5 shows that for 638 households the annual expenditure on dowry was NRs 5.7 million. Out of total households which reported dowry expenditure, 28 per cent of households were in the Terai which account for 36 per cent of total dowry expenditure.

The attitudinal data are noteworthy here. According to NAYA 2000, just over a third of respondents approved of dowry, more of them in the Terai than in the Hills and Mountains. The difference was statistically significant but not substantial between Terai and the Hills (37 per cent vs. 32 per cent). A closer look at the caste/ethnic groups and religion shows that most of the Terai caste groups and Muslims had a higher rate of approval of dowry than the Hills caste groups, except for the Hills low-castes. A similar pattern occurs in approval of dowry by sex, with a statistically significant difference

⁴⁴ Owing to the small number of cases in the Mountains, Hills and Mountains were combined.

(Table 7.6). It is noteworthy that a majority of respondents disapproved of dowry, however.

Table 7.6: Percentage distributions of 14-22 year olds' attitudes towards approval of dowry system by selected background characteristics, Nepal, 2000

Background characteristics	Whether approve or disapprove dowry system		Number of respondents
	Disapprove	Approve	
All respondents	65.7	34.3	7,933
Sex***			
Female	63.5	36.5	4,151
Male	68.2	31.8	3,782
Geographic region***			
Hills/Mountains	68.0	32.0	4,116
Terai	63.3	36.7	3,817
Caste/ethnic group***			
Hills high-caste	71.8	28.2	2,617
Hills middle-caste	75.0	25.0	2,113
Hills low-caste	49.0	51.0	518
Musalman	49.2	50.8	368
Terai middle-caste	56.5	43.5	722
Terai 'Other'-caste	57.0	43.0	1,543
'Other' caste	53.8	46.2	52
Religion***			
Hindu	66.3	33.7	6,860
Buddhist	68.9	31.1	547
Muslim	48.6	51.4	368
Others	71.4	28.6	147

χ^2 sig. value * $p < 0.05$; ** $p < 0.01$; *** $p < 0.001$; ++ $p > 0.05$

Source: 2000 NAYA data set.

Dowry received for boys' marriage

From the bivariate association between the individual and family background characteristics of boys and dowry received, their education, father's education, religion, and caste/ethnicity were significantly associated with dowry received.

Although mean dowry received by marriage age of boys differed, the difference was statistically non-significant ($p > .05$) (Table 7.7). This analysis, however, shows that 3.6 per cent of variance in dowry was explained by age of the boys (data not shown), and the older age cohort, boys especially after age 20, attracted more dowry than younger

ones. The correlation between age at marriage of boys and dowry received was positive but weak (Pearson Correlation 0.262), and was statistically significant ($p < .01$).

As in the case of girls, the mean dowry received by boys differed significantly ($p < 0.001$) by their education level. Illiterate bridegrooms received on average NRs 25,610 as dowry which was 2.6 times higher (at NRs 66,440) for literate ones (Table 7.7).

Parents' education has a mixed association with dowry received for boys' marriage. Education of the father was significantly associated with dowry received. Boys with a literate father attracted a higher dowry than those with illiterate fathers; this difference was statistically significant ($p < .001$) (Table 7.7). Although the mean dowry received for boys' marriage differed by the education level of their mothers, the difference was not statistically significant ($p > .05$) (Table 7.7).

The low dowry received by grooms with literate mothers may have two reasons. First, as fathers are the main decision-makers, the mothers' education status may not matter much; and second, the literate mothers may not be in favour of a higher dowry. But this finding needs to be further explored with a larger sample to confirm the association.

Religion of boys was also significantly associated with dowry received in their marriage: Hindus received a higher dowry than Muslims (Table 7.7). Similarly, dowry received by boys also differed significantly by their caste/ethnic group affiliation: those from the Terai middle-castes and Janajati received the highest dowry followed by Hills Janajati, Muslims and Terai low-castes (Table 7.7).

Table 7.7: Mean dowry received for boys' marriage by selected background characteristics, Dhanusha, 2004

Background Characteristics	Mean (NRs)	Median (NRs)	Std. Error mean (NRs)	n
Average (total)	53,027	28,350	5,961	142
Age at marriage⁺⁺				
14-19	35,814	25,200	5,766	42
20-22	52,983	26,460	9,209	60
23+	71,168	37,800	14,506	40
Education of Boys^{***}				
Illiterate	25,610	12,600	7,425	43
Literate	66,440	37,800	7,819	96
Education of father^{***}				
Illiterate	29,624	19,530	4,893	74
Literate	80,747	50,400	10,643	66
Education of mother⁺⁺				
Illiterate	46,929	25,200	7,336	89
Literate	63,269	37,800	10,098	53
Religion[*]				
Hindu	57,689	31,500	7,366	111
Muslim	36,337	25,200	6,372	31
Caste/ethnic group^{***}				
Terai middle-caste & Janajati	76,750	44,100	10,934	69
Terai low-caste	12,838	6,300	2,545	27
Muslims	36,876	25,200	6,565	30
Hills Janajati	48,825	37,800	8,614	16

Note: F-test and *t*-test sig. * $p < 0.05$; ** $p < 0.01$; *** $p < 0.001$; ++ $p > 0.05$

Source: 2004 Child Marriage Study data set.

At least two prominent issues have arisen from the examination of the bivariate relationship between the individual and background characteristics, and dowry. First, the dowry paid for a girl's marriage was higher than the dowry received in a boy's marriage. This may be due to the reluctance of parents to disclose the true amount of dowry received because of perceived fear of social insecurity or legal action, or exaggeration by the girl's parents to claim a higher social status. Although NLSS 2003-04 (and NLSS 1995-96 as well) had collected data on dowry and marriage expenditure, they were not included in the analysis owing to the bulky nature of these expenses and short recall period (CBS 2004). A study by Sanlaap in India also noted underreporting of dowry (Sanlaap 2007).

Second, while examining the amount of dowry paid across economic status or caste/ethnic group, dowry needs to be examined in relation to their economic status. For instance, the dowry reported for the lower economic class and low-caste groups seems much lower than for the high economic class and high castes. But because of the wide disparity of income between the high-caste and low-caste groups, and between high and low economic classes, the dowry paid by low-castes or low economic class may be much higher relative to their income, but lower for high-caste people.

7.3.2 Multivariate outputs

As most of the bivariate analysis shows an association between individual and family background characteristics, and the dowry paid in marriage of a girl, multivariate analysis was applied to determine the effect of each variable. Multiple Classification Analysis (MCA), an extension of multiple regression analysis, was applied using Child Marriage Study 2004 data to assess the effect of each background variable on dowry while controlling the effect of other variables. The model included age at marriage of boys and girls, education of girls and boys and their parents, and religion. Separate models were run for boys and girls to assess whether there was a significant difference by sex.

The regression output (Appendix Table 7.2) shows that the overall regression model for dowry paid for girls' marriage was significant ($p < 0.01$). Among the predictor variables included in the model, only age at marriage of a girl and education level were significant ($p < 0.01$ and $p < 0.05$ level respectively).

In the model for dowry received for boys' marriage, the model was statistically significant ($p < 0.01$). Among the predictor variables included in the model, age at marriage of boys and education of father were found to be significant ($p < 0.01$ and $p < 0.001$ respectively).

An estimated dowry based on the regression coefficients (see Appendix Table 7.2) in Table 7.8 shows that dowry paid for girls' marriage differed substantially by age at marriage of girls, education of girls and their father, and caste/ethnic group. Dowry increased substantially with an increase in age at marriage of girls. Girls who were literate had to pay a higher dowry than illiterate girls. Girls with a literate father and mother, and girls from the Terai middle-caste and Janajati paid higher dowry, but were

not statistically significant. These findings answer the research questions five and six at the beginning of this chapter: dowry is prevalent in the Terai region among the Terai origin caste groups, and age at marriage of girls is strongly associated with dowry.

Table 7.8: Estimated^a mean dowry paid and received for daughters' and sons' marriage by selected background characteristics, Dhanusha, 2004

Background variables	Predicted mean amount of dowry	
	Paid (Girls)	Received (Boys)
Age		
14	51,506	na
16	71,090	na
18	90,675	39,335
20	na	47,631
22	na	55,927
Education		
Illiterate	52,457	39,199
Literate	87,319	59,234
Education of father		
Illiterate	65,425	33,160
Literate	81,487	75,422
Education of mother		
Illiterate	70,237	58,924
Literate	80,439	42,977
Caste-group		
Terai middle-caste & Janajati	78,635	58,548
Terai low-caste	55,610	42,012
Muslim	60,291	43,672
Hills Janajati	60,058	45,605

^a Estimated from coefficients provided in Appendix Table 7.2, na=not applicable.

Source: 2004 Child Marriage Study data set.

Similarly, estimated dowry received for boys' marriage differed substantially by age at marriage of boys and their father's education. Older boys and boys whose fathers were literate commanded a higher dowry than their counterparts who were young and whose fathers were illiterate. Dowry received increased substantially by age at marriage of boys but less strikingly than dowry paid for girls. Estimated dowry received also differed by education of boys; a higher dowry was received by literate boys but was not statistically significant. An inverse association was observed between mother's education and dowry received by boys. Boys whose mothers were illiterate received a

higher dowry than those whose mothers were literate. By caste group, Terai middle-caste and Janajati boys received a higher dowry than other caste groups (Table 7.8).

The possible reason for the association between age at marriage and dowry, and between education level and dowry, may be the prevalence of hypergamy in which girls marry more educated boys who attract higher dowries (Davis 2007; Jananeethi 2004). The older girls may be more educated, so their parents look for further more educated boys who would be older and attract higher dowries. Some qualitative information suggests that dowry increases with education of a girl.

Jha reported:

...Till a few days back, Basundhara used to accompany him [her brother] to school, but her parents took her out of school after reaching the sixth grade. According to her parents, they took her out of school because it would be difficult for her to find a husband if she pursued higher studies (Jha 2005:139).

Amin and Huq cite a respondent's aunt, talking about her plans for her daughter's wedding in Bangladesh:

I made my daughter pass her Metric. I'll want an IA [intermediate] pass boy for her, then I'll have to give him a Honda motorbike. And say if the girl is not highly educated, she can be married off to a man who drives a rickshaw van, then less dowry is needed. Maybe they'll ask for Tk. 4000–5000. And if I educate my daughter then I can't marry her off to a rickshaw van-puller. More dowry will be needed then. The girl herself will say, I've studied, so why will I marry a van-puller? (Amin and Huq 2008:14).

This argument can also be supported by calculations derived from the NAYA survey 2000 which show that over half (59.3 per cent) of female respondents were married to educationally superior men, 36.2 per cent to men with the same educational level, and only 4.5 per cent were married to men with lower educational qualifications (Table 7.9). The pattern further differs significantly by education level of the girls. The highest percentage of girls with some secondary education entered hypergamous marriage followed by girls with no education, and girls with some primary education. The lowest percentage of girls with high school and above level of education entered hypergamous marriage; this may also be associated with a lack of marriageable match and dowry issues, which may have compelled the girls' parents to go for homogamous or hypogamous marriage which is highest among this education group of girls.

In contrast, most boys entered educationally hypogamous marriage, some married homogamously and only a tiny proportion entered hypergamous marriage. Hypogamous marriage increases with higher level of education of boys and hypergamous marriage decreases (Table 7.9). As the difference in education of respondents and their spouses was calculated from the single years of education level, in many cases the difference could be of just a grade.

Table 7.9: Percentage distribution of ever-married 14-22 year olds according to types of marriage based on education match of partners by education level, Nepal, 2000

Education level	Educational match of partners			n
	Hypogamous marriage	Homogamous marriage	Hypergamous marriage	
Female				
All females	4.5	36.2	59.3	1,429
Education level***				
No education	-	35.7	64.3	750
Some primary	9.0	33.4	57.5	299
Some secondary	6.8	25.0	68.2	192
High school & above	12.8	54.3	33.0	188
Male				
All males	56.2	38.5	5.3	582
Education level***				
No education	-	90.9	9.1	121
Some primary	66.8	28.1	5.1	235
Some secondary	75.4	19.7	4.9	122
High school & above	75.0	23.1	1.9	104

Note: χ^2 sig. value * $p < 0.05$; ** $p < 0.01$; *** $p < 0.001$; ++ $p > 0.05$

χ^2 sig. between sex and types of marriage was significant ($p < 0.000$)

Source: 2000 NAYA data set.

Age at marriage guides or determines the amount of dowry, as argued by many scholars (Amin 2007; Amin and Huq 2008; Bruce et al. 1995; Caldwell et al. 1983; Chitrakar 2009; Fanning 2001; World Vision 2008); owing to the higher dowry to be paid for older girls, parents are pressured to seek a suitable match for their daughters at an early age to avoid the cost of higher dowry. This is indicated by the mean age at marriage calculated for various amounts of dowry, which shows that the higher the amount of dowry, the higher was the age at marriage and vice versa (Figure 7.1).

Similarly, education of girls and dowry were found to be strongly associated. This may be for the reasons described for the 'social status' theory (Anderson 2003) and 'female competition' (Caldwell et al. 1983; Suran et al. 2004) (see Chapter 2) in which girls and their parents wish to marry socio-economically superior boys (Dahal 1996; Elbadawy 2008; Huda 2006; Jananeethi 2004; Khan 1989; Kumari 2007; Paul 1985; Reddy 1989).

A dilemma, however, emerges based on the positive correlation between education and dowry. One would expect that educated people would not claim dowry, because education enhances knowledge and thus changes their awareness level and attitudes in the long run. It may be expected that educated people are aware of the consequences of early marriage and of dowry, and so condemn these practices. But the reverse occurs: higher dowry for highly educated persons. Thus, the role of education is questioned.

Education seems to play various functions/roles including its basic function of enhancing knowledge and skills. The literature suggests at least three functions which link to the practice of early marriage and dowry.

(1) Education serves as a base for knowledge and helps to build or change attitudes. Goode (1963) described education as a modernization factor in timing of marriage that plays a role in changing the social norms and traditional values related to mate selection, and postpone the time of marriage. Emler and Frazer (1999) argue that education has a direct effect on knowledge and educational values. Preston and Feinstein (2004) found that adult education affected attitudes but had more influence on issues related to racism or authoritarianism, and less influence on issues related to traditional family values.

(2) Education improves social status. Higher education typically means a better job and more respect in the society. Social status means the honour or prestige attached to one's position in the society. There are two types of social status: one is achieved through the means of education, occupation and marital status, and the other is ascribed status which is inherited. Education also influences network position (Emler and Frazer 1999) and occupation as the main determinants of status, as education leads to better occupation which leads to higher social status.

Higher education of the groom and his parents means higher social status; thus, it often leads to a higher amount of dowry. Similarly, the higher education of the bride and her parents gives them higher social status, and they seek a groom from households with higher social status or at least at the same level, and thus the quantum of dowry increases.

(3) Education improves economic status. Educated people mainly engage in white-collar jobs or businesses that have a steady income. Blundell et al. (2004) found in a study in the United Kingdom an average return of 27 per cent for those completing some form of higher education: 18 per cent to O level, 24 per cent to A level and 48 per cent to higher education. Haskins (n.d.) using data from US found that the gap between a high school diploma and a college degree was over \$29,000 in 2005. As argued by Emler and Frazer (1999), education enhances self-esteem and provides opportunities to achieve better economic status.

Based on the role and functions of education, functions (2) and (3) are associated with higher socio-economic status of the bride and groom. As explained by social status theory and female competition theory, brides of high socio-economic status expect a further better match, and in such cases the dowry demand increases. As many parents expect to recover the cost of educating sons (see Table 7.2) (Jananeethi 2004; PRC and IIPS 1995), parents expect a higher dowry for more educated sons. Some educated grooms and their parents, however, may condemn the practice of dowry and may not be in favour of demanding it. But owing to the societal norms that those grooms and parents who do not demand dowry are looked down on (Amin and Huq 2008; Jananeethi 2004), even such people are compelled to demand and take dowry, because of the many negative consequences for the grooms and their families that have a significant psychosocial impact on them (Amin and Huq 2008; Jananeethi 2004), (see Table 2.5).

7.4 Conclusion

The aim of this chapter was to understand the mechanism of the dowry system and its association with age at marriage of girls in the Terai. Information presented also sought answer to the fifth research question (What is the mechanism and dynamics of dowry in Nepal?) and sixth (Does the prevalent dowry system have influence on age at marriage of Terai women in Nepal?), testing hypothesis 9: Dowry is a significant predictor of

age at marriage of girls in the Terai. The higher the age of a girl, the more dowry parents have to pay, and hence parents are pressured to marry their daughters at an early age.

The findings show that multiple motivations are present in the Nepalese society and dowry has been embedded in the cultural fabric of the society. Among several theories behind the factors causing the existence and escalation of dowry, son preference, bequest theory, social status, marriage squeeze, and female competition theories seem relevant to the Nepalese context. The findings suggest that dowry has been one of the important factors associated with decision-making related to marriage and marriage timing.

Dowry includes both cash and material items which increasing in line with the availability of goods in the consumer market. Cash has become the most preferred ingredient of dowry that can be used for many purposes. Dowry payment most often takes place before or at least by the time of marriage. Besides dowry, other marriage expenses such as the welcome reception of the groom's guests, feast for the community, and gifts to the relatives of the bride and groom are another big economic burden on the bride's family.

Analysis of empirical data suggests that dowry is strongly associated with age at marriage of girls. Dowry substantially increases with an increase in age at marriage of girls. This is also the case with education of girls: dowry significantly increases with higher education level of girls. In contrast to the general expectation that dowry should decrease with increase in people's education level, it seems that for several reasons explained by social status theory, marriage squeeze and female competition theory, dowry demand seems to be increasing among educated people. Fear of social stigma for the groom and family who do not want to claim dowry also causes them to demand dowry. As a result, dowry has become part of cultural norms and the marriage of a girl cannot take place without it.

Other factors such as geographic region, religion, caste/ethnic group, and economic status of the households were also found to be associated with dowry, but varied in their level of statistical significance. The findings reveal that there is a higher prevalence of dowry among the Terai-caste groups than the Hills-caste groups.

Conclusion

This chapter outlines the key findings from this study. The main aim of this research was to explore the patterns and determinants of age at first marriage of girls in Nepal. To address the broad aim of this study, three major specific objectives were formulated: (i) to assess the extent and level of early marriage in different geographic regions of Nepal, (ii) to investigate the reasons for persistent early marriage among some families in the Terai, and (iii) to understand the mechanism of the dowry system, cross-border marriage migration, and ethnic mix, and their effect on age at marriage of girls in the Terai. Six research questions were formulated to achieve the stated objectives of this research. Further, nine hypotheses were proposed to be tested in this study.

Findings are summarized according to the research questions and hypotheses set out in the introductory chapter. Based on the limitations and major findings from this study, some policy implications are discussed along with some recommendations for future research.

8.1 Summary of findings

Findings from this study are summarized according to the specific research question.

8.1.1 What is the pattern of age at first marriage of women in Nepal?

Analysis of data clearly shows three main patterns of marriage of women in Nepal. First, early marriage especially prepubertal marriage of girls, is declining in Nepal with a gradual increase in marriage age. Despite this decline, girls of some Terai caste groups are still married at a very early age, before their fifteenth birthday. Second, a majority of girls in the Terai caste/ethnic groups, Muslims, and Hills lower-caste women are still married between 15 and 17 years of age; this reveals the persistence of early marriage among these groups. Third, marriage is still universal among women in Nepal and most of the marriages occur between ages 15 and 24. These findings indicate that in spite of the progressive laws in Nepal, early marriage is still a major challenge for many girls of the disadvantaged Terai caste/ethnic groups.

8.1.2 Is the tripartite division of Nepal meaningful in explaining the pattern of marriage of women in Nepal?

H₁: The standard differentiation of Nepalese society according to three geographic regions (Mountains, Hills and Terai) is problematic in describing and analysing socio-economic phenomena including marriage practices and age at marriage in the present situation.

Analysis of information on the features of the Terai, including population settlement and sociocultural characteristics (see Chapter 1) reveals that the concept of tripartite division of Nepal into Mountains, Hills and Terai is simply a physical division representing ecological or geographical similarities rather than based on meaningful differences in sociocultural and economic aspects. Nepal is a diverse country with a great heterogeneity in social norms, traditions and cultures, and a remarkable division of caste hierarchy. The Terai was already heterogeneous in caste and ethnic composition, and social and cultural traditions and norms, before the 1960s; the migration of Hills people after the 1960s further compounded this heterogeneity. As a result, the Terai has become home to both Hills-origin and Terai-origin people making it more heterogeneous and socio-culturally complex. Gurung (1988) noted that migration has brought significant change in the Terai with a higher degree of dispersal of Hills languages; the aggregate population of the Terai now represents the population of the whole country to a great extent. According to the 2001 Census, 57 per cent of people of the Terai are Hills-origin and 43 per cent are Terai-origin (see Figure 1.2, Chapter 1).

Analysis of data on marriage throughout Chapters 3, 5, and 6 shows that women from Terai caste-groups (except for Terai high castes), and Muslims residing in the Terai, are married young, and are consequently disadvantaged. Information on customs and practices of marriage shows that these caste and ethnic groups have stricter traditions related to marriage timing and other attitudinal aspects such as the importance of virginity before marriage, premarital sexual relationships, freedom of choosing spouse, and mobility (see Chapter 3). Many ethnic groups in the Hills have more liberal attitudes towards freedom of selection of spouse and premarital sexual relationships with spouses-to-be, and marriage usually takes place at much later ages. Among some ethnic groups (e.g. Newar), although there is a symbolic prepubertal marriage of girls (see Chapter 3), actual marriage takes place at much later age. Among the Hills higher

castes, who are mainly Hindus, though they have strict social norms and customs, the age at marriage of women is higher than in many of the Terai caste groups.

Another major difference is the high prevalence of dowry among the Terai caste groups, as shown by analysis of relevant information on dowry (see Chapter 7). These differences suggest that the conventional tripartite division of Nepal into three geographic regions is not adequate and meaningful at least for the Terai, and thus, has limitations in explaining demographic behaviour including marriage prevalence and timing. Instead, caste or ethnicity-wise disaggregated analysis seems to be more meaningful as it captures and explains the demographic differences.

8.1.3 What are the prominent socio-demographic and cultural factors that influence marriage timing of women?

Analysis of available literature on factors influencing marriage timing (see Chapter 2), and marriage customs and practices in Nepal (see Chapter 3), shows that there are several factors that influence marriage prevalence and timing of women. Regarding location, rural-urban place of residence and geographic region were significantly associated with age at marriage. In general, women in rural areas are more likely to be married early than those in urban areas. Women of one geographic area differ in marriage timing from those of another geographic area.

H₂: Type of place (rural/urban) is associated with age at marriage. It is hypothesized that rural girls are more likely to be married young than urban girls.

H₃: Caste/ethnicity is strongly associated with age at marriage of girls. Higher castes (Brahmin, Chhetri, Thakuri), lower castes (Dalits and untouchables) from the Hills, middle castes and lower castes from the Terai, and Muslims have lower age at marriage than the Hills Janajatis and middle castes.

H₄: Religion is significantly associated with age at marriage. It is expected that Buddhist girls marry at higher ages than Hindus and Muslims.

H₅: Parental education has a significant influence on age at marriage of girls. We expect girls whose parents are educated to marry at higher ages than girls with uneducated parents.

H₆: Education of girls influences age at which girls marry. It is expected that girls with higher education marry at later ages than illiterates and girls with less education.

H₇: Age at menarche of a girl, a biological factor, is associated with age at marriage of girls. It is hypothesized that girls who first menstruate at an early age marry earlier than those who first menstruate at later ages.

H₈: Economic status of the household is associated with age at marriage of women. It is hypothesized that women from economically well-off families marry at later ages than women from poor families.

With regard to socio-economic and cultural factors, caste/ethnicity, religion, education of girls, parental education, and types of marriage were also found to be associated with marriage timing of women. Religion has been one of the major factors in the marriage institution as religious beliefs and their attachment to the religious sanctions shape the social norms and traditions of marriage. This is further compounded by caste/ethnicity, which within the same religion, differs by social and cultural norms and traditions that influence marriage timing. Similarly, education was found to act as a modernization factor and as a protective factor against early marriage. Educated women tend to marry at a higher age than uneducated women. This was also the case with the education of parents: girls with educated parents were less likely to marry young than girls with uneducated parents.

Findings from analysis of customs and practices of marriage among Nepalese (see Chapter 3) and empirical analysis of data (see Chapter 6) show that determination of marriage timing is a complex phenomenon. There are several sociodemographic and cultural factors that influence and determine marriage timing of women in Nepal. Multivariate analysis revealed that age, place of birth, age at menarche, education of women and their mothers, caste/ethnicity, and religion were the prominent factors influencing marriage timing significantly.

The findings reveal that age of women was strongly associated with age at marriage. Women in the younger age cohort had less hazard of marrying at an early age than the older cohort. Women born in rural areas had a greater hazard of marrying young than women born in urban areas. But this was not evident in the case of current place of residence, as it was not a significant determinant from NDHS 2006 analysis.

Caste/ethnicity and religion were strongly associated with age at marriage of girls. Most women of the Terai caste groups (except Terai high-caste) who mainly follow Hinduism, Muslims, and Hills low-caste Hindus had a high hazard of marrying young than the Hills high-caste women (Hindu), and Hills ethnic groups (both Hindu and Buddhist).

Education of girls was also found to be strongly associated with their age at marriage. A higher education level of women seems to be a protective factor against the risk of early marriage. The effect was even more substantial with education level of SLC and above. Parents' education (in this case mothers' education) acts in a similar way. Girls with educated mothers were at a lower risk of marrying at an early age than the girls with illiterate or low-educated mothers.

Age at menarche of a girl was also found to be associated with age at marriage. Girls who first menstruated at an early age had an elevated risk of marrying earlier than those whose menarche was later. This implies that in the areas where there is low age at menarche, girls' marriage age would be lower.

Hypotheses related to association between place of birth and age at marriage (H₂), caste and age at marriage (H₃), religion and age at marriage (H₄), parental education and age at marriage (H₅), education of girls and marriage age (H₆), and age at menarche of girls and marriage age (H₇) were confirmed showing the relationship between these variables and age at marriage of girls, controlling the effects of other variables.

8.1.4 Why are the Terai girls married younger than Hills girls?

Chapter 3 showed that there are significant sociocultural differences between the people of the Hills and the Terai. These differences relate to the social norms and traditions that insist on marrying a girl before the onset of menarche, a high value attached to virginity and chastity of girls before marriage, preference for arranged marriage, resistance to inter-caste marriage, attitudes towards approval of dowry and practice of dowry, son preference, and gender discrimination. The caste groups in each region have also great dissimilarities in these aspects.

Another factor is the low educational development of people in general, and women in particular, among the Terai caste groups (except Terai high-castes). Findings show that education acts as a protective factor against early marriage; the low educational development seems to be associated with the prevalence of early marriage among the Terai caste groups.

Both the literature and empirical analysis show the association between age at menarche of a girl and her marriage age. Some studies (Aryal 2007; Beall 1983; Sharma 1990) show a lower age at menarche among Terai women compared to the

women in the Hills and Mountains (see Chapter 2), which was also evident from NAYA 2000 analysis. The difference in mean age at menarche – earlier among women in Terai caste groups compared to the Hills caste groups⁴⁵ – may have contributed to the prevalence of early marriage in the Terai. This may be because onset of menstruation has both biological and social reasons for early sexuality and early marriage. Age at menarche is often considered as a social and cultural marker for exit from childhood and readiness for reproduction and marriage (United Nations 2004) (see Chapter 2). Menarche, associated with development of secondary sexual characteristics and release of hormones which stimulate sexual desire (Udry and Cliquet 1982), may also worry parents, and thus parents may be pressured to arrange marriage of their daughters immediately after menarche. Parents fear that girls who have started menstruation may have illicit relationships with their male peers that may result in shame and dishonour for the girl and her family (Dyson and Moore 1983; Waszak et al. 2003). This may later result in difficulty in arranging the girl's marriage. To protect their daughters and the dignity of their family from such a fate, parents often arrange the marriage of their daughters at an early age, and thus, transfer the responsibility of protecting women from the father to the husband.

8.1.5 What are the mechanism and dynamics of dowry in Nepal?

Literature on dowry and marriage costs around the world (see Chapter 2) shows that dowry is a complex phenomenon. Bride-price, which was once common, has been replaced by dowry or groom-price. Several factors responsible for dowry are explained by various theories and models: marriage squeeze, social status, female competition, bequest theory, economic theory, human-capital-accumulation, and son-preference theory.

In the light of the causes and consequences of dowry and marriage costs around the world, an attempt was made to describe the mechanism and dynamics of dowry in Nepal. Findings from Chapter 7, which provides explicit information on this aspect, show that in spite of several negative consequences of escalating dowry and marriage costs on the lives of women, children and their families, and society at large, dowry is deeply rooted in the customs and traditions of Nepalese society in general, and Terai

⁴⁵ Mean age at menarche by calculated by ANOVA was significant at $p < 0.000$ level.

caste groups in particular. Dowry which used to be more voluntary in the past, and in the form of bride-price, is now in the form of demanded dowry or groom-price. Dowry, which often included clothes, ornaments and household items, has increased as a result of the economic development and the expanding consumer market. Present-day dowry includes an elaborate list of items available in the consumer market; such as washing machines, refrigerators, motorbikes, computers, and mobile phones, which are still considered luxuries in many developing countries including Nepal. On top of that cash has become one of the most preferred items to be received as dowry. In some cases, dowry also includes items such as land, flats or shares and even the cost of foreign migration and getting a job. Dowry arrangement or payment most often has to be made before or at least by the time of marriage. Besides dowry, meeting other costs related to wedding such as welcome reception and entertainments, and gifts to relatives, are other major economic burdens to the bride's family. Consequently, dowry has become one of the major factors in the marriage match and choice of spouse. In many cases, marriage has become impossible without payment of dowry.

Among several theories that explain the reasons behind the practice and escalation of dowry around the world, son-preference, bequest theory, social status, marriage squeeze and female competition theories seem to be relevant in Nepal. Further, cross-border marriage between the northern states of India and the Terai seems strongly associated with dowry and its increase. The cross-country exchange rate puts both the Indian bride's parents and Nepalese groom's parents at an advantage when Indian parents marry their daughters to Nepalese grooms and vice versa. Conversely, Indian grooms' parents and Nepalese brides' parents are in a better situation if they marry their sons and daughters within their own country. Because of the cross-border marriage phenomenon, Nepalese girls are further disadvantaged in the marriage market as they have to compete with Indian brides in terms of dowry.

Dowry size is based on several factors and attributes of the groom and bride and their families (see Chapters 2 and 7). Education level of boys and girls, education of parents, and economic and social status of the groom and his parents, hypergamy, and imbalance in the marriage market (marriage squeeze) are the major factors that determine the size of dowry. Some personal attributes of the bride such as skin colour and physique and socio-economic status of the bride's family also determine dowry size. Dowry is also significantly associated with age at marriage of boys and girls.

8.1.6 Does the prevalent dowry system influence age at marriage of Terai women?

H₉: Dowry is a significant predictor of age at marriage of girls in the Terai. The higher the age of a girl, the more dowry parents have to pay, and hence parents are pressured to marry their daughters at an early age.

Findings from empirical data analysis from Nepal (see Chapter 7) reveal several factors associated with dowry. Among the prominent factors that were found significant in the multivariate analysis were age at marriage of girls, education level, and caste/ethnic group. Dowry substantially increased with an increase in age at marriage of girls. Similarly, a higher dowry was paid for girls with higher education. There was higher dowry prevalent among the Terai caste groups and Muslims than among the Hills caste groups.

The ethnographic information that describes the social norms and traditions of people in Nepal and findings from attitudinal data analysis (see Chapters 3 and 6) show that there are contrastingly different social norms and traditions between the Terai and Hills caste groups. There is higher prevalence of dowry approval, son preference and discrimination against daughters among the Terai caste groups than the Hills caste/ethnic groups. Women in Terai caste groups are more deprived and disadvantaged in educational opportunities, freedom of movement and empowerment than the women of Hills caste/ethnic groups. Since education of girls is a protective factor against early marriage, because of the prevalence of dowry system parents are reluctant to educate their daughters to a higher level because dowry increases with the education level of a girl. Because of the sky rocketing dowry and marriage expenses in recent decades, parents want to arrange the marriage of their daughters at an early age to escape the increasing financial burden. Dowry often leads to bankruptcy and impoverishment of the family through selling their movable and immovable property and taking loans to meet the requirements.

The prevalence of dowry among the Terai caste people, compounded with sociocultural factors has a strong influence on the marriage timing of girls; this supports the practice of early marriage both directly and indirectly. However, a larger study is required to generalize this finding as it is based on a localized micro-study and has some limitations in coverage.

8.2 Policy implications

As noted in Chapter 1, early marriage has several consequences on women, children, family and the society at large. Increasing the age at marriage of girls in Nepal will bring several benefits to the health and wellbeing of the women, their families and ultimately the nation. A higher marriage age of women will have a direct impact on the maternal mortality and morbidity of young women, which will help to lower the cost of treatment of disease, and improve the economic status of the family. This will also reduce the nation's burden associated with maternal mortality and morbidity, and funds could be channelled to other development areas. With reduced infant and child mortality young couples will have fewer children; this will ultimately affect the population growth of Nepal. The reduced infant and child mortality will also ensure better health care, nutrition and development of children in the long run.

Eradicating early marriage will have a strong and positive effect on the reproductive and sexual health of women. Early marriage is often associated with a higher level of domestic and sexual violence including forced sex, which also associates with the loss of income, and direct spending on treatment of the illness caused by abuse and violence. Further, young married women often become invisible in many of the development agendas because they are assumed to be adult, and miss out the services designed for the adolescents and youths which they need for upgrading their knowledge and skills associated with reproductive and sexual health issues.

Further, six of the eight United Nations' Millennium Development Goals (MDGs)⁴⁶ (United Nations 2009) are directly related to the issue of early marriage, and without addressing this issue may not be possible to achieve. Similarly, two of the eight MDGs which focus on girls' education are only possible to achieve by raising the age at marriage of girls. As dowry is associated with marriage age and has several negative consequences for the women directly and their children, family and society both directly and indirectly, devising mechanisms to curb dowry practice will increase the value of girls and women in the society. This will ultimately contribute towards

⁴⁶ The eight MDGs are: 1) Eradicate extreme poverty and hunger, 2) Achieve universal primary education, 3) Promote gender equality and empower women, 4) Reduce child mortality, 5) Improve maternal health, 6) Combat HIV/AIDS, malaria and other diseases, 7) Ensure environmental sustainability, and 8) Develop a global partnership for development.

reducing the gender discrimination and gender gaps in many areas of the socio-economic development indicators such as education and health.

Raising the age at marriage will give girls more years of education; educated women who wait longer to have their first child, want and have fewer children. These women may also work outside the home, especially if they live in urban areas. Educated women are more likely to know about and use modern contraception and practise healthy birth spacing of about three years. This knowledge gives a woman more confidence that she and her children will survive, reinforcing her desire to have fewer births.

8.3 Recommendations

The following recommendations are made to address the policy implications and future research on marriage and dowry.

a) A different approach in grouping of data needs to be taken to depict the true picture of Terai caste groups (Madhesi): Findings clearly show that the conventional tripartite division of Nepal has limitations and is not adequate in capturing and explaining demographic behaviour including marriage age and marriage timing. Nepal is a land with great heterogeneity and caste diversity. Assessing demographic change by the conventional tripartite geographic division misinterprets the situation of Terai caste people. The Terai has a low human development and social empowerment index, 23 per cent lower than that of the Hills, which is mainly associated with education and health-related indicators of social empowerment (UNDP 2004); this can be lower for Terai-origin people than for Hills-origin people living in the Terai. As a remedy, the major groupings of caste and ethnicity first used in the Nepal Human Development Report 2009 published by the UNDP (2009) need to be used instead of the conventional tripartite division.

b) Consider dowry as an important economic factor in research on early marriage. Dowry has become a serious concern for most people in Nepal, particularly in the Terai. The present practice of demanded and extortionate dowry has been established as a social norm in the Terai, and is also spreading among the Hills people living in the Terai, and the Hills. Dowry, in general, seems a consequence of late marriage, which in other ways, also acts as a cause of early marriage. Despite the socio-psychological and

economic consequences of dowry, this issue so far has not been considered important, and is explicitly missing from the research and programmatic agenda in Nepal.

Dowry can be incorporated into national poverty and living standards surveys, because the issue of dowry is linked not only with marriage but also with poverty. This will help in formulating poverty reduction strategies and programmes.

c) Need to conduct appropriate and adequate study on marriage in Nepal and Terai in particular. Although many of the demographic surveys (e.g. Censuses, and Demographic and Health Surveys) provide information on marital status and age at marriage, these surveys are carried out with different objectives, and so lack information on social and cultural aspects of marriage practices (see Sah 2008). The consequences of early marriage and inflated dowry on the lives of women, children, family and society show the importance of these issues and the need to conduct national comprehensive research on marriage which should include information on awareness of legal provisions related to marriage and dowry, people's perception of the appropriate age for marriage, and consequences of early marriage and late marriage. Variables such as age at menarche, education of girls and boys and parents, and economic status of the household should be enumerated at the time of marriage rather than at the time of survey. Most of the present demographic surveys in Nepal enumerate current status at the time of survey rather than at the time of marriage, which limits the use of those variables in assessing their effect on age at marriage.

The research on marriage should also consider the issue of cross-border marriage between the northern states of India and the Terai. Because of cross-country sociocultural similarities, kinship relationships, and the currency exchange rate that affects escalating dowry in contemporary Nepalese society, cross-border marriage seems an important issue to be explored in depth. However, there is an almost complete lack of understanding on this important phenomenon due to lack of data.

d) A holistic programming approach needs to be undertaken to tackle the issue of early marriage. Early marriage is a complex phenomenon involving several factors. Findings from analysis and literature show that education has been a protective factor against early marriage. However, there are several factors that work as a barrier to girls' education. Parents' attitudes towards girls' education, gender discrimination, escalating dowry that increases for educated girls, physical and emotional environment in the

school, and fear of rape and sexual assault on the way to school are the major hurdles in achieving girls' higher education.

Although there is a good attendance of girls at primary level, the enrolment and attendance of girls decreases with increase in their age and promotion to higher grades, which may be caused by the lack of a physical infrastructure and environment congenial to girls, and of good-quality education in the school, as well as by parents' negative attitudes towards higher education of girls. There is evidence that a school environment (both physical and emotional) congenial to girls has a positive effect on girls' education. This environment includes separate toilets and changing rooms for girls, recruitment of female teachers, and participation of girls in youth clubs or formation of youth clubs exclusively for girls (Khan 1989; Lloyd et al. 2001). Studies have shown that many girls when entering their teens (post-menarche), drop out of school because of a lack of suitable toilet or changing rooms (Lloyd et al. 2001), and sexual and verbal assaults at school and on the way to school.

The government should take the initiative to increase the number of lower secondary and secondary schools which are accessible to girls. There are not many schools at these levels and they are located far from the communities; many parents are reluctant to send girls to school because of the fear of sexual assault and insecurity on the way to school and back home (Khan 1989). Further, provision of flexible schools or separate schools for girls, or at least separate sections in the same school, and provision of secure girl's hostels are found to be beneficial in promoting the enrolment and attendance of girls in higher education (Khan 1989).

Effective implementation of the vital registration system, birth registration and marriage registration needs to be ensured; registration is at quite a low level in Nepal and neighbouring countries such as India. Both birth and marriage registrations are closely associated with the appropriate monitoring and reporting of education and accurate marriage age: low rates of birth registration and marriage registration impede such monitoring and reporting. Raising awareness on these issues along with effective enforcement of the laws should also be gauged at the national level. An important step could be scrapping the penalty for late registration of such events, and immediate provision of registration certificates by the assigned authority when approached.

Incorporating these recommendations into future demographic and health surveys, and conducting comprehensive research on the issue of marriage would further enable formulation of policy and strategies to address the issue of early marriage of girls in Nepal, and the Terai in particular. Addressing the issue of dowry would help to prevent early marriage and also contribute to the timely achievement of MDGs set out for Nepal, strengthen poverty alleviation strategies, and eventually reach the social and economic development goals of Nepal. The goal of such research and program strategies would be to contribute to poverty reduction, improve the health and empowerment of women, and provide them with better lives, and benefit the development of the nation at large.

Appendices

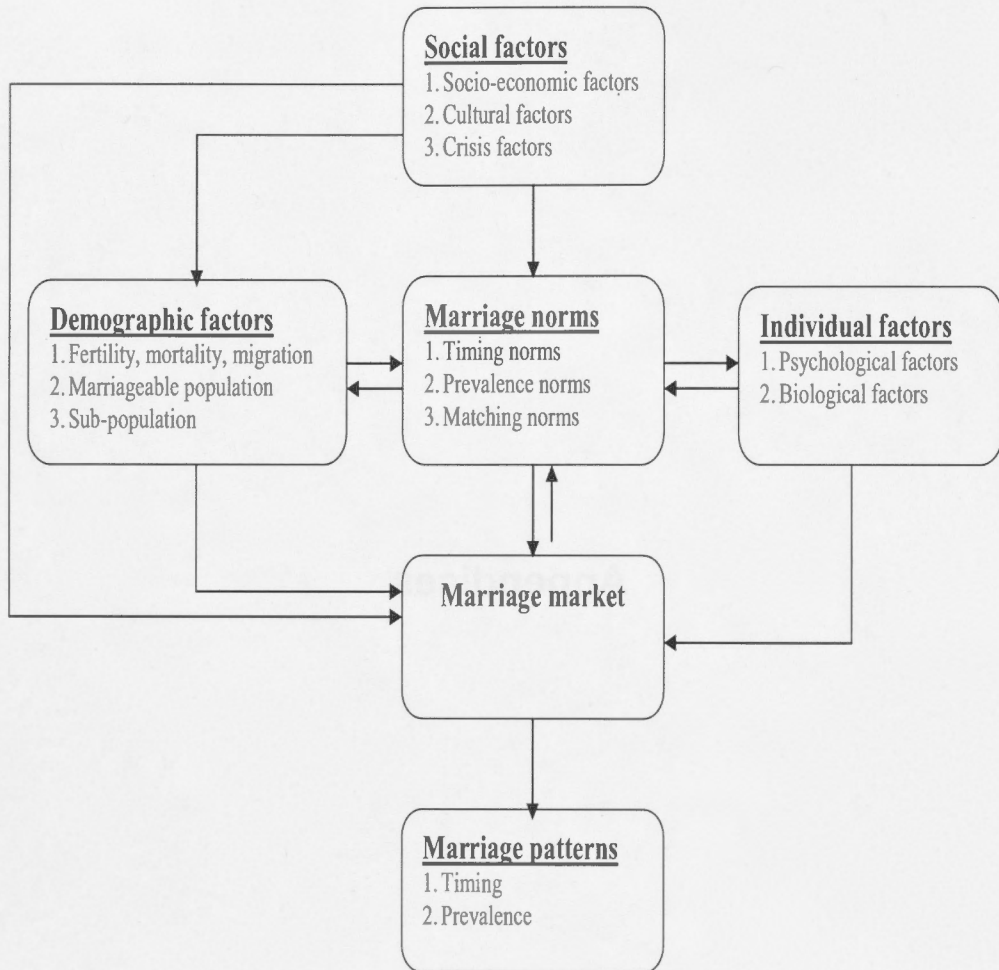
Appendix Figure 1: Operational framework for the study of marriage patterns

Date	Country	Activity	Location
7 March	Kenya	Initial data collection	Nairobi
10-16 March	Kenya	Interviews	Nairobi
24 March	Kenya	Interviews	Nairobi
25 March	Kenya	Interviews	Nairobi
26 March	Kenya	Interviews	Nairobi
26 March	Kenya	Interviews	Nairobi
24-27 March	Kenya	Interviews	Nairobi
28 March - April	Kenya	Interviews	Nairobi
26-27 March	Kenya	Interviews	Nairobi
1 April	Kenya	Interviews	Nairobi
1-3 April	Kenya	Interviews	Nairobi

Appendices

Appendix A: Tables and Figures

Appendix Figure 2.1: Conceptual framework for the study of marriage patterns



Source: Adapted from United Nations 1988, p.14.

Appendix Table 4.1: Brief itinerary for field visit 7 March to 24 April 2008

Date	Place	Organizations visited	Purpose
7 March	Canberra-Kathmandu		Travel
9-16 March	Kathmandu, Nepal	<ul style="list-style-type: none"> ▪ Nepal Health Research Council ▪ Central Bureau of Statistics (CBS) ▪ Central Department of Population Studies (CDPS), Tribhuvan University ▪ HUMAN - NGO working on humanity issues ▪ Ministry of Local Development, Government of Nepal ▪ Valley Research Group ▪ SATHI- NGO working in the field of women's empowerment ▪ Save the Children Sweden 	Collect data and reports
17-24 March	Janakpur, Nepal	<ul style="list-style-type: none"> ▪ Aasaman, Care-Nepal ▪ Sripurraj Community Development Centre, Saptari ▪ Prayas-Nepal, Janakpur 	“ ”
25 March	Kathmandu	Save the Children Sweden, Regional Office for South and Central Asia	Discussion on issue of early marriage and report collection
26 March	Kathmandu	Centre for Research on Environment Health and Population Activities (CREHPA), Mr. Anand Tamang and Dr. Mahesh Puri	Report collection
26 March	-do-	Family Health Division, Mr. Sharad Sharma-Demographer	To collect data on HMIS
25-27 March	Kathmandu	<ul style="list-style-type: none"> ▪ UNFPA ▪ Family Planning Association of Nepal 	”
28 March -1 April	Bangalore, India	CWC, Bangalore University	”
30-31 March	Bangalore	Bangalore University Library	To read PhD thesis on dowry and marriage
1 April	Bangalore	The Concerned for Working Children (CWC), Ms. Kabita Ratna-Communication Officer	To collect reports
1-3 April	Mumbai, India	International Institute for Population Sciences (IIPS), Deonar	To read PhD thesis and other reference on marriage and dowry

Appendix Table 4.1 (Continued)

Date	Place	Organizations visited	Purpose
4 April	Mumbai	Indira Gandhi Institute of Development Research (IGIDR), Goregaon	“
5 April	Mumbai	Tata Institute of Social Sciences (TISS), Deonar	To collect reports
7 April	Jaipur, India	Rajasthan University library	To read PhD thesis on dowry and marriage
8 April	Jaipur	People’s Union for Civil Liberty (PUCL), Ms. Kavita Srivastava, General Secretary	Talk on dowry and collection of reports
“	“	Save the Children in India and UNICEF Rajasthan	To collect study reports on early marriage in Rajasthan
“	“	Vishakha-Groups for Women’s Education and Research	To collect reports
9-11 April	Delhi, India	Jawaharlal Neharu University Library	To read PhD thesis on dowry and marriage
12 April	Delhi	Jagori – women’s training, documentation, communication, and resource centre, New Delhi	To collect reports
13 April	Delhi	National Child Protection Centre, New Delhi	To meet the chairperson Prof. Shantha Sinha
14 April	Lucknow, India	Population Research Centre, Lucknow University	To read PhD thesis on dowry and marriage
15 April	Lucknow, India	Sahayog, Lucknow based NGO	
16 April	Patna, India	Asian Development Research Institute (ADRI), Patna	To collect reports
17 April	Patna	Population Research Centre, Patna University	“
18 April	Kathmandu		Travel
23 April	Kathmandu - Canberra		Travel

Appendix Table 5.1: Estimation of total number of women in the NDHS if reflecting recent census based marriage patterns -- solving for missing women: $x = [(cs * Dw) - Ds] / (1 - cs)$

Age group	NDHS 2001 numbers recorded by age group ^a Dw	NDHS 2001 single recorded by age group Ds	NDHS 2001 proportion single in age group ^a ds	2001 Census Proportion single in age group ^b cs	Estimate of missing women x	Adjusted total NDHS 2001 women D'
15-19	2,335	1,394	0.60	0.77	1,756	4,091
20-24	2,001	342	0.17	0.35	543	2,544
25-29	1,744	78	0.05	0.12	140	1,884
30-34	1,464	37	0.03	0.04	24	1,488
35-39	1,191	23	0.02	0.02	5	1,196
40-44	1,042	11	0.01	0.02	7	1,049
45-49	849	12	0.01	0.01	0	849
All WRA	10,626	1,897	0.18		2,476	13,102

^a Figures are taken from 2001 NDHS report.

^b Figures calculated from 2001 Census report, Table 17, excluding marital status not stated.

Appendix Table 5.2: Estimation of total number of women in the NDHS if reflecting recent census based marriage patterns -- solving for missing women: $Dw' = Dw * (de / ce)$

Age group	NDHS 2001 numbers recorded by age group ^a Dw	NDHS 2001 percentage ever married in age group ^a de	2001 Census Percentage ever married in age group ^b ce	Adjusted total NDHS 2001 women Dw'	Implied Estimate of missing women x
15-19	2,335	40.30	23.00	4,091	1,756
20-24	2,001	82.90	65.20	2,544	543
25-29	1,744	95.50	88.40	1,884	140
30-34	1,464	97.50	95.90	1,488	24
35-39	1,191	98.10	97.70	1,196	5
40-44	1,042	98.90	98.20	1,049	7
45-49	849	98.60	98.60	849	-
All WRA	10,626			13,102	2,476

^a Figures are taken from 2001 NDHS report.

^b Figures calculated from 2001 Census report, Table 17, excluding marital status not stated.

Appendix Table 6.1: Percentage distribution of 14-22 year olds' attitudes towards virginity of girls until marriage by selected background characteristics, Nepal, 2000

Background characteristics	Whether agree or disagree that a girl should remain virgin until marriage						N
	Strongly agree	Somewh at agree	No opinion	Somewh at disagree	Strongly disagree	DK/ no response	
All respondents	88.0	5.6	1.5	1.5	1.7	1.6	7,977
Sex***							
Female	92.5	3.5	1.0	0.6	1.2	1.3	4,175
Male	83.0	8.0	2.1	2.6	2.3	1.9	3,802
Geographic region***							
Hills/Mountains	83.1	8.2	2.1	2.0	2.6	1.9	4,150
Terai	93.3	2.9	0.8	1.0	0.8	1.3	3,827
Caste group***							
Brahmin/Thakuri/Chhetri	88.9	6.0	1.1	1.3	1.9	0.8	2,622
Hills middle caste	79.6	9.8	2.5	2.7	2.8	2.6	2,142
Hills lower caste	90.4	3.7	1.5	1.0	2.1	1.3	519
Terai middle caste	92.0	2.5	1.5	0.8	1.4	1.8	723
Other Terai caste (unspecified)	93.4	2.6	1.0	1.0	0.5	1.4	1,550
Other caste	88.5	3.8	1.9	-	-	5.8	52
Muslim	96.2	1.1	0.5	0.2	0.3	1.6	369

χ^2 sig. value * $p < 0.05$; ** $p < 0.01$; *** $p < 0.001$; ++ $p > 0.05$

Source: 2000 NAYA data set.

Appendix Table 7.1: Percentage distribution of ever married women (15-49) according to marriage age difference with their spouse by selected background characteristics, Nepal, 2006

Background characteristics	Marriage age difference				N
	Husband 4+ years older	Husband 1-3 years older	Husband & wife of equal age	Husband younger than wife	
All women	50.3	35.9	6.9	6.8	8,243
Age group***					
15-19	51.1	40.8	6.4	1.8	787
20-24	48.7	39.3	7.1	5.0	1,642
25-29	47.5	39.1	7.2	6.2	1,659
30-34	48.7	35.4	7.7	8.3	1,264
35-39	50.3	34.3	7.1	8.3	1,155
40-44	54.8	30.6	6.6	8.0	976
45-49	55.8	27.2	5.7	11.3	760
Place of birth***					
Urban	56.3	32.4	6.6	4.7	2,176
Rural	48.1	37.2	7.1	7.6	6,067
Woman's education level (at the time of survey)***					
No education	48.7	36.5	6.8	8.0	5,069
Primary	49.5	35.5	7.7	7.2	1,413
Some secondary	54.7	35.5	6.6	3.2	1,182
High school & above	56.5	33.0	7.3	3.3	579
Religion***					
Hindu	50.3	36.7	6.8	6.2	7,209
Buddhist	44.9	29.2	10.4	15.5	566
Muslim	57.2	36.4	4.5	1.9	269
Others	54.8	27.1	6.5	11.6	199
Geographic region***					
Hills/Mountains	49.3	34.0	8.3	8.5	4,268
Terai	51.4	38.1	5.5	5.1	3,975
Caste group***					
Hills Janjati	49.6	29.1	9.3	12.0	2,104
Hills Dalit	50.7	38.4	5.9	5.0	758
Hills higher caste	53.6	34.6	7.0	4.8	2,837
Terai Janajati	38.9	42.9	7.9	10.2	1,084
Terai Dalit	45.2	48.9	3.7	2.1	374
Terai higher caste	56.0	40.8	2.3	0.9	750
Muslim	57.0	36.7	4.4	1.9	270
Economic status of HH***					
Poorest	47.9	34.8	8.3	9.0	1,745
Poorer	47.8	37.8	6.7	7.8	1,593
Middle	48.0	39.2	5.5	7.4	1,550
Richer	50.7	36.2	7.2	5.8	1,673
Richest	56.7	32.2	6.8	4.3	1,682

Note: χ^2 sig. value * $p < 0.05$; ** $p < 0.01$; *** $p < 0.001$; + $p > 0.05$

Source: 2006 NDHS data set.

Appendix Table 7.2: Coefficients, standard errors and R² from regression analysis for amount of dowry paid (girls) and received (boys) by selected background characteristics, Dhanusha, 2004

Explanatory variable	Statistic					
	Dowry paid (Girls) (NRs.)			Dowry received (Boys) (NRs.)		
	B	SE	Sig.	B	SE	Sig.
Marriage age	9,792	3,250	**	4,148	1,543	**
Education	34,862	16,265	*	20,035	12,969	++
Education of father	16,062	17,829	++	42,261	12,877	***
Education of mother	10,203	17,609	++	(15,947)	12,932	++
Whether Terai middle caste & Janajati	34,123	22,994	++	26,638	17,611	++
Whether Terai low caste	(22,882)	26,074	++	(18,899)	20,416	++
Whether Muslim	1,398	26,654	++	(9,145)	19,899	++
Constant	(135,086)	57,812	*	(70,533)	37,559	++
Model R²	0.175***			0.241***		

Note: Figures in parenthesis are minus values.

*p<0.05; **p<0.01; ***p<0.001; ++p>0.05

Source: 2004 Child Marriage Study data set.

Appendix B: News on early marriage published in newspaper

गर्भमा हुँदै विवाहको छिनोफानो

सुरेन्द्र सुवेदी, KANTIPUR

संखुवासभा, कार्तिक २ - छोरा जन्मने हो कि छोरी हुँगे नहुँदै गर्भमा रहँदा नै विवाहको छिनोफानो हुने अनौठो चलन यहाँका शर्पा जातिमा चल्दै आएको छ । यही चलनअनुसार चौध

वर्षघि गर्भमा रहँदै विवाहको छिनोफानो स्वरूप फूलमाला

गरिएको माया र फुछिरी शर्पाको हालै विवाह भयो ।

मावादिन-९ की माया शर्पा र जलजला-२ का फुछिरी शर्पा जन्मनुअघि नै बालबालिकाबीच विवाहका लागि फूलमाला गरिएको थियो । माया र फुछिरीका आमाहरू गर्भावस्थामा रहँदा जन्मेका बालबालिकाबीच विवाह गर्ने समाजले फूलमाला गरेको हो । गर्भवती महिलाबीच खादा लगाएर फूलमाला गरिन्छ ।

यसरी फूलमाला गरेपछि जन्मेका बालबालिकाले अन्यसँग विवाह गर्न पाउँदैनन् । यो चलन संखुवासभाका १२ गाविसमा बस्ने शर्पाहरूबीच चिद्यमान छ ।

माया र फुछिरीजस्तै संखुवासभाको मकालु गाविसका नर्बु र पासाङका आमाहरूले उनीहरू गर्भमै रहँदा फूलमाला गरेका छन् । नर्बु र पासाङ ८ वर्षीय भए । उनीहरूको ५-७ वर्षछि विवाह हुँदैछ । जिस्ताका करिब ७ हजार शर्पा परिवारमा जन्मनुअघि नै फूलमाला गर्ने चलन छ ।

शर्पा संघका अध्यक्ष रिजिन्जान शर्पाका अनुसार यसरी गर्भमै फूलमाला गरेर जन्मेपछि विवाह भएका सयभन्दा बढी तथ्य छन् । उनले भने, 'उनीहरू केटाकेटा वा केटीकेटी भएर जन्मेमा मीत लगाइन्छ ।' गर्भमा रहेको भ्रूण छोरा वा छोरी भएको जानकारी नभए पनि विवाहका लागि पहिल्यै फूलमाला गर्ने चलन सय वर्षघिदेखि चलेको उनले दाबी गरे ।

जलजला, मकालु, मावादिन, माग्लिङ, नुनढाकीसमेतका १२ गाविसमा शर्पाहरूको बसोबास

छ । उनीहरूको जनसंख्या

२० हजार बढी छ । यो संख्यामध्ये करिब ३० प्रतिशतले गर्भमै फूलमाला गर्दै आएको शर्पा विद्यार्थी मञ्चका महासचिव नर्बु शर्पाले 'धार्मिक मान्यताभन्दा पनि समुदायबीच सम्बन्ध नजिक्याउन यो चलन चलाइएको विश्वास गरिन्छ ।'

Posted on: 2008-10-19 01:06:44

Sherpas reside in 12 VDCs of the district including Jaljala, Makalu, Mawadin, Mamling and Nundhaki. Their population is more than 20,000. About 30% of this population has this tradition of exchanging garlands for their marriage when the babies are unborn, says Narbu Sherpa, General Secretary of the Sherpa Student Forum. He added 'it is believed that rather than religious reason or beliefs, it is mainly practiced to have strong relationship among the community members'.

"Marriage fixed when in womb"

Surendra Subedi, Sankhuwasabha, Kartik-2 (Kantipur Daily)

Sherpas have a tradition of finalizing marriage of an unborn baby even when the sex of the baby is not known. As per this tradition, marriage of Phuchhiri (boy) and Maya (girl) was solemnized which was finalized 14 years ago when their mothers had exchanged garlands.

Before the birth of Maya Sherpa of Mawadin-9 and Phuchhiri Sherpa of Jalajala-2, garlands were exchanged for their marriage. Mothers of Maya and Phuchhiri had exchanged garlands for their marriage as per the social norms. Both pregnant mothers exchanged garlands wearing a special dress 'khada'. Once the garland is exchanged, children after birth are not allowed to marry with others. This tradition still prevails among Sherpas of 12 VDCs in Sankhuwasabha.

As Maya and Phuchhiri, Narbu and Pasang's mothers of Makalu VDC had also exchanged garlands before their birth. Now Narbu and Pasang turned eight. They will be married within 5-7 years. This practice exists among about 7,000 Sherpa families in the district.

Rijinjan Sherpa, President of the Sherpa Association asserts that there are more than 100 cases of solemnized marriages which were finalized before their birth by exchanging garlands. He added, if the babies born are of the same sex, they are tied to *Mita* (intimate friend). He claimed that even the sex of the fetus is unknown; exchange of garlands among by the mothers has prevailed more than 100 years ago.

Appendix B. (Continued)

छ कक्षा नपुग्दै बिहे

कास

पाल्पा, चैत २७ - यासंघियाह घसलने यहाँको दोभान गाविसका अधिकांश बालबालिका शिक्षाबाट वञ्चित भएका छन् । सानै उमेरमा विवाह गरेपछि घरच्यवहार सम्हाल्नुपर्ने हुँदा उनीहरू पढाइ छाड्न बाध्य हुन्छन् ।

सदरमुकामबाट झन्डै ४५ किलोमिटर टाढा दोभानस्थित महापुर र हापुर गाउँमा बालविवाह प्रचलनले ६ कक्षामाथि पढ्ने लिकै कम छन् । अभिभावकमा घेतना अभ्यासले कलिनैमा विवाह गर्ने चर्चा समस्या रहेको स्थानीय बासिन्दा बताउँछन् । 'बालिकाको कक्षा ६ तपकदै विवाह हुने भएकाले पढ्ने रहर भएर पनि पाएक्या छैनन्,' गाउँकी अगुया महिला शोभा खड्काले भनिन्, 'सानैमा बिहे भएपछि घरच्यवहार घसाउने जिम्मा आउने हुँदा बाक्करु पनि भारततिर जाने गर्छन् ।'

गाउँमा ८ कक्षा पढ्ने एउटै छात्रा छैनन् । एक छत्रले मात्र प्रवेशिका गरेका छन् । गरिवीका कारण अधिकांश महिला निरक्षर छन् । 'घिडी पढ्न सक्ने एक दुई जनामात्रै होसन्,' गाउँ विकास महिला समूह हापुरकी सावित्रा थापाले भनिन्, 'अधिकांश बालबालिका घरको कामचन्दा र दुईछाकको जोसले गर्दा पढ्नतिर ध्यान दिन सकेका छैनन् ।'

गाउँलेले पढाइको महत्व नसुझ्दा यस्तो समस्या भएको हो । 'छोरीको जात अन्तै जाने, छोरा ५/६ पढेपछि भारततिर कामाई गर्ने जान्छन्,' हापुरकी विमला केसीले भनिन्, 'यही सोचले पछि परिणत ।'

त्यसो त गाउँनजिकै विद्यालय नहुँदा पनि कतिपय बालबालिका स्कूल जानबाट वञ्चित छन् । हापुर र महापुरबाट थानीडाँडा निमावि कन्याहला पुग्ने दुई घन्टा लाग्छ भने शिशुज्योति प्रायि इकेगाउँ जान पनि उतिकै समय लाग्छ ।

यी दुई गाउँमा पढ्ने उमेरका ५० बालबालिका भए पनि नियमित २० जनामात्र विद्यालय जाने शिक्षाक कृष्ण खड्काले जनाए । क्षेत्री र भगुरको बाहुल्य गाउँमा घेतना अभ्यासले शिक्षाप्रति त्यति ध्यान नदिने सामाजिक खोल विकास केन्द्रका थोपलाल गिरीले बताए ।

Posted on: 2009-04-09 19:24:31

'This is because of lack of awareness among the villagers. Daughters are properties of others who go elsewhere after marriage, sons after studies of 5-6 grade go to India for labor work', says Bimala KC of Hyapur, 'we are backward due to this attitude'.

This is further compounded by lack of school nearby the village. Both Thanidanda Lower Secondary School and Shishu Jyoti Primary School Dadhegaun are located at a walking distance of two hours from Hyapur and Mahapur. Although there are 50 children of school age, only 20 attend school regularly, says Krishna Khadka, a local teacher. Choplal Giri, member of the Social Resource Development Centre added that due to lack of awareness, the village dominated by Magar and Chhetri are less conscious about educational development.

"Married before reaching grade six"

Kantipur Correspondent, Palpa, Chaitra 27

Majority of children of Dobhan VDC are deprived of education because of the tradition of early marriage. Due to early marriage, children become responsible for household chores and are forced to discontinue their schooling.

There are only few children studying beyond grade 6 from Mahapur and Hyapur of Dobhan VDC, just 45 km from the district headquarter. Because of lack of awareness among the parents, early marriage has been a critical issue, say the local residents. As girls are married before reaching grade 6, girls who have desire to study are also deprived of education, says Shova Khadka, a women leader from the village, 'due to marriage at young age, boys also migrate to India as they have to shoulder the responsibility to manage the household'. Not a single girl from the village is currently studying at grade 8. Only a girl has completed SLC. Majority of women are illiterate due to poverty. 'Only a few [women] can read a letter', says Sabita Thapa, member of the Village Development Women Group of Hyapur, 'the majority of children are not able to continue their schooling due to pressure of household chores and difficulty of hand-to-mouth problem'.

Appendix B. (Continued)

चेपाङ्गमा बालविवाह प्रथा कायम

प्रताप बिष्ट

मकवानपुर, वर्षमा ३ सन्तानको आमा बनेको सुन्दा नौलो सारल चेपाङ्ग समुदायमा भने सामान्यझैं लाग्छ । कंकडा-८ पिराङ्गको चमेली चेपाङ्गले १५ वर्षमा जुम्ल्याहा छोरी जन्माइन् । १६ वर्ष पार नगर्दै उनी ३ सन्तानकी आमा बनेकी छन् । बाआनाले उनी १२ वर्ष पुग्दा नपुग्दै ३ वर्ष जेठा गाउँकै केटासँग विवाह गरिदिएका थिए । विवाहको तेस्रो वर्षमा चमेलीले जुम्ल्याहा जन्माइन् । बालिकबाट किशोरी हुँदा नहुँदै आमा बनेकी उनको धर्ममा अहिते पौष्टिक आहार कमीले मुकेनाश लागेकी ५ महिनाको छोरी छन् । डेढ वर्ष दुई छोराको हालत पनि उस्तै छ ।

५ महिनाकी नाकी बोकी ८ घन्टा पैदल हिंडेर चामल लिन लोथर झरेकी चमेली १६ वर्षमा कुनै देखिन्छन् ।

बच्चा बोकेर कामका लागि थापान्न कार्यक्रमअन्तर्गत उनले बाटो खतेकी थिइन् । उनले भनिन्, 'बाटो खतेको चामल लिन आएको ।' उनका पति चित्तवन्तमा गहुँ काट्न गएका छन् ।

चमेली त एक पात्र हुन्, उनका अन्य दाँतरी पनि बध्या बोकेर चामल लिन आएका थिए । उनीहरूको उमेर पनि चमेलीकै बराबर छ । ६ जनाको २२/१३ कै उमेरमा विवाह भएको र १५/१६ मा बध्या जन्माएका हुन् ।

सानैमा विवाह गर्नु हुँदैन भन्ने घेतना कसैमा छैन । उनीहरू लाग्ने कम्ममा बोल्छन् तर विवाह भएको उमेर र घरको अवस्थाकाबारे भने खुलस्त बताए । बाबुआमाले विवाह गरिदिए के गर्ने ? चमेलीसँगै उनया साथीले भने । कंकडा, राक्सिराङ, भारता, कालिकाटार, खैराङ गाविसलगायत चेपाङ्ग बाहुल्य क्षेत्रमा बालविवाह प्रथा अझै कायम छ ।

छोरीको बिहे सकेसम्म १२/१३ वर्षमा गरिदिने चलन चेपाङ्ग जतिमा रहेको नेपाल चेपाङ्ग संघका केन्द्रीय अध्यक्ष गोविन्दराम चेपाङ्गले बताए । बालविवाहका कारण चेपाङ्ग महिलाहरूले विविध खाले समस्या भोग्नुपरेको छ । पूरै समुदायमा यो प्रथाले गाडेको जरा अझै निस्कन सकेको छैन । त्यसो त परिवार नियोजनबारेमा उनीहरूमा धम छ । प्राथमिक स्वास्थ्य केन्द्र मनहरीका स्वास्थ्यकर्मी जनक अधिकारीले भने, 'कसै भन्ने दाकेको छ, कही पहुँच नै छैन ।'

यो समुदायमा रहेको बालविवाह, परिवार नियोजनबारे धम, प्रजनन स्वास्थ्यमा अनभिज्ञता, अतिचक्रमा गर्भधारण र सरसरफाइ तथा स्वास्थ्यसम्बन्धी ज्ञान अभाव तथा खाद्य असुरक्षितताका कारण महिला र बालबालिकाको अग्रगण्य अत्यन्त नाजुक रहेको हेटोडो अस्पतालका ड.

'Tradition of child marriage prevails among the Chepang'

Pratap Bista, Makwanpur

Becoming mother of three children in a year seems unbelievable; among the Chepang this is common. Chameli Chepang of Dhirang, Kankra-8 gave birth to twin baby boys at age 15. Before reaching 16, she is now mother of three children. Her parents had married her at age 12 to a boy, three years older than her, from the same village. Within three years of her marriage, she gave birth to twin babies. She who became mother without transition to teen age is now rearing a 5 month old daughter who is suffering from underweight malnutrition. Two sons aged a year and half are also in the same status...

Nobody is aware that marriage should not be arranged at a young age. They are shy to speak up, but openly share about marriage age and status of the household. 'Parents arranged our marriage, what can we do?' say Chameli and her friend together. Early marriage is common in VDCs such as Kankda, Raksing, Bharta, Kalikatar, and Khairang dominated by the Chepang. 'Chepangs have the tradition of arranging marriage of their daughters at ages 12-13', says Govindram Chepang, National President of Chepang Association. The Chepang women suffer from various types of health problems because of early marriage. This tradition is deeply rooted in the Chepang community and has been difficult to uproot it. They are misled about the family planning and contraceptives, says Janak Adhikari, the health worker at the Manahari Primary Healthcare Centre, 'some are misled, and some are out of accesses'.

...

Appendix B. (Continued)

जहाँ सानैमा कुरा छिनिन्छ

राजेन्द्र मानन्धर 2007. 11. 09

दोलखा, कार्तिक २३ - कालिञ्चोक क्याम्पोलकी १२ वर्षीया तुलसी थामी दूरूँइ वर्षधि बेगम्बाका एक युवककी भइसकेकी छन् । ती युवकले बिहे गर्नका लागि उनको घरमा दबाव दिन थालिसकेका छन् । उनी गत वर्षपरमा काम गर्न पनि गइन् ।

पढ्न जाने यो उमेरमा यी बालिकालाई माइतीबाट कहिलेकाहीँ घरको काम गर्न पठाइन्छ । उनी १० वर्षी हुँदै बेगुम्बास्थित १६ वर्षीय युवकसँग विवाहको कुरा छिनिएको थियो । त्यसैले उनलाई माइत र घर दुवैतिरको कामको चटारो हुने गर्छ ।

खेती सुरु गर्दा र लिज्याउँदा कुरा छिनेको केटाको घरमा काम गर्न जानु उनको संस्कारगत बाध्यता हो । कुरा छिनेपछि थामीहरूमा अन्य जातिको जसरी बिहे गरिरहनु पर्दैन । केटाको घरमा गएर काम गर्नसक्छ । 'घर लान दूरूँइपटक केटा आउँदा पनि गएकी छैन,' बिहान बाल कक्षा पढ्दै नरेकी तुलसीले भनिन् ।

दोलखाको उत्तरी दूरूँगम कालिञ्चोक गाउँका थामी समुदायमा बाल विवाह गर्ने उनी एकौ होइन् । कुरा छिनिसकेका उनीजस्तै बालिकाहरू र बालकका लागि बिहेको चल्तपहल सुरु हुन थालिसकेको छ । १५ वर्षुनिकै उमेरमा बिहेको कुरा छिनिसक्ने हुँदा यहाँका विशेष गरेर बालिकाका लागि पढाइ बिरुने गरेको छ ।

घरिफोटबाट ११ कोस उत्तरमा रहेको यो गाउँका धेरैजसो बालिका अरु कसैको भइसकेका छन् । गाउँका ९ देखि १५ वर्षउमेरका क्याम्पोलका ११ र बेगुम्बाका ७ बालिकाको आउँदो मंसिरमा बिहे गर्नसक्छे दबाव आइसकेको छ ।

एघार वर्ष उमेरमा बिहेको कुरा छिनिएकी कालिञ्चोक-३ बेगुम्बाकी १५ वर्षीया ताराकुमारीलाई बस्रैँडे घरबाट लिन आउने गर्छन् । 'सधैँ' हेइन्त बेला-बेलामा काम गर्न जाने गरेकी कु, उनी भनिन्छ ।

थामी समुदायमा केटाले मन परापछि केटी आग्न दूरूँइ बोतल रक्सी लिई जाने चलन छ । केटा पहाले रक्सी आँगनेमा राखेर 'तपाईंको घरमा कमलको फूल फुलेको रहेछ हामीलाई दिनुस्' भनेर प्रस्ताव नरेपछि बिहे गर्न संतमा दिने गरिन्छ ।

'Where marriage is finalized at young age'

Rajendra Manandhar, Dolakha, Kartik 23

Tulasi Thami, 12, of Kalinchowk Kyampol has been confirmed to marry a boy from Begamba two years ago. The boy has started pressuring the girl's family for arranging marriage. Last year, she did not go to her (to-be husband's) home to work.

At this schooling age, her parents send her sometimes to her [husband's] home to work. She was 10 when her marriage was finalized with a 16 year old boy from Begumba. As a consequence, she is over loaded with works of both her maternal and in-laws' home.

As a tradition, the girl whose marriage is finalized has to work at the boy's house at the time of plantation and harvesting. Among Thamis, solemnization of marriage is not required as in other caste. 'I have to go to the boy's home to work. I haven't gone even the boy came twice to take me his home', says Tulasa who is attending non-formal education class....

विवाह गरेकै कारण विद्यालयबाट निकालिइन् छात्रा

प्रदीप पाण्डेय, NAYA PATRIKA

11/12/2009 17:13:00

दाङ, २६ मंसिर : बिहे गरेको भन्दै दाङको एक निजी विद्यालयले सो विद्यालयमा अध्ययनरत एक छात्रालाई कक्षा प्रवेशमा रोक लगाएको छ । अनुशासन उल्लंघन गरी बिहे गरेको र यसले अन्य विद्यार्थीलाई असर गर्ने भन्दै ग्रेड अरनिको उमावि कक्षा दसमा अध्ययनरत छात्रा राधा शर्मालाई विद्यालय प्रशासनले कक्षा प्रवेशमा रोक लगाएको हो । दुई महिना पुग्नु लाग्दासम्म उनलाई कक्षा प्रवेश दिइएको छैन ।

३ कात्तिकमा तुलसीपुर-६ गोलौराका राम भण्डारीसँग भागी बिहे गरेकी राधा बिहेपछि विद्यालय जाँदा प्रधानाध्यापकले बाहिरैबाट फर्काइदिएको उनको परिवारले जनाएको छ । 'भर्खर विद्यालयको गेटबाटभित्र प्रवेश गरेकी थिएँ, पिरन्सिपल सरले तिमीले विद्यालयको हितविपरीत काम गर्नुथो, अब यस विद्यालयमा पढ्न पाउँदैनौं भनेर फर्काइदिनुभयो,' राधाले भनिन् ।

'छोरीलाई विद्यालयबाट फर्काउनुको कारण खोज्न विद्यालय पुगेकी थिएँ, पिरन्सिपल सरले तपाईंकी छोरीका कारण अन्य विद्यार्थी बिग्नन्छन्, हामी पढाउन सक्दैनौं, अन्य स्कुलमा लैजानुहोस् भनेर मलाई फर्काइदिए,' आमा बिमाले भनिन् । आफूले धेरै दुःख गरेर नर्सरीदेखि सोही विद्यालयमा पढाउँदै आएको बताउँदै शर्माले छोरीलाई जसरी भए पनि त्यही विद्यालयमा पढ्ने व्यवस्था मिलाइदिन सबैलाई आग्रह गरेकी छिन् । विद्यालयका प्रधानाध्यापक विष्णुकुमार देवकोटाले विवाहित विद्यार्थीका कारण अन्य विद्यार्थीलाई असर पर्ने भएकाले राधालाई विद्यालय नआउन भनिएको बताए ।

'मलाई पढ्ने रहर छ, विवाह गरेको मान्छेले पढ्न पाउँदैन र ?' राधाले भनिन् । प्याब्सन दाङका अध्यक्ष केशव थापाले बिहे गरेकै कारण विद्यालयले विद्यार्थीलाई पढाइबाट वञ्चित गर्न नमिल्ने बताए । 'यो विषयलाई आन्तरिक रूपमा बसेर मिलाउनुहोस् भनेका छौं,' उनले भने ।

'A girl expelled from school due to marriage'

Pradip Pandey, *Naya Patrika*, 11 December 2009.

A girl was prohibited from attending school by a private school administration because she got married while studying. The Grade Arniko Higher-Secondary School in Dang district prohibited Radha Sharma, a 10th grader from attending school, with a charge that she disobeyed the discipline and married which may have negative effect on other students of the school. It has been almost two months since she is not allowed to attend school.

Married to Ram Bhandari of Tulasipur-6 on 3 Kartik without parental consent after falling in love, when she went to school after marriage, the principal of the school had forced her to return home. 'I had just entered the school compound, the principal said you acted against the school's principles, you are not allowed to study in this school' says Radha.

'I went to the school to find out the reasons for not allowing my daughter to attend school, the principal said, because of your daughter, other students will have bad influence, we cannot teach her, take to another school' says Bima, mother of Radha. Bima has requested all concerned stakeholders to allow her daughter to study in the same school as her daughter had studied in that school from nursery level in spite of her financial difficulties. Bishnu Kumar Devkota, the principal of the school said that presence of married students in the school will have negative effect on other students, and thus, Radha was not allowed to attend the school.

'I am interested to study, can't a married person study?' questions Radha. Keshab Thapa, chairperson of the Private and Boarding School Organization of Nepal (PABSON) for Dang said that student should not be deprived of education because of marriage. 'I have asked to resolve this issue internally' says Thapa.

Appendix B. (Continued)

Kumal girls falling prey to 'snatch marriage'

SANUBABU TIMALSINA

DHADING, Jan 20 - Bijuli Kumal, a second grader at Pipaltar Lower Secondary School at Maidi VDC-9, was whisked away by a group of teenage boys from her village while returning home after school.

She was not kidnapped. Bijuli's parents found out the next day that she was forced to marry one of the boys who forcibly took her away. Bijuli's parents, however, did not press any charge against the boy or his family for forcing their minor daughter to marry their son, who happens to be a minor himself.

In Maidi VDC of Dhading district, stealing someone's daughter for marriage is a popular practice that started out of nowhere, say locals, but remained as their custom.

In the overwhelmingly Kumal community populated Maidi VDC there are many cases of "snatch marriage" where young girls as young as Bijuli are forcibly taken away by local boys, not quite older than the girl themselves for marriage. Such marriages are thriving in recent times.

"Snatch marriage is not our custom, but of late it has flourished so much that people from outside the community have come to think this is our traditional practice," says Ram Bahadur Kumal, an elderly local.

In the Kumal community, if a boy smears Sindoor (vermillion powder) over the head of a girl, it means that the girl has to accept the boy as her husband. The girl's parents then have to submit their daughter to the boy's family as bride.

Such jiffy, seemingly a piece-of-cake marriage that can be held on a shoestring budget without requiring the presence of a priest, wedding band as long rituals has encouraged very young boys and girls at Maidi VDC to tie the nuptial knot.

Another factor that has promoted this system of marriage and persuaded youngsters to adopt this practice is easy parental accept once.

"The fact that parents take this practice for granted has made this kind of marriage look like a customary thing and also encouraged the young ones," says Anju Ghimire, a teacher at Pipaltar Lower Secondary School.

She says the practice of early marriage has adversely affected the education of children as they stop attending school once they are married.

"By the time girl students reach fifth grade, there is a high chance of falling prey to snatch marriage," she says.

Posted on: 2009-01-20 18:55:46 (Server Time)

Appendix C: News on consequences of dowry published in newspaper

Another young woman dies in dowry related violence in Sarlahi

Thursday, 03 June 2010 10:52 - Last Updated Thursday, 03 June 2010 10:54

A young woman in Sarlahi district has succumbed to the injuries she received during a beating by her husband and in-laws Wednesday night.

Eighteen-year-old Manjula Devi Saha was verbally abused and then severely beaten up for not bringing enough dowry on Wednesday afternoon, reports quoted police as saying.

After falling unconscious through the physical assault, her in-laws had taken her to India for treatment the same evening.

Later they told the police that Manjula had died undergoing treatment in India and cremated there.

After Manjula's parent's filed a case of murder against her husband and in laws on Thursday morning, police have arrested father-in-law Rajbanshi Saha.

Meanwhile, Manjula's husband and mother-in-law are currently absconding.

Police said they are investigating the case to ascertain whether Manjula had indeed died of the beating.

A serious social stigma, dowry related violence that sometimes even lead to the death of the victims that are often women are widespread among many Madhesi communities in the Terai region. nepalnews.com

Man kills wife over dowry

POST REPORT , THE KATHMANDU POST

RAJBIRAJ, Nov 9 - A man dissatisfied with the dowry amount given to him during his marriage killed his newly wed wife in Saptari district Thursday night.

Binod Kumar Sah of Dadha area in Laxmaniya VDC-9 is accused of battering to death his 22-year-old wife Soni Devi, whom he married in June.

A police team from Kanchanpur Area Police Office that reached the site immediately after being informed about the incident found Soni Devi's half burnt body later the same evening.

According to police, Sah tried to burn the body with the help of relatives and neighbors after beating his wife to death.

Most of those who helped Sah in his heinous crime escaped soon after police reached the area. The whole village became almost empty of men after police took the case in hand, Milan Basnet, the inspector investigating the case said.

Basnet also said that more than two-thirds of the dead woman's body was already damaged when police found it.

Basnet further said that the body has already been sent to Sagarmatha Zonal Hospital for an autopsy and police have initiated a lookout for the suspects involved.

Posted on: 2007-11-09 20:36:12 (Server Time)

Faces of dowry in Mithila region of Nepal

Jayanti Jha

In ancient time, Mithila, the centre of Hindu culture and civilization, with Janakpur as its capital was ruled by the philosopher king, Janak, some 10,000 years ago. Now, "Mithila Region" covers Nepal's Terai Region and India's State of Bihar. Maithili, Bhojpuri, and Hindi are the commonly spoken in this region. Since Nepal-India border is open and no passport is required for the inhabitants of the two countries to travel across the border, marriage is quite common between the two countries. In certain pockets as much as 70 per cent of the marriages occur across the border in India while the remaining marriages takes place horizontally within the same district or among the different districts in the Nepal's "Mithila Region."

In Nepal's Mithilanchal region, the dowry system though prevailing since time immemorial has shown its ugly face mostly after 1960. Violence against the women in the form of mental and physical torture is a common affair. At times, the unlucky women not bringing enough of dowry from the parental house are even burnt or smothered alive! This ugly phenomenon, though not most common, takes place sporadically in the birthplace of Sita, the daughter of Mithila married to the Ramayanic hero Lord Ram.

Dowry is defined differently by different people. Generally, it is perceived as the property brought by a bride at the time of marriage. It may consist of both movable and immovable property. Dowry, in our country, is a part of a social custom and tradition. However, the pious wish behind the dowry is forgotten. It is no longer treated as security now as in the past but as a "free" wealth awarded to the bridegroom's family for owning a "son". Those girls who can't bring good dowry becomes disqualified to approach for well-to-do husbands no matter howsoever virtues they are.

In Mithilanchal, the common word used for the term dowry is "Tilak" or "Dahej". In Tilak, the bride has no right to enjoy the property that she brings from her parents' to the in-laws house. Tilak is the amount to multiply the wealth of the bride's in-laws. There is a feeling that marriage is not complete without dowry. It is hardly believed that a daughter might live and get settled happily after marriage without dowry. Therefore, each parent likes to give adequate dowry during the time of marriage to the daughter.

Apart from beauty and talent, a Maithil girl needs a huge dowry to get a suitable bridegroom. Girls, whose parents cannot fulfill the greed of in-laws for "more" Tilak have to bear "more" physical and mental torture. If a bride's guardian is not in a position to pay dowry in cash and kind, he has to manage it anyway either by taking loan or by disposing his land or other property. Many parents become paupers after paying large dowries to their daughters. And if they are unable to pay the agreed amount, the marriage may break down. Once the marriage proposal is broken, it doesn't affect much the guy's prestige, whereas it may create a lot of problems and inconvenience for a girl to get married with a suitable guy.

Now, dowry is a compulsion and as such a curse for women dignity and a great problem in the Mithila region. Not limited only to this fact, a bride has to hear from her in-laws and face serious consequence

Contd... from previous page

for not bringing "more" dowry.

Apart from dowry, the marriage procession and party expenses also need to be fulfilled by the bride's family, that also as per the expectations of the bridegroom's family. This demand of hospitality of big party is a serious burden to the bride's family both financially and otherwise. If everything goes as per bridegrooms' families wish, it's fine. Otherwise, it might invite problems in the relationship between the two families.

The dowry system has taken a deep root in the society. It is also said that the more the bridegrooms and his family are economically well off the more they are greedy for dowry. So the price of the boy, like that of a commodity or an animal, depends upon his property, educational background and the nature of his job.

It is a common practice in this culture if a guy who is by profession a doctor, he demands a girl of the same profession and his parent demands a huge dowry, just to compensate the amount they invested in his studies. They don't think even a bit that a girl's father also paid the same amount of money as they did. In spite of the girl being equally qualified and able as the guy, the girl's parents must pay a huge amount of dowry, else their daughter won't get married. The boy's family is in a win-win situation while the girl's family not only loses its educated daughter but also the money they invested for the daughter's education. This is the only reason why the girls are not being educated by their parents.

The parents do have the wrong perception i.e. "if a girl will be educated then they have to find a guy higher than their status, where the rate of Tilak will be above their reach". This seems the main reason behind their illiteracy. Another traditional and conservative thought is "what is the use to invest in girl education, because finally she has to leave the house taking a huge amount of Tilak with her. Unfortunately, there is no change in this thinking though the world has turned into a global village with the advent of transport and communication facilities and people touching moon or even mars.

Dowry is a means of high status symbol for the family who receives a huge dowry for the marriage of a son. Even the family who pays a hefty dowry to get a daughter married gets a boost in status. The land which was noted for philosophical and cultural superiority is dominated by materialistic way of life where the 'demand' for the dowry and its 'supply' dominates the social life.

However, there are some liberal families as well who do not take dowry. They silently revolt against the ugly form of dowry. Sometimes, taking advantage of this situation, the certain girls' families even do not perform the rituals properly in order to save their money. This in a way trims the voice of revolt against dowry. Isn't it shameful to make a foundation of modern society without giving up the conservative thinking? Except some liberal families, neither educated nor uneducated families have stepped forward to stop this social rogue.

Dowry has its impact mostly among the higher caste people, particularly among the economically affluent and politically powerful groups like Bhamins, Rajputs, Kayasthas, Bhumihars and Vaishyas. Because of demonstration effect, the other castes people, including the Dalits are also largely affected. So much so that even people of the hill origin are not untouched from dowry. Even among these people violence against women is perceptible, though it is not as common as in Mithilanchal.

For all practical purposes, coercion in dowry has spoiled the social fabric, particularly in the relation between the two families. In Nepal, coercive dowry is punishable by law, but it is not yet implemented in a proper way.

Now, we have entered into the 21st Century, the most modern age, where the word "marriage", is losing its dignity because of this dowry system. It is high time to raise a voice against it. If any effective step is not taken immediately, the situation might go beyond control and the girls and boys might become blind in selecting partners of 'temporary' nature, which might prove anti-thesis to the existing social fabric.

Young generation needs to work harder to revolt against this outmoded dowry system. This can be done by launching effective awareness campaign. All effective legal course should be implemented against the dowry 'takers' and 'givers'. This is only possible with proper education that is lacking a lot in the rural areas of Mithila. Education is the most valuable dowry given to a girl. No other material involvement can compensate it.

Appendix C: (Continued)

छोरा जन्मे सय, छोरी जन्मे पचास

बेचु गौड

नवलपरासी, पुस २१ - बडहरादुबाँयाकी चम्पा हरिजन आइतबार निरास मुहार बनाएर घर फर्किइन् । उनलाई कसैले गाली गरेको भने होइन् । 'छोरी जन्मी,' उनले दुःखेसो गरिन् । गाउँमा कसैका छोरी जन्मिए उनी यसैगरी निरास हुन्छिन् । छोरा जन्मे भने खुसी मनाउँछिन् । उनी गाउँकी सुँडेनी हुन् ।

सुँडेनीले गाउँमा सुत्केरी गराउने काम गर्छन् । छोरा जन्मिए उनीहरूले बढी ज्याला पाउँछन् । छोरी जन्मिए त्यसको आधामात्र पाउँछन् । 'छोरीको ज्यालै कम्ती,' चम्पाले सुनाइन्, 'छोरा होस् या छोरी । मेहनत भने उतिकै लाग्छ ।'

यो ६५ वर्षीया वृद्धा ४० वर्षदेखि सुँडेनी काम गर्दै आएकी छन् । उनका अनुसार सुत्केरी गराउन बोलाएका घरमा छोरा जन्मिए बाबुआमा खुसी भएर सय रुपैयाँ पारिश्रमिक दिन्छन् । 'यो त नियमै हो,' रामग्राम नगरपालिका-१ सहुवाटिकरका गोरे कामी भन्छन्, 'छोरी जन्मेमा बिहे गर्दा दइजो दिने लेठो लाग्छ भनेर सबै निरास हुन्छन् । त्यसैले ज्याला कम दिने नियम बनेको हो ।'

रामग्रामकी सुँडेनी मुराती हरिजनको समस्या चम्पाकै जस्तो छ । छोराछोरी जन्माउन उतिकै समय लागे पनि पाउने ज्याला घटीबढी छ । 'छोरा पाए ज्यालाभन्दा केर्यो गुना बढी कपडालगायतका उपहार र मीठो खाना पाइन्छ,' उनले भनिन्,

'छोरी पाउँदा पाउने ज्यालासमेत मुस्किलले मात्र पाइन्छ ।' चार महिनाअघि छोरी जन्मिँदा गोरेले ५० रुपैयाँ ज्याला दिएको बताए ।

तिनैले ३ वर्षअघि छोरो जन्मिँदा सुँडेनीलाई सय रुपैया दिएर मासुभात खुवाएका थिए ।

तराईमा छोरी जन्मिए बोझका रूपमा लिने परम्परागत मान्यताले गाउँमा सुत्केरी गराएर हिँड्ने सुँडेनीहरूले पाउने ज्यालासमेत फरक भएको हो । छोरी जन्मिँदा शिशु र आमालाई समेत नकारात्मक दृष्टिले हेर्ने चलन मधेसमा अझै छ । रामपुर खडीनाकी एक महिलाका अनुसार उनले छोरी जन्माएकाले श्रीमान् र सासूले सुत्केरी अवस्थामा अघाउजी खानसमेत दिएनन् । मधेसमा रहेको देहेज प्रथा अन्त्य भए सुँडेनीले समान ज्याला पाउने स्थानीय बुद्धिजीवी बताउँछन् ।

Posted on: 2009-01-05 20:19:54

'NRs 100 for a boy's birth; NRs 50 for a girl's birth'

Bechu Gaud, Nawalparasi, 20 May 2009.

Champa Harijan, of Badaharadubauyi returned home sadly. She was not called bad-name, however. 'A girl was born', she regretted. When a baby girl is born in the village, she becomes sad like this. She becomes happy followed by the birth of a baby boy. She is a traditional-birth-attendant (TBA) in that village.

TBA assists women during childbirth in the village. When a baby boy is born, they get more wages; when a baby girl is born, they get only half of that. 'Birth of a baby girl deserves fewer wages', complained Champa, 'whether is a boy or a girl, labor is the same'. Champa, 65, has been working as TBA since last 40 years. According to her, when a baby boy is born, the parents happily give NRs 100 as wage. 'This is a common rule', Gore Kami of Sahuwatikar, Ramgram Municipality-1 says, 'followed by birth of a baby girl, parents become sad as they are worried about the prospect of dowry in their marriage. Because of this, a rule for lower wage is in practice'.

Murati Harijan, another TBA in Ramgram has also similar experience. Even equal time is consumed during the birth of a boy and a girl, the wage is different. 'Followed by the birth of a boy, we receive more than the wage as good food and clothes as gift' she says, 'during the birth of a girl we receive the wage even with difficulty'. She said she received NRs 50 from Gore four months ago during the birth of a baby girl. Gore had offered her goat curry and rice on top of NRs 100 as wage three years ago during the birth of a baby boy.

The wage for TBAs is different because birth of a baby girl is assumed as a liability and burden in the Terai. Followed by the birth of a girl in the Terai, both the newly born baby and mother are neglected. A woman in Rampur Khadauna said her husband and mother-in-law even did not give her enough food to eat followed by birth of a daughter. Only after abolition of dowry system in the Terai the TBAs will get equal wages, the local elites say.

Appendix C: (Continued)

The fairer the groom the bigger the tilak

BY UPENDRA LAMICHHANE, KANTIPUR ONLINE

NIJGADH, BARA, Dec 16 - If you are a grownup male and ready to tie the nuptial knot this season, what is your asking price?

Although it may sound odd to set a "price" for the would-be groom before a marriage deal is clinched, it is common practice among people of the Madheshi community in Bara and Parsa districts.

According to locals, the price (more popularly known as "tilak") varies depending upon, inter alia, the groom's education and qualifications, employment status, physique and complexion.

"They set their man's tilak at Rs 50,000 and asked me to furnish the amount during the marriage," said Gena Dhanuk of Chornik village in Parsa. "Later, I married off my daughter to another candidate as I couldn't afford the sum demanded by the first one."

He also disclosed that his daughter's marriage to the second man was possible as his tilak was set at a more "affordable" Rs 25,000.

"Doctors, engineers and lawyers command handsome tilaks," he informed. "And if the groom has already joined government service, he too surely deserves a good dowry."

However, there are many locals who are unhappy with this dowry system.

"When our only daughter is getting married, it's natural to offer a good tilak," said one local man of the same village who did not want to be named. He, however, conceded that he had to sell ancestral land in order to manage the tilak.

This system is not only rampant in the Madheshi community, it is nowadays becoming commonplace in some dalit and ethnic communities also.

In the Mushahar and Chamar communities, a groom's tilak ranges from Rs 5,000 to 15,000.

"If the boy is of a fair complexion, it adds Rs 24,000 to his tilak," said Matar Majhi Mushahar of Parasawa in Parsa. "If he is literate, we have to throw in a bicycle as well."

Although some NGOs sometimes organize protests against dowry, indifference among the locals and an uncooperative attitude have resulted in this practice spreading fast.

"Almost all the locals, especially those with many sons, have been keeping mum over the issue in the hope of getting good dowries," said one.

"If the groom is from across the Indian border, the tilak is also dealt with in Indian currency," said a local from a border village in Bara district. "And at sometimes, they also demand motorbikes and other vehicles."

The prevalence of dowry has brought abiding distress for many parents who are unable to marry off their daughters due to their poor economic situation.

"Along with spreading awareness, a strong legal provision is necessary for stopping such practice," opines Binod Pyakurel, Bara chapter president of the Federation of Nepalese Journalists.

Posted on: 2006-12-16 21:35:28 (Server Time)

Appendix C: (Continued)

Husband kills wife for Rs. 5,000

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POST REPORT

RAUTAHAT, JAN 28 -

A man allegedly murdered his wife in the district's Santapur VDC over a dowry row on Wednesday night.

Ram Bachan Sah of Santapur allegedly killed his 19-year-old spouse Manjudevi and has been absconding, along with his family since the incident, investigating police said.

Although a police team from Area Police Office Chandranigahapur reached Santapur upon learning about the killing, it failed to recover the victim's body. On Thursday, investigators found some remains of a body in a nearby forest. "We have recovered some bones from the forest where the perpetrators burnt the body," said Police Inspector, Arun Bhandari.

Sah was promised Rs. 15,000 as dowry when he tied the nuptial knot with Manjudevi four years ago. However, the bride's parents could not provide him Rs. 5,000 due to poor economic conditions.

"He frequently demanded the amount and used to torture her. He murdered my sister for Rs. 5,000," said the victim's brother, Shambhu Sah.

Meanwhile, police nabbed Patilal Sah, the victim's father-in-law, who was taking refuge in another house in the village. Investigations in the case are ongoing, said the police.

Woman killed over dowry

३

Himalayan News Service
2010-05-07 1:29 PM

RAUTAHAT: Twenty-year-old Sukantidevi of Laukaha VDC, Rautahat, was killed in cold blood on Thursday night for not bringing 'enough dowry'. Father-in-law Ramkebal Ray Yadav, husband Ram Binaya, brother-in-law Ramadhar, sister-in-laws Devi and Prabhadevi hanged Sukantidevi to death after beating and torturing her for days, police said quoting neighbours. Sukantidevi was married to Ram Binaya last year. Police have arrested Ramadhar and Prabhadevi, whereas Ramkebal and Ram Binaya are absconding.

Appendix C: (Continued)

प्रजिअले नै दिए कार दाइजो

शिव पुरी , KANTIPUR

रौतहट, दाइजो नियन्त्रण गर्ने जिम्मेवारीमा रहेको प्रमुख जिल्ला अधिकारी स्थायले छोरीको विवाहमा कार दाइजो दिएपछि जिल्लावासी अचम्ममा परेका छन् ।

सदरमुकाम गौरमा प्रमुख जिल्ला अधिकारी कमलेश्वरकुमार सिन्हाले आफ्नो सरकारी निवासमा छोरी डाक्टर कविता सिन्हाको विवाह महोत्सवीका चिकित्सक सुवास पाण्डेसँग बुधबार गराएका थिए । उनले विवाहमा झन्डै १३ लाख पर्ने मारुती अल्टो कार दाइजो दिएका हुन् । प्रधानमन्त्रीले केही महिनाअघि दाइजो प्रथा उन्मूलन गर्ने घोषणा गरेका थिए ।

प्रजिअ निवास अगाडि रहेको कारागारको कम्पाउन्डमा नयाँ कारमा नम्बरसमेत लेखिएको छैन । 'छोरीलाई दाइजो दिन कार किनेको हुँ,' सिन्हाले भने, 'जति सकियो ल्याति दिए ।' दाइजोका बारेमा

उनले अरु बलाउन चाहैन । विवाह कै दिन भएकाले धेरै कुरा गर्न उनले चाहैनन ।

गौरमा विवाह भोजका लागि उनले मंगलबार नै आफन्त र शुभेच्छुकलाई निमन्त्रणा गरेका थिए । वर्षदिखि लेउ सार्नेको प्रजिअको निवास विवाहका लागि रंगिएर दुबहीजस्तै सजिएको छ । 'विवाह नभएको भए यो भवन रङरोगत हुँदैनथ्यो होला,' प्रजिअ निकट एक कर्मचारीले भने, 'सबै काम समय आएपछि मात्र हुन्छ ।'

रौतहट थार एसोसिएसनका अध्यक्ष रामसहायराय यादवले दाइजो प्रथा विराधी कानूनलाई यसले भङ्गी उठाएको छ । 'प्रमुख जिल्ला अधिकारीले नै यसलाई अटेर गरेपछि अरुले के गर्लान्,' उनले कान्तिपुरसँग भने ।

Posted on: 2009-05-20 21:48:46

'CDO gave a car as dowry'

Shiv Puri, Rautahat, Kantipur, 20 May 2009

Local residents are astonished by the news that the Chief District Officer (CDO), a responsible government official for implementation of the law on marriage and dowry, gave a car as dowry in his daughter's marriage.

Kamleshwor Kumar Sinha, CDO of Rautahat district solemnized marriage of his daughter, Dr. Kavita Sinha, with Dr. Subash Pandey of Mahotari on Wednesday, at his government residence in Gaur, the district headquarter. He provided a Maruti-Alto priced at NRs 1.3 million as dowry. Few months before, the prime minister had announced abolition of dowry in Nepal.

In the ground of the district prison, in front of the residence of the CDO, the car is without the number plate. 'I have bought this car to give as dowry to my daughter', Sinha says, 'how much I could afford, I gave'. He did not want to talk any more about dowry. Since it was wedding day, he did not want to talk more....

Ramsahaya Ray Yadav, chairperson of the Nepal Bar Association said this is a joke on the Nepalese laws against dowry. He told the *Kantipur* reporter, 'since the CDO does not follow this, what will other people do'.

Appendix C: (Continued)

दाइजो र भोजले खर्च बढ्यो

कल्पना घिमिरे

काठमाडौं, कोटेश्वरका सुरेन्द्रमान शाक्यले गत शुक्रवार छोरीको विवाह सिध्याए ।
बिहे सामान्यखासको थियो तर, पाँच लाख रूपैयाँ खर्च भयो ।

'सामान्य बिहे गर्दा पनि पाँच लाख खर्च भयो,' उनले कान्तिपुरसँग भने । एकली
छेरी कसरी खाली हात पठाउनु भनेर पनि खर्च बढेको उनी बताउँछन् । छोरी लिन
जन्तीमात्र एक सब ५० आर्थक थिए । दुलहीका नातेदार पनि उति नै थिए ।

भक्तपुर बालकोटकी शारदा घिमिरे एक सातापछि हुने आफ्नै बिहेका लागि
किनमेल थन्काउन गरिरहेकी छन् ।

उनी भनिन्छन्, 'विवाह ठूलो गर्ने तर्फ छैन तैपनि छ लाखजतिको खर्च अनुमान
गरेकी छु ।' देउडासमेत दुई सयसम्म जन्ती आउने उनले अनुमान लगाएकी छन् ।

लगनको महिना भएकाले राजधानीमा विवाहको घल्लपल्ल बढिरहेको छ । छोरा या
छेरी

दुबैको विवाहमा आफन्त तथा निन्तालुको जमघट देखिन्छ । बिहेको खर्चपर्चा थ
दाइजोको चलनले कतिलाई छेपछेरीको बिहे उताले हल्केसम्मै परिरहेछ ।

प्रधानमन्त्री पुष्पकमल दाहालले माघ १२ मा गरेको सम्बोधनमा एक साताभित्र
दाइजो प्रथा पूर्ण त

निषेध गरिने र भोजमा ५० जनाभन्दा बढीको जमघट हुन नपाइने घोषणा गरेको
पनि तीन महिना भित्तिसम्मै ।

तर, यस सम्बन्धमा कुनै नियम थप्न नसकदा यो घोषणा कार्यान्वयन हुनसकेको
छैन । महिला शाल्मालिका तथा समाज कल्याण मन्त्रालयकी सचिव शिन्धा साइले
आफूसँगै यस सम्बन्धी कुनै जानकारी नभएको बताइन् । उनले भनिन्,
'मन्त्रपरिषद् र गृहमन्त्रालयमा के भइरहेछ, हामीलाई जानकारी आएको छैन ।'

मन्त्रपरिषद्को योजना शाखामा कार्यरत एक कर्मचारी भने महिला मन्त्रालयले
कानुनको ड्राफ्ट तयार पारेर ल्याएपछि मात्र नियमावली बन्ने बताउँछन् । उनका
अनुसार कानुनको ड्राफ्ट अझै बनेको छैन । नियमावली के बन्ने विषयमा महिला र
कानुन मन्त्रालयले छलफल गरी तयार पारेको ड्राफ्ट मन्त्रपरिषद्मा जाने उनले
जानकारी दिए तर महिला मन्त्रालयकी सचिवचारिँ यसलाई मन्त्रपरिषद्को हेर्न
बताउँछिन् ।

'Marriage expenditure soared due to dowry and feast'

Kalpna Ghimire

Surendraman Shakya of Koteswor, Kathmandu, solemnized marriage of her daughter on last Friday.
The marriage was an ordinary one, but the expenditure reached NRs 0.5 million.

'Even in an ordinary marriage, the expense was NRs 0.5 million', he told the *Kantipur* reporter. The
expenditure soared as he could not send his only daughter empty handed, he said. The number of
groom's guests in the procession was 150. The relatives of the bride were also in the same number.

Sharda Ghimire of Balkot, Bhaktapur, is also busy in shopping for her own wedding to be held after a
week. 'I have not thought of a lavish marriage, but she has estimated an expenditure of about NRs 0.6
million' she said. She has guessed the number of groom's guests between 150 and 200.

Because of auspicious month for wedding, there is increased engagement of people in marriage related
activities in the capital. The relatives and invitees gather both in boys and girls marriage. Because of
escalating marriage expenses and dowry, many parents are stressful in arranging marriage of their
children.

It has been three months since Puspa Kamal Dahal, the prime minister, announced ban on dowry and
limiting the number of invitees in any feast to 50. But, since there is no formulation of rules and
regulations related to this announcement, it has not been enforced. Bindra Hada, Secretary of the
Ministry of Women, Children and Social Welfare, said she was not aware of this. 'What's going on in
the cabinet and Ministry of Home Affairs, we are not informed', she said....

Appendix C: (Continued)

दाइजोको घपेटामा तराई

मनिका झा, KANTIPUR

जनकपुरधाम, फागुन १० - सडक विभागमा ओभरसियर पदमा कार्यरत यहाका दीपक झाको बिहे गर्ने उनका अभिभावकले केटी पक्षसंग पहिले ३ लाख नगद मागेका थिए । अहिले उनको माग बढेको छ । अब उनी ७ लाख रुपैया नपाई बिहे नगर्ने भएका छन् ।

त्यस्तै केहि दिनअघि एक माध्यमिक विद्यालयमा स्थायी जागिर पाएका सुमन चौधरीले ५ लाख नगदबिना विवाह नगर्ने सोच बनाएका छन् । उनलाई यत्रो रकम दावी गर्ने सालस सरकारी जागिरले दिएकाे हो ।

मधेसी समुदायमा एकअन्दा अर्कोले बढी दाइजो तिने फेशन बनेको छ । 'दाइजो नमाने केटा केनजोर रहेछ अन्छन् । जति बढी माग्ने सक्थो उति असल कहिन्छ,' चौधरीले भने ।

कान्छी छोरीको बिहे यसैपालि गर्ने सोच बनाएर केटा खोज्न निस्किएका दीनानाथ चौधरी निराश भएका छन् । उनले भने, 'छोरी हुनु निकै पौष्टदायक भएको छ । एउटी छोरीको बिहेमा आधा जग्गा बेचे । अर्कीका लागि बस्दै आएको घर बेच्नुपर्लाजस्तो छ ।'

प्रधानमन्त्री पुष्पकमल दाहालको दाइजो निषेध गर्ने घोषणा यहाका कार्यन्वयन हुने छाट्टे छैन । 'कान्छा केटा'दे गर्छ, पिना सुक्दै गर्छ, एक युवाले भने, 'यस्तो घोषणा पहिले पनि गरिएको हो । यो पया त्यति सजिलै रोकिने छाट्टे छैन ।'

बिहेको लगन भएको फागुन महिनामा मधेसमा कति चेलीको बिहेका लागि उनीहरूका बाबु जमिन बेचन बाध्य भएका छन् । प्रधानमन्त्रीको घोषणालाई सरकारी कर्मचारीले नै चुनौती दिइरहेका छन् । सरकारी जागिरकाे दाइजोको माग अरुअन्दा बढी हुने गरेकाे छ ।

कुनै रोजगार नभएको केटाको यियाइमा दाइजोको माग सामान्यतः अर्धई लाख रुपैया हुने गर्छ । सरकारी नोकरीमा रहेको केटाको भने ५ लाख रुपैया अन्दा कम हुँदैन ।

'Terai trapped in dowry'

Manika Jha, Janakpurdhama, 19 February 2009.

Parents of Dipak Jha, an overseer, working at the Division of Road, had claimed NRs 0.3 million from the bride's parents. Now his demand has gone up. Now he is demanding NRs 0.7 million to get married.

Similarly, Suman Chaudhary, who got a teacher job in the government school few days before has determined to get NRs 0.5 million to get married. He got this confidence to claim such a huge dowry because of the government job.

Among the Madhesi, it has become a fashion to get more dowry than others. 'If the groom does not demand dowry, he is assumed to be defective. The more one demands, the better he is', Chaudhary said.

Dinanath Chaudhary, who has started looking for a suitable boy to arrange marriage of his youngest daughter, is sad. 'Having daughter has deterred me. I sold half of my land for the marriage of one daughter. Now I have to sell the house, where we live, for the marriage of this daughter', he said....

Many of the parents of the girls in the Madhes are compelled to sell their land in the month of Falgun, an auspicious month for marriage. Government employees are challenging the announcement of the prime minister to abolish dowry. The government employees have the highest demand of dowry compared to others.

Even an unemployed boy demands at least NRs 0.25 million as dowry. The grooms with government job have demand of not less than NRs 0.5 million.

Appendix C: (Continued)

दाइजोको डरले पढाउनु छैरी

अमृता अनमोल , KANTIPUR

बुटवल, जेठ ९ - रुपन्देहीको पजरकट्टी टिकर गाउँका शिव हरिजनका ६ छोराछोरी छन् । सामान्य आर्थिक अवस्थाका उनले चार छोरालाई पढ्न पठाएका छन् तर दुई छोरीलाई छैन ।

किन्तु त - भन्छन्- 'एकतिर पढाउनुको खर्च अर्कोतिर बिहेमा खर्च । दोहोरो खर्च गर्नभन्दा नपढाउनु जाती । टिकर गाउँकै कमलेश हरिजनले पनि पाँच छोरा पढाए तर एउटी छोरी पढाएका छैनन् । १० कक्षासम्म पढेकी भान्जीको बिहे गर्न समस्या परेको उल्लेख गर्दै उनले भने- 'त्यस्तो समस्या नपरोस् भनेर छोरी पढाइँन ।' पढेकी चेली बिहे गर्दा पढेको केटो खोज्नुपर्ने र पढेको केटाले बढी दाइजो माग्ने भएकाले विवाह गर्न गाह्रो हुने गरेको उनले बताए । यहाँको मधेसी समुदायमा केटाको पढाइ र पैसाअनुसार दाइजो दिने चलन छ । केटा इन्जिनियर भए १५ लाख, डाक्टर भए १० लाख, ओभरसियर र अधिकतम स्तरको भए ८ लाख, त्यसभन्दा तल्लो भए ५ लाख र कुनै जागिर नभए १ लाखसम्म दाइजो दिनुपर्ने कुरा छ ।

स्थानीय महिला अभियानकर्ता राजेश्वरी हरिजनले दाइजोको डरले छोरी पढ्न नपढाउने गरेको बताइन् । 'बरु नपर्दाछै छोरीलाई सानैमा बिहे गरेर पढाउनु' उनले भनिन् ।

Posted on: 2008-05-22 20:35:12

'Parents do not educate daughters due to fear of dowry'

Amrita Anmol, Kantipur, Butwal, 22 May 2008.

Shiv Harijan of Pajarkatti Tikar, Rupendehi district has six children. With the medium economic status, he is educating four sons, but not two daughters.

Why? 'On one hand expenditure for education, on the other hand expenditure in marriage. Better not to educate to avoid double expenditure', he said. Kamlesh Harijan of the same village is educating five sons, but not a daughter. Citing the difficulty of arranging marriage of his niece with education up to grade 10, he said, 'to avoid such problem, I did not educate my daughter'. He said as we have to look for educated boy for an educated girl and such boys demand higher dowry, it has become difficult to arrange marriage of an educated girl. Among the Madhesi community, there is practice of offering dowry according to the education and job status of the boy: for an engineer NRs 1.5 million, for a doctor one million, an overseer and third-class-gazetted-officer 0.8 million, below that level 0.5 million, and to a boy without any job, NRs 100,000.

Rajeshwori Harijan, a local women leader said due to fear of prospect of higher dowry, parents are not educating their daughter. 'Instead of educating daughters, parents arrange their marriage at an early age', she said.

Appendix C: (Continued)

दाइजो नदिएको भन्दै बेहुली फिर्ता

सुरेन्द्र सुबेदी, KANTIPUR

संखुवासभा, वैशाख २० - विवाहमा मोटरसाइकल, कम्प्युटर र सुन नदिएको भन्दै यहाँका एक युवाले बेहुली फिर्ता पठाएका

छन् । गत आइतबार भएको विवाहमा राधा कपडा, उच्च गुणस्तरका फर्निचरसमेत नदिएको भन्दै खाँदबारी-१०, नयाँबजारका बेहुला वसन्तकुमार चापागाईंले बेहुली खाँदबारी-३, झरिथुम्काकी वविता पोखरेललाइ मंगलबार उनकै घर लगेर छोडेर आएका छन् । बुधबार मैलालु फर्काउने तयारी भइरहँदा वसन्तकुमारले नलाने भनेपछि बेहुली आइतमै छिन् ।

विवाहका गोडघुयामा दिएको सामानसमेत बेहुलाले घर लान मानेनन् । बेहुली घर पुग्दा 'मेरो यो केटीसँग व्यवहार हुँदैन । यो आमाबाबुका लागिमात्र हो । म अर्कै विवाह गर्छु भन्दै बेहुलाले बेहुलीलाइ दुर्यव्यहार गरेको बेहुलीकी दिदी तारा न्यौपाने र द्रोणा पाण्डेले बताए । बेहुला वसन्तसँगै उनकी आमा, बाबु गणेश र दिदी शारदाले अपशब्द बोलेको उल्लेख गर्दै बेहुली वविताले उनकै घर पुगेका सञ्चारकर्मीलाइ भनिन्, 'बिहेकै दिन अपशब्द बोल्दै दुर्यव्यहार गरे ।' बेहुला वसन्त सम्पर्कमा आएका छैनन् ।

बेहुली 'गोडघुया कम भयो भनेर सुरुमै दुर्यव्यहार गर्नेसँग अब नजाने' बताउँछिन् । उनले रुँदै भनिन्, 'म पनि पढेकी छोरी

हुँ, गरिखान सक्छु ।' बेहुली कक्षा ११ र बेहुला कक्षा १२ मा अध्ययनरत छन् ।

वैशाख १२ गते फूलमाला गर्दा १ तोला मात्रको सिक्की दिएको भन्दै बेहुलाले आफ्नो इज्जत गएको बताउँदै हिँडेको उनका छिमेकीले बताए ।

बेहुलाले पटकपटक अर्काकै विवाह गर्ने बताउँदै आएका

छन् । 'बिहेकै दिनबाट अभद्र व्यवहार गरेपछि छोरीलाइ कसरी पठाउने -' वविताका पिता पुष्पबहादुर पोखरेलले भने, 'हामीले सुरुमै दाइजो दिन सक्दैनौं

भनेका हौं ।'

त्यतिबेला 'हुन्छ' भन्ने र विवाहपछि दाइजो नदिएको भनेर फिर्ता गरेपछि पोखरेल परिवार विवाहखर्च माग्ने तयारीमा छ । बेहुलाका बुबा गणेश भने खर्च नदिने बरु मुद्दा लड्ने तयारीमा रहेको बताउँछन् ।

Posted on: 2008-05-02 19:53:55

'Bride was returned alleging that dowry was not paid'

Surendra Subedi, Kantipur Daily, Sankhuwasabha, 2 May 2008.

A boy has returned the bride her parent's home alleging that motorbike, computer and gold were not given in his marriage. Basant Kumar Chapagain of Nayabazar, Khandbari Municipality-10, who had tied nuptial knot with Babita Pokhrel of Jharithumka, Khandbari-3 on Sunday last week, had returned her to her maternal home alleging that even good clothes and branded furniture were not given in his marriage. On Wednesday, her parents were preparing to send her back home, but Basant refused to take her and hence she is at her maternal home....

Appendix D: News on punishment against love-marriage published in newspaper

► Family Displaced Over Inter-caste Marriage

SAPTARI, June 18: A Dalit family in Prasawan VDC in Saptari has been expelled from the village for inter-caste marriage.

The six-member family of Gugali Rajak Safi has been displaced from the village after beating up and threats from the so called upper caste people after he married Basanti Kumari Chaudhary as his younger wife.

Safi has come to district headquarters along with his elder wife, younger wife and two children after the family of Chaudhary thrashed and threatened him with life. He said he came to Rajbiraj after he was threatened to quit the village.

Safi had married to Basanti with the consent of his elder wife Gitadevi and legal recognition of the district court four months ago. They had been working in India and had returned home just a few days ago.

Basanti said she is a three-month pregnant and the villagers thrashed her even when she told them about her condition. She urged the media persons to help create a situation for rehabilitation and security for them in the village. Currently, they are taking refuge at a Maoist office in Rajbiraj.

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Appendix D: (Continued)

Villagers come down heavily against Dalit family for inter-caste marriage

Tuesday, 10 August 2010 18:57 - Last Updated Tuesday, 10 August 2010 19:43

Locals in Chhitaha VDC-5 of Sunsari district have fined a Dalit family Rs 55,000 for marrying a girl from the non-Dalit community, national news agency RSS reports.

Local administration, through a meeting of the villagers called by Bhola Pal, who is from the so called upper caste family, slapped the fine on the family of Ram Prasad Ram after his 18-year-old son Badri Ram married 16-year-old Sonu Pal, according to a local Dalit activist Bal Kumar Mundel.

He told the RSS that the duo was in love for long and married a month ago and is living separately from the family. The girl's side searched them and forcefully separated the pair saying that the marriage was against the law.

Later, Pal called a villagers' meeting which decided to fine the family.

Police said they are unaware of the incident. nepalnews.com

► Dalit Gets Death Threats For Marrying Non-dalit

CHITAHA (SUNSARI), Aug 16: Despite a government announcement of Rs 100,000 incentive for dalit-nondalit marriage, a dalit youth in Chitaha of Sunsari has been receiving death threats despite paying a fine of Rs 51,000 for marrying a non-dalit girl.

Pradip Kumar Ram, 18, is facing displacement from his village with relatives of the girl repeatedly coming to his house to threaten him.

"The girl's father Bhola Prasad Pal has vowed to kill me," said Ram, who married Pal's daughter Sonam on June 7. A meeting of village elders made Ram pay Rs 51,000 fine two days after the marriage. The sum was paid to the girl's father. But Ram is still receiving death threats from the girl's relatives.

"For five days, they have been coming to our house to thrash us and threaten to kill us all," said Shakuntala, Ram's mother.

The victims have accused village elders and political parties for doing injustice to them. Among those who made the family pay the fine is Ganga Prasad Mehta, former ward chairman, who is a CPN (UML) worker. The family was made to pay the fine even after the matter was taken to District Police Office, Inaruwa.

According to locals, the girl's relatives have already married her off in Katihar, India.

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Appendix D: (Continued)

► Couple Ostracized For Intercaste Marriage

DHANGADI, April 22: A couple has been forced to live a miserable life after being driven out of the village for intercaste marriage. Following their love marriage on September 23, 2008, 20-year-olds Sher Bahadur Bhul and Rewati Mahara of Raikwar Bichua, Kanchanpur, are having problems with even making ends meet, here in Dhangadi.

The couple put up with a paternal aunt in Doti for one month and then for a few months with a sister in Gulariya. But since they don't make any income, they are having a torrid time in Dhangadi. "Because we are unemployed, it is very difficult to survive here. We are managing somehow with the money sent by my father," rues Bhul.

The family of the upper caste Mahara has threatened to kill the couple if they returned to the village. To make matters worse, the family has now warned the couple to leave even Dhangadi, saying that they don't want to come across the couple when the family makes trips to Dhangadi.

"We have nowhere to go, and hence we are appealing for the creation of a conducive environment for our return home," pleads Bhul. The couple has registered a complaint at the Gulariya Area Police Office and asked the police to provide protection and to facilitate their return home, but to no avail.

The family of Bhul is also having trouble living in the village. "Immediately after the marriage, the Mahara family called a meeting of elders in the village, during which I was manhandled. They freed me only after I agreed that I would never bring the couple home. And they are threatening me too now," Bhul's father Jayaram complained.

The Maharas are also threatening Rewati to dump Bhul. "My elder brothers recently came to our rented room in Dhangadi and asked me to dump him. They have also threatened to kill him," she said.

Couple Separated

Meanwhile, the family of Sabina Basnet from Pahalwanpur has forcibly separated her from Birendra Singh Parki of Dhangadi, two days after the couple got married on April 14, the day of the Nepali New Year.

Sabina Basnet's family took away Sabina, 18, with police help, on the legal pretext that she was yet to reach 20 years. In Nepal, girls who are 20 years and older are eligible to marry even without parental consent. And girls can legally marry with parental consent after they turn 18.

"The police called us for a dialogue on April 16, whereupon they forcibly dragged Sabina away from the police station itself, even though she had told the police that she wanted to stay with me," Parki said, accusing the police of cooperating with the Basnets just because the marriage was an intercaste one.

"I have not been able to contact Sabina since she was taken away," Parki added.

Similarly, Rajendra Nepali of Dhangadi and Gomati Zora of Sripur have also complained that effort is being made to separate them. Gomati's family beat her and took her away from Nepali's home, in Dhangadi, on April 15, two days after they got married.

Gomati has fled and returned to Nepali, but her family has issued threats that they will take her away. "They locked me up inside the house for one day, but I fled on the pretense that I was going to my uncle's house. I still fear that they will take me away again," Gomati said.

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