

Unveiling the Child Marriage Practices Among the Nyishi Tribe in Arunachal Pradesh: Tradition, Implication, and the Way Forward

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Abstract

The practice of child marriage in the Nyishi tribe of Arunachal Pradesh is a multifaceted issue that requires a nuanced understanding of the tribe's cultural norm. It is fervently following the tradition of child marriage, even in modern time, which in turned presents an unimagined challenge especially to the girl child in the society. The continuity of this practice is backed by the Customary Laws in asserting their inherent rights, considering that it allows to balance cultural preservation with the advancement of individual rights and societal progress. Child marriage among the Nyishi involves the union of individuals below the legally recognized age of marriage, under the Indian constitution, which is 18 years for women and 21 years for men. It is a reflection of deep-rooted cultural values and their historical approach to community building and kinship networks. However, it also raises critical questions about the practice of child marriage, and its impact on the physical and psychological well-being of the individuals involved. Thus, the paper attempts to understand the broad issues such as traditional practice, implications, and the way forward to resolves this problem. In this regard, an empirical method is applied and interviews are conducted to those who have suffered and are traumatized by this practices.

Keywords: Arunachal Pradesh, Child Marriage, Culture, Nyishi.

Introduction

The Nyishi tribe, one of the major tribes in Arunachal Pradesh, has a distinct cultural value that includes various traditional practices, some of which have been the subject of both cultural preservation and modern critique. Among these practices, child marriage has historically been a significant aspect of Nyishi social life, reflecting a complex interplay of cultural norms, economic considerations, and societal structures. The most commonly used line whenever a girl child is born, "Njyir kuu nge hadku, dindu dede haiku" (A girl child is born and time has arrived for the dried meat), where a girl child is considered as a source which will fetch lots of meat to the family. The birth of a girl child is akin to savouring meat feast to the family (1). The practice of child marriage among Nyishi tribe, like in many other societies, is rooted to their cultural, historical, and socio-economic values. Understanding these values is crucial to grasping the context in which child marriage occurs and the challenges in addressing it. Introspection of the cultural heritage

including myths, legends, and beliefs about ancestors and deities, is deeply required to understand the matter. The story of Abo Tani, a revered ancestral Figure, and his numerous celestial wives, as well as his marriage to Donyi Yai Chumji, the daughter of the Sun God, underscores the cultural significance of marriage and procreation. These narratives, passed down through generations, have shaped the Nyishi's views on marriage and family, contributing to the acceptance of child marriage as a traditional practice. The practice, though considered to have rooted in tradition, has increasingly come under scrutiny in the context of contemporary human rights discourse and the evolving legal frameworks governing marriage in India. Child marriage, in present liberal societal context, constitutes a grave violation of human rights and is acknowledged as a form of sexual and gender-based violence. It is characterized by the union of individuals before they reach the age of 18, a practice that not only stems from but also exacerbates

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social and economic vulnerabilities. This early marriage exposes both boys and girls to a spectrum of adverse health outcomes, significantly hindering their capacity to achieve their full potential (2).

Methodology

This research employs both the quantitative and qualitative approach to explore the issue of child marriage within the Nyishi tribe of Arunachal Pradesh. The study involves in-depth interviews with tribal elders, community leaders, young married couples, and girls affected by child marriage to gather detailed insights into the cultural significance, implications, and lived experiences of this practice. The selection of sampling type is that it applied a probability sampling wherein a stratified method is further adopted for this article. Within this stratified, a disproportionate method is further applied to give a fair chance to the respondents to share their experience with the child marriage system. The total data used is 200 samples because it can cover possibly a wide range of respondents. Consequently, participant observation and document analysis of tribal laws, government policies, and academic literature also reviewed to understand the comprehensive background and context on how this type of marriage have emerged and can subside if not eradicate in contemporary time to give due respects and dignity for the women. Data is analyzed using thematic form to identify and highlight the complexity of the issue and its implications for the individuals involved and the broader society. Ethical considerations, including informed consent and confidentiality, are strictly adhered to maintain confidentiality. Despite potential limitations such as selection bias and subjective nature of analysis, the study offers nuanced insights and potential pathways to address child marriage while respecting cultural norms and individual rights. Table 1 presents the distribution of respondents by gender, indicating a

perfectly balanced representation. Out of the total 200 respondents, 100 identify as female, representing 50% of the sample, and an equal number, 100, identify as male, also comprising 50% of the sample. This data suggests that the survey or study has achieved gender parity in terms of participant recruitment, with an equal number of participants from each gender. Table 2 provides a breakdown of the age distribution among 200 respondents. The majority of the respondents fall within the 26-35 age bracket, accounting for 79 individuals or 39% of the total. The next largest group is the 36-45 age range, with 53 respondents representing 26% of the sample. The 10-20 age group follows with 24 respondents (12%), while the 46-55 and 56-65 age ranges have 22 (11%) and 16 (8%) respondents, respectively. The smallest group consists of individuals aged 66 and above, with only 6 respondents, making up 3% of the total. This distribution suggests a skew towards middle-aged adults, with a notable representation of younger adults and a smaller proportion of older adults. Table 3 outlines the educational qualifications of 200 respondents, showing a range of educational attainment levels. The largest group consists of graduates, with 63 respondents representing 31.5% of the total. Post-graduates are the next largest group, accounting for 33 respondents or 16.5% of the sample. A significant portion of the respondents have completed Class-XII, with 45 individuals making up 22.5% of the total. Class-X graduates constitute 13.5% of the respondents, with 27 individuals. Those who have completed their education between Classes V and VIII represent 9.5% of the sample, with 19 respondents. The smallest group is the illiterate, with 13 respondents, accounting for 6.5% of the total. This distribution suggests a predominantly educated population, with a notable number of respondents having completed higher education.

Table 1: Gender of Respondents

| Gender | Frequency | Percentage |
|--------|-----------|------------|
| Female | 100 | 50 |
| Male | 100 | 50 |
| Total | 200 | 100 |

Table 2: Age of the Respondents

| Age | Frequency | Percentage |
|------------|-----------|------------|
| 10-20 | 24 | 12 |
| 26-35 | 79 | 39 |
| 36-45 | 53 | 26 |
| 46-55 | 22 | 11 |
| 56-65 | 16 | 8 |
| 66 & above | 6 | 3 |
| Total | 200 | 100 |

Table 3: Educational Qualification

| Qualification | Frequency | Percentage |
|---------------|-----------|------------|
| Illiterate | 13 | 6.5 % |
| V-VIII | 19 | 9.5 % |
| Class-x | 27 | 13.5 % |
| Class-xii | 45 | 22.5 % |
| Graduate | 63 | 31.5 % |
| Post-Graduate | 33 | 16.5 % |

Origin of Child Marriage

Though the origins of child marriage remain shrouded in mystery with no official documents to shed light on its inception; however according to oral account of priests and the learned elders of the society, the practice is thought to have emerged following the establishment of marriage as an institution within tribal societies. The Nyishi tribe is largely considered to be the descendants of Revered Abo Tani, with whom they holds high esteem as a Figure of great power and influence. Thus, Abo Tani, the successor of Nikum Tani, is considered to be the progenitor of the child marriage system in the community. The belief in Tani's encompasses both animate and inanimate forms, suggesting a profound spiritual and cultural significance. Accordingly, the Nyishi legends recount how Abo Tani was said to have countless wives in the heavens, with their progeny believed to be scattered across the present state of Arunachal Pradesh and other parts of the world. Upon descending to earth, Donyi Yai Chumji, who hailed from the celestial realm and was the daughter of the Sun God, is married by Abo Tani. This divine union underscores the Nyishi's deep connection to the natural world and their reverence for celestial beings. However, due to a misunderstanding, Donyi Yai Chumji left Abo Tani and returned to the kingdom of the sun, marking a significant event in Nyishi mythology. This rich tapestry of legends and beliefs not only highlights the Nyishi's spiritual worldview but also provides a backdrop against

which the practice of child marriage has been woven into their cultural fabric. In the mythology and folklore of Nyishi, the story of Abo Tani's descendants unfolds, revealing the complex web of relationships and alliances that have shaped the tribe's history and cultural practices. Following his marriage to Donyi Yai Chumji, Abo Tani is also said to have married his younger sister Jeet Anem who later became the mother of Niya Tani. Consequently, Niya Tani is said to have many sons. This lineage is crucial to understanding the Nyishi belief in the existence of multiple Tanis, each playing a significant role in their ancestral history. Abo Tani's son Niya Tani continued this lineage with his son Harin, who then had a son named Tado. Tado further gave birth four sons namely, Dopum, Dodum, Dolo, and Hari, and they are pivotal Figures in Nyishi history. The present-day Nyishi clans trace their origins back to these ancestors. This genealogy underscores the deep respect and reverence the Nyishi have for their ancestral lineage, with each clan carrying forward the legacy of Dopum, Dodum, Dolo, and Hari. The practice of child marriage, deeply embedded in Nyishi cultural tradition, is believed to have originated from the time of these revered ancestors viz. Dopum, Dodum, Dolo, and Hari. Marriages among them were arranged not only to continue the family line but also to bridge and strengthen matrimonial alliances. For instance, Dodum is said to have married a girl named Yagyam, while Dolo married Yano, with both being sisters from the same parents, this

union not only expanded the family but also solidified the bond between Dodum and Dolo through matrimony, reflecting the Nyishi's emphasis on kinship and alliance-building. These stories and beliefs highlight the intricate connections of the Nyishi's cultural practices such as child marriage, and their ancestral heritage. The continuation of these traditions, despite the influences of modernization and globalization, speaks to the enduring strength of Nyishi identity and the importance of their ancestral legacy in shaping their social and cultural norms. In the pursuit of preserving and strengthening the bonds, Nyishi's ancestors took deliberate steps to ensure the continuity of their alliances and bloodlines. They achieved this by betrothing their children for future marriages, a practice that not only secured the next generation's ties but also laid the foundation for the enduring tradition of child marriage within the society. From this pivotal moment, the descendants of Dodum and Dolo embarked on a path of intermarriage, a strategic choice aimed at maintaining the sanctity of their matrimonial alliances and the purity of their bloodlines. This decision was not merely a personal one but a collective agreement that underscored the importance of unity and continuity within the tribe. Furthermore, the descendants of Dopum and Dolo consciously avoid marriage with individuals from outside the tribe. This decision was a testament to their commitment to preserving their cultural identity, traditions, and the

unique characteristics that defined them as a people. It was a collective effort to safeguard their heritage and ensure that their future generations would carry forward the legacy of their ancestors (3). Thus, the practice of child marriage, born out of a desire to maintain and strengthen familial and tribal relationships, took root among the Nyishi. This tradition, deeply embedded in their history and culture, has been passed down through generations and remains a significant aspect of Nyishi society today (4). Despite the changing times and the influences of modernization, the Nyishi continue to honor this practice, reflecting their enduring commitment to their ancestral values and the bonds that have held their community together for centuries. Figure 1 illustrates the perceived influences on the practice of child marriage among respondents. It shows that none of the respondent attributes child marriage to religious beliefs, as indicated by the frequency of 0. A significant majority, 169 respondents, or 84.5%, believe that cultural factors are the primary influence on child marriage, suggesting that cultural traditions and norms are seen as major drivers of the practice. Meanwhile, 31 respondents, or 15.5%, view political factors as influential, indicating that they believe political dynamics or policies may play a role in the perpetuation of child marriage. This distribution emphasizes the strong perception of cultural influences as the main factor behind child marriage.

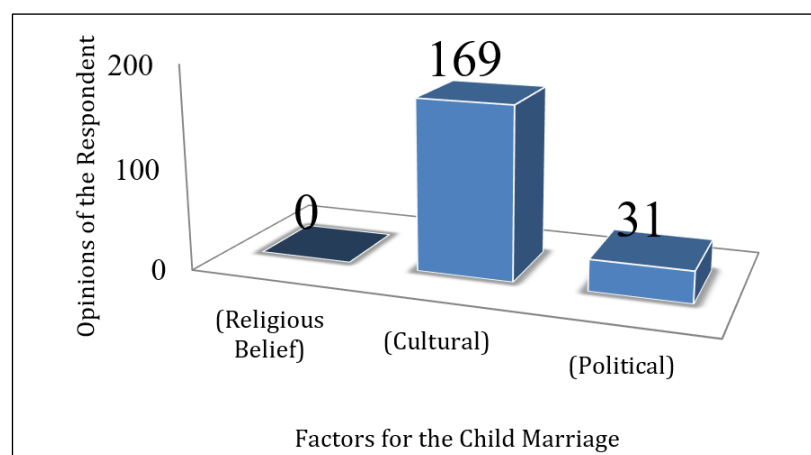


Figure 1: Child Marriage among the Nyishi Tribe

Nature of Child Marriage

In the Nyishi society, the tradition of arranging marriages for children is a practice deeply ingrained in their cultural fabric. Typically, parents from both sides decide the union without seeking the consent or considering the personal choices of

the children involved. This practice affects both sexes, yet it is the females who bear the brunt of its consequences. Girls, even before reaching a marriageable age, are often compelled to marry willingly or under duress to uphold their parents' word and dignity (5). Once a girl reaches a certain

age, her parents offer her hand in marriage to the family she has been betrothed to, adhering to the established norms and patterns of this practice. Before the marriage ceremony takes place, a local ritual is conducted to foretell the future of the couple's relationship. This ritual involves offerings of eggs and chickens, and it is believed that priests and individuals with special abilities can discern signs of good or bad omens from the egg yolks and chicken livers. If the signs are auspicious, the marriage proceeds with approval. However, if the omens are unfavorable, the marriage may be called off. This ritual underscores the Nyishi's reliance on traditional practices and spiritual beliefs to guide significant life decisions, including marriage. Following the auspicious signs from the ritual, the process of negotiating the marriage advances. The boy's parents visit the bride's family, accompanied by gifts such as Mithuns (a type of bovine), pigs, local swords, bowls, and cloths. These offerings symbolize the formal acceptance of the girl into the boy's family and the confirmation of their relationship. It also signifies that from this point forward, the girl is considered to be part of the boy's family, and she is expected to refrain from seeing other boys or developing romantic relationships outside of this arrangement. This period is marked by an exchange of numerous gifts and frequent visits between the two families. The boy also visits his future bride's home, where he offers his help and services in various forms, including working in the rice fields, cutting wood, tending to the Mithuns, and providing any other form of physical assistance to his future in-laws. These actions not only strengthen the bond between the two families but also prepare the boy for his future responsibilities as a husband and a member of his wife's family. After a period of years, when the boy becomes matured and is deemed ready for marriage, he brings the girl to his home for the first time. This significant event is marked by a local ritual known as "Yallo", which serves as a public declaration of the official union between the boy and the girl. A priest is appointed to officiate this ceremony, which involves the use of certain forest plants known as Tapi and the sacrifice of chickens. The ritual requires one pair of Tapi plants and a chicken for both the girl and the boy. Before the sacrifices are made, the priest performs a series of chants and prayers. Following these invocations, the two Tapi plants are tied together, and the chickens placed

upon them are then sacrificed by the priest. Once all the rituals have been completed, the priest examines and interprets the livers of the chickens. This examination is crucial, as it is believed to foretell the future success of the marriage. Additionally, other observations are made during this process. For instance, if a chicken, after being killed, hops towards the outside of the house, it is considered a sign of bad omen. This is interpreted to mean that either the girl will die in an accident or may betray her husband in the future. The outcome of these observations plays a significant role in the decision-making process, leaving the boy's family to determine whether to proceed with the marriage. In the years following marriage, a significant milestone occurs with the birth of a child, marking an occasion for joyous celebration. Both sets of parents bestow local ornaments upon the newborn, and a feast is organized to commemorate the event. Consequently, a gift exchange ceremony known as "Nyeda" is conducted after a few years of marriage (6). This ceremony requires preparation and readiness from both families, as it involves considerable expenses and is a grand celebration that invites all relatives from both sides. The exchange of gifts during this event is extensive, with the boy's family presenting Mithuns, pigs, swords, cloths, and more, while the girl's family offers local beads, ornaments, plates, and bowls. This festivity can last for over five to six days, with no strict limitations on the gifts exchanged, allowing families to celebrate according to their means – be it lavishly for the wealthy or modestly for the middle class. This tradition has been followed through generations, with no fixed quantities or set bride price within society. The essence of conducting Nyeda is to foster a deeper understanding and interaction between the two families, serving as a tool to enhance their relationship. In a traditional society, the importance of such an event cannot be overstated, as it reflects the family's commitment to nurturing love, respect, and bonding. The family that hosts Nyeda earns respect from the community, highlighting the significance of these rituals in maintaining familial ties. Moreover, Nyeda is not limited to post-marriage celebrations; it also takes place before marriage, initiated by the parents, and continues to be a part of the family's interactions both during and after the marriage (7). In the Nyishi society, the breaking of a betrothal is a matter

of serious consequence, deeply affecting both families involved. If the betrothal is broken by the boy's side and he is found to be at fault, there are significant repercussions. Primarily, he may forfeit the right to reclaim any property or gifts given to the girl's family as part of the betrothal agreement. However, in rare instances, if a compromise is skillfully negotiated, he might retrieve a small portion of the property. This underscores the importance placed on upholding agreements and the severe penalties for breaching them. Conversely, if the girl is found to be at fault for the broken betrothal, the consequences for her family are equally severe. Her parents are obligated to pay back double the value of everything received from the boy's side, effectively imposing a substantial fine. This practice reflects the societal emphasis on accountability and the restoration of balance when agreements are violated. In some cases, to mitigate the fallout from a broken betrothal, especially when the girl is found to be at fault, her younger sister may be offered in her place. This act is seen as a gesture of reconciliation and a means to appease the boy and his family, aiming to preserve the alliance and prevent further escalation of the conflict. This practice, while less common, highlights the lengths to which families may go to maintain harmony and uphold traditional values in the face of broken agreements (8).

Customary Practices

In Nyishi customary practice, the motive behind child marriage is multifaceted, deeply rooted in cultural, social, and economic considerations. This practice, which involves the betrothal and marriage of children at a young age, is primarily driven by the desire to secure alliances and strengthen familial bonds. By arranging marriages between children, families aim to create lasting relationships that are believed to foster mutual support, cooperation, and solidarity among clans and communities. This is particularly important in a society where kinship networks play a crucial role in social organization and where alliances can provide security, economic benefits, and social status. The practice of child marriage is also influenced by the belief in upholding the word and dignity of parents. In the Nyishi society, the promise made by parents to betroth their children is considered a matter of honor, and fulfilling this promise is seen as a demonstration of integrity and respect for tradition (9). The practice of child marriage in Nyishi

customary law is driven by a complex interaction of factors including the desire to secure alliances, maintain lineage purity, alleviate economic pressures, and uphold familial honor. While these motives are deeply ingrained in Nyishi culture, they also reflect broader social and economic challenges that contribute to the persistence of child marriage in many parts of the world. In early days, the practice of child marriage was deeply intertwined with the efforts to enhance and solidify blood ties and relations between clans. This tradition was seen as a powerful tool to ensure that alliances formed through marriage remained intact and strong. Clans that were connected through matrimonial bonds were known to support each other in various aspects of life, offering unwavering support during times of hardship without a second thought. This mutual assistance and solidarity were the hallmarks of close-knit clans, where relationships and blood ties were considered paramount. The Nyishi people viewed child marriage as a strategic means to deepen these matrimonial relations and sustain the bonds between closely related groups. They believed that by betrothing their children at a young age, they could ensure the continuity of these alliances, preventing them from fading over time. This practice was especially important in maintaining the cohesion and unity of the tribe, as it was understood that without ongoing marital relations, the connections and blood ties between groups would weaken and eventually dissipate (10). Therefore, to fortify and preserve the strong relationships that were so valued in their society, the Nyishi made it a custom to arrange the betrothal of their young children. This early commitment to marriage was seen not only as a way to secure the future of their children but as a vital strategy to enhance and maintain the goodwill and close relationships between clans. In the bygone era, the Nyishi tribe's economic activities primarily revolved around working in fields, hunting, and gathering. Among them, there were individuals who were characterized by laziness and poverty. To secure economic support or fulfill their daily necessities, these individuals often resorted to betrothing their daughters to men of substantial economic means. In those times, the community was so impoverished that they had to struggle to meet their basic daily needs (11). At the time of illness or when believed to be possessed by

evil spirits, they relied on traditional rituals and offerings to local deities. Conducting such rituals required the sacrifice of numerous Mithuns, pigs, and other animals, incurring significant expenses. To cover these costs, poor families resorted to trading their unborn daughters for animals like Mithuns and pigs or for other material gains. They would make an agreement that if the child was a girl, she would be given away as a bride. In another scenario, to satisfy their basic daily needs, a family might borrow money or goods from a friend or relative. Years later, if they found themselves unable to repay the debt, they would have to offer their daughter as a bride to settle the debt. These practices, though driven by economic hardship, underscore the situation between economic necessity, social obligations, and the role of women within the community. Some parents who are economically unstable often choose to give away their young daughters in marriage to wealthy and affluent men, regardless of the significant age difference. The primary motivation is to ensure their daughter's access to a better life by marrying a well-settled individual. Additionally, forming ties with a rich man is seen as a way to secure support and assistance for the family during times of hardship and other challenges. This practice, while rooted in economic necessity, also reflects the broader societal values that prioritize stability and security in marriage alliances. In the traditional Nyishi society, sexual security of a girl was of paramount importance. Premarital sex was not a recognized concept within the community, and any deviation from this norm could lead to severe social repercussions. If a girl engaged in sexual relations before marriage, she and her family were subjected to public ridicule and disdain. Such actions were viewed as a stain on the family's honor and the girl's dignity, leading to a significant loss of respect and social standing. To safeguard their daughter's reputation and to prevent such dishonor, parents often opted to marry their daughters off early. By securing a suitable match for their daughter, parents aimed to uphold the family's honor and to shield the girl from the potential pitfalls of premarital relationships. This practice also reflects the broader societal emphasis on chastity and sanctity of marriage. In Nyishi community, marriage was not merely a personal union but a social contract that carried with it the expectations of

purity and fidelity. The decision to marry a daughter to a well-settled man was thus a strategic move to maintain the family's social status and to ensure the girl's adherence to the community's moral standards. During the times of hardship, it was not uncommon for individuals within the Nyishi community to borrow money or resources to fulfill their immediate needs. However, when these individuals found themselves unable to repay their debts after several years, they would often offer their daughter as a form of repayment. This practice is to stem out financial desperation. In another scenario, if a man received financial or material support from a close relative during his marriage, it was understood that this relative could later claim one of his daughters. This arrangement effectively betrothed the girl child even before her birth, highlighting the ways in which familial and economic ties could shape the destinies of young girls. It reflects broader societal context in which economic survival and social obligations could dictate the lives of individuals, particularly women. The betrothal of daughters was a means by which families navigated the challenges of their environment, albeit at the expense of the autonomy and choices of the young women involved (12). Gender inequality is a pervasive issue that badly influences the societal practices including those related to marriage. In many traditional communities, including the Nyishi tribe, males are often given preferential treatment compared to females. This bias is deeply ingrained in the social fabric, where females are considered inferior to their male counterparts. Consequently, the boys are encouraged to pursue education and provided with unlimited support for their personal growth whilst girls face discouragement and often barred from accessing similar opportunities. This disparity directly or indirectly resulted in deprivation of the girl's basic human rights and the autonomy. In addition, the girls are frequently married off at a young age as part of tradition is detrimental for the physical and mental growth. This early marriage has not only robs girls their childishness but perpetuates the cycle of gender inequality. It reinforces the notion that females are not entitled to the same rights as males, further marginalizing them within the community. The practice of child marriage, therefore, is both a symptom and a cause of the gender inequality that prevails in such societies. The perpet-

uation of child marriage is also linked to lack of education and awareness about the rights of the child. Figure 2 highlights the various impacts of child marriage on women, categorized into three key areas: physical torture, social deprivation, and economic and health issues. The highest percentage, 69%, reflects the prevalence of physical torture experienced by women who were married as children. This indicates a significant concern regarding the safety and well-being of these individuals, as they may face violence and abuse within their marriages. Following closely, social depriva-

tion accounts for 74%, illustrating how child marriage can isolate women from their communities, restrict their social interactions, and limit their access to education and resources. Lastly, economic and health issues are represented by 57%, suggesting that early marriage can lead to financial instability and health complications, as young brides may lack access to proper healthcare and economic opportunities. Together, these Figures underscore the multifaceted adverse effects of child marriage on women's lives, emphasizing the urgent need for interventions to address these critical issues.

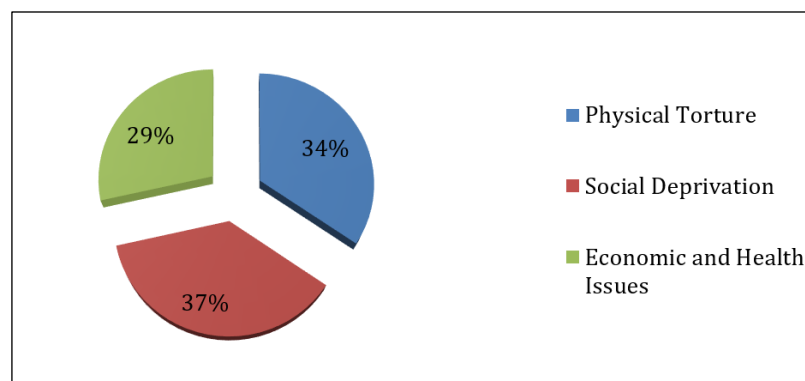


Figure 2: Impacts of Child Marriage on Women

The impacts of early marriage is diametrically affecting on the health and development. Majority of the tribal community in Arunachal Pradesh including the Nyishi are not accessible to modern education, they largely rely on their traditional practices. Thus, there is less awareness of alternative perspectives on marriage and family. In short, the lack of education has a profound implication for the status and well-being of girls. Due to this inequality, girls are often denied access to education, leaving them unaware of their rights and responsibilities as individuals (13). This lack of awareness not only hinders their personal development but also affects the decisions made on their behalf, particularly regarding marriage. Parents, driven by their own ignorance and the societal norms that undervalue the education of girls, frequently choose to marry off their daughters at a young age. This decision is often made without considering the long-term consequences for the girl's future or her potential to contribute to society. The early marriage of girls is thus a reflection of the broader societal neglect of female education and the perpetuation of gender disparities. The cycle of ignorance and inequality is further reinforced by the early marriage, as it robs girls of the opportunity to gain an

education and become empowered individuals. This not only affects the girls themselves but also has a ripple effect on future generations, perpetuating the cycle of illiteracy and gender inequality. Efforts to address these issues must focus on promoting gender equality and ensuring that all children, regardless of gender, have access to education and awareness of their rights.

Results and Discussion

The paper is to understand the issue of child marriage among the Nyishi tribe of Arunachal, for which a schedule was shared with the respondents and their views were incorporated in the study. This attempt was to empirically test the research objectives. The first objective is to understand the emergence of child marriage in Nyishi community. The second objective is to examine how the practice of child marriage is impacting the children especially the girl child. In addition, the third objective is to assess the factors leading to the child marriage in the society.

There is ambiguity between the Constitution of India and the customary laws of Nyishi tribe regarding child marriage, which creates a huge legal debate and confusion among the people whether to

adapt the former or the latter. While, the Constitution clearly emphasizes the rights of children and sets a minimum legal age for marriage, the customary laws is often allowed to operate outside these formal regulations. This prioritization of traditional norm sometimes led to the acceptance of child marriage. Notwithstanding this, a critical question arises about the enforcement of constitutional protection, and the role of cultural practices in shaping societal norms. Efforts to address child marriage, hence, must navigate this ambiguity, seeking to harmonize constitutional values, while empowering the community to challenge harmful practices and embrace change. The practice of child marriage, while controversial and fraught with issues from a modern perspective, did offer certain benefits to the people of the Nyishi tribe in the past. Figure 3 depicts the present perceptions of child Marriage, majority of 143 respondents are against the practice and 32 people believe that it has ability to cement relationships between close lineages, ensuring that bonds of love and support remained intact. 25 people believe this marital alliance helped to preserve and strengthen the connection between the families, ensuring ongoing support and cooperation. From the economically standpoint too, the family that suffered economic problem gets support through the child marriage.

By betrothing their children to individuals from wealthier backgrounds, they could secure economic support and physical assistance, offering a form of security in uncertain times. Moreover, the child marriage has a security perspective – when a clan war frequently take place in the past wherein the weaker clans sought protection from stronger ones. The betroth of young girls to members of those powerful clans gives security and support at times of conflict. This strategic use of marriage alliances helped to ensure the survival and security of the weaker clans against external threats. In addition, the child marriage also served as a form of security for young girls, protecting them from the risks of illicit sexual behavior and molestation. In a society where the concept of premarital sexual relations was absent, any involvement in such activities was met with disdain, making it difficult for a girl to find a suitable husband later in life. To safeguard their daughters from such predicaments and the associated social stigma, parents would often marry them off at a young age. In the absence of modern state and government bodies to mediate conflicts, villages were self-governed through customary laws and local leaders. Consequently, child marriage acted as a tool to maintain peace and harmony among the people, reinforcing the social fabric through familial alliances.

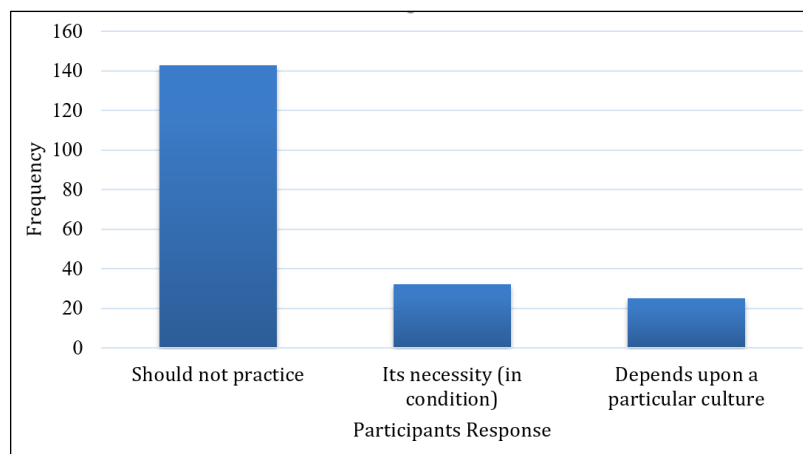


Figure 3: Present Perceptions of Child Marriage

Equally to the positive aspects, the discourse of child marriage had also several negative impacts. Firstly, it contributes to the perpetuation of the slavery system. For instance, when a girl broke the betrothal agreement, her family was obligated to return the bride price to the groom's family, along

with a fine. If unable to pay this financial obligation, it could lead to significant tension between the two families. In some cases, the groom's family, seeking re-compensation for the broken agreement, might take the girl captive and sell her off to other clans. This tragic outcome transformed the girl into a slave, subjecting her to a life of servitude

and exploitation. This not only violated the rights of the young girls involved but also reinforced the oppressive structures of slavery within the society. Child brides frequently forfeit their education, as they are compelled to assume household responsibilities. This denial of educational opportunities robs girls of the chance to become independent and empower themselves. While it is widely acknowledged that educating a woman can contribute to the education of future generations, the converse is equally true: an uneducated woman may struggle to educate her own children, especially in the face of financial hardships or other adverse conditions. Illiteracy also renders the child reliant on her family for sustenance, placing her in a powerless situation that can lead to exploitation. The psychological and physical implications of forced sexual relations at an early age are profound and far-reaching. Young girls are particularly susceptible to sexual abuse by their partners and lack the means to defend themselves or seek help. They are also at risk of contracting sexually transmitted diseases. Early motherhood is one of the most detrimental outcomes of child marriage, often leading to the death of the young mother during childbirth. Physically and mentally too immature to become a mother, early motherhood jeopardizes the health of both the mother and the child. Research indicates that girls under 15 years old are five times more likely to die during childbirth than those above 20. Infant mortality rates in such cases are also alarmingly high, as their underdeveloped bodies are not prepared for the rigors of maternity (14). Early marriage is closely associated with

early pregnancy and childbirth, both of which are linked to elevated rates of pregnancy-related complications and risks to the life of the new born. After marriage, girl children often face severe health challenges, including pregnancy and childbirth. The dangers of early pregnancy and childbirth are well-documented and include an increased risk of maternal death, premature labor, delivery complications, low birth weight, and a higher likelihood that the new born will not survive (15). Figure 4 illustrates varying perceptions of the role of education in curbing child marriage. A significant 100% of respondents believe that education is highly impactful in addressing this issue, highlighting a strong consensus on the positive effects of educational initiatives. Education equips young girls with knowledge and skills, empowering them to make informed choices about their futures and reducing the likelihood of early marriage. Conversely, 66% of respondents feel that education has a very limited impact, suggesting that while it is beneficial, there may be other significant factors at play that contribute to the persistence of child marriage, such as cultural norms, economic pressures, or lack of enforcement of laws against child marriage. Finally, 34% of respondents believe that education does not play a significant role at all, indicating a more skeptical view on its effectiveness. This disparity in perceptions points to the complexity of the issue and suggests that while education is crucial, it may need to be part of a broader strategy that includes community engagement and policy changes to effectively combat child marriage.

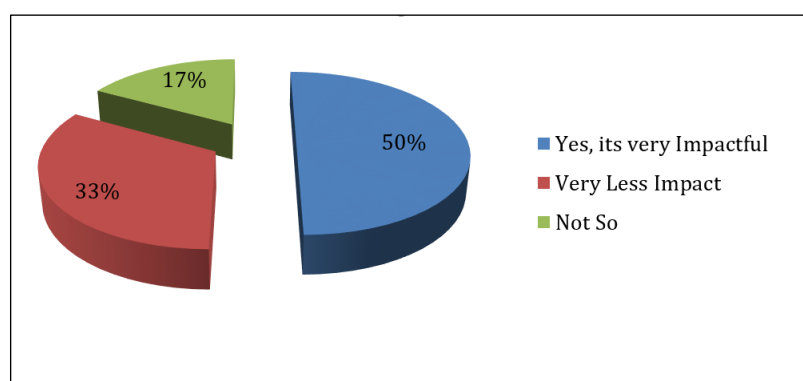


Figure 4: Role of Education to Curtailed Child Marriage

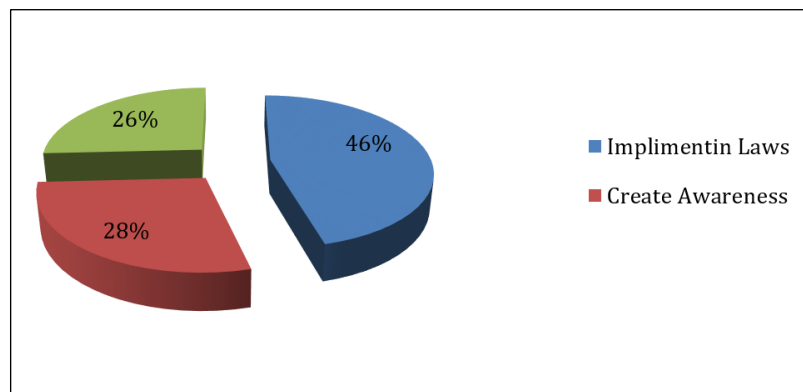


Figure 5: Measures for Reduction of Child Marriage

Strategies to Curtail the Practice of Child Marriage

Figure 5 outlines several measures that can be taken to reduce child marriage, with varying levels of emphasis placed on each strategy. The highest percentage, 73%, advocates for implementing laws aimed at prohibiting child marriage. This suggests a strong belief that legal frameworks can serve as a deterrent and provide protection for young girls, ensuring that there are consequences for those who engage in or facilitate early marriages. Next, creating awareness is recognized by 45% of respondents as a crucial measure. This indicates that education and information dissemination about the negative impacts of child marriage are vital for changing societal attitudes and behaviors. Raising awareness can help communities understand the importance of delaying marriage for girls, leading to better opportunities for education and personal development. Lastly, encouraging education is supported by 41% of respondents. This highlights the recognition that access to education for girls is essential in preventing child marriage, as it empowers them with knowledge and skills that can lead to greater independence and improved life choices. Together, these measures reflect a multifaceted approach to tackling child marriage, emphasizing the importance of legal action, community awareness, and educational opportunities in creating lasting change. The mitigation of child marriage requires a comprehensive approach – dealing with the issue requires reform. Priority must be made to impart formal education to the young generation so that they understand their basic rights enshrined in the constitution. To postulate the change, there need an immediate primer of education through scholarships and awareness campaigns to inertly help families recognize the

long-term benefits of keeping their daughters in school. At the same time, proper awareness campaign and engagement within the community is quintessential in ending this dogmatic norm grounded through patriarchalism. The involvement of community leaders in advocating against child marriage is paramount to paradigm shift in the cultural norms vis-a-vis establish new values in the societal perception (16). Consequently, the vocational training programs especially for the girls need to be epitomized to bring alternative pathway to avoid from the practices of rigid cultural dogmas in the Nyishi tribe. The other aspect is to relook on the Customary Law how the practice of child marriage is allowed in the society. This practice emboldened from the customary laws. Therefore, a reform in the customary laws is the need of time because it would control the people from continuing the practice. Consequently, strengthening of the legal frameworks is required to enforce the minimum marriage age and creating support networks for girls at risk. By combining these strategies, the Nyishi community can foster a supportive environment that protects the rights and potential of its young women. To effectively reduce the practice of child marriage, a multifaceted approach is necessary, involving various strategies that address the underlying causes and provide support to those most at risk. Here are some strategies that can help in reducing child marriage (17). Educating communities about the negative impacts of child marriage and promoting awareness of children's rights can change societal attitudes and encourage families to keep their daughters in school. Investing in girls' education is crucial. Educated girls are more likely to marry later and have fewer, healthier children. Schools can also serve as protective environments for girls, offering them a safe

space away from the pressures of early marriage. Providing economic opportunities and empowering families, especially girls and their mothers, can reduce the perceived economic benefits of child marriage. This can include access to microfinance, vocational training, and income-generating activities. Enforcing laws that set the minimum age of marriage and prosecuting those who arrange or participate in child marriages can deter the practice. Legal reforms should be accompanied by community-based education to ensure understanding and compliance with the law. Involving community leaders, religious figures, and local organizations in dialogue and action plans can help change community norms and practices. Community-led initiatives can be more sustainable and effective in the long term. Challenging and changing the social norms that support child marriage is a long-term strategy that involves working with communities to redefine gender roles and the value of girls and women in society. Providing support and safe spaces for girls who are at risk of or have experienced child marriage is critical. This can include shelters, legal aid, counseling, and reintegration programs. In recent years, the community members of Nyishi tribe have gradually change its mindset, and began to accepting the constitutional values by discarding the traditional practice of child marriage. Even at times when there is conflicting situation, the parents or victim directly access with the Courts to assert their rights or rights of the wards. Realization of this brought an apocalyptic change in the practice of child marriage in the society. Some of the community leaders reminiscence that it is because of the push and pull factors where on one side the customary practice do not deliver meaningful judgement for the victims, while on the other, the formal education and modernization ensure confidence and pave ways to assert the individual rights (18).

Conclusion

The practice of child marriage is rooted in historical and cultural traditions, which required stemming out from the society at the earliest. It can be done through the modern education, legal reforms, and reforms in the cultural norm. There is growing movement in recent past towards abandoning child marriage in favor of individual rights and well-being of children. However, this transformation is facing delicacy between balancing preserving cultural heritage and embracing modern

values. Despite the hurdles, it is, once deeply entrenched in the social fabric, gradually diminishing. The advent of modern laws and governmental bodies has facilitated a greater awareness of the negative consequences of this tradition. Undoubtedly, the exposure to education among the young people is one of the greatest factors for the changed. The activism of Student Unions, Non-Governmental Organizations (NGOs), and Governmental Bodies are pivotal in raising awareness about the detrimental effects of child marriage. They have advocated for the education and empowerment of girls, emphasizing the importance of providing them with equal opportunities. As a result of government intervention, laws have been enacted to protect basic human rights rendering child marriage illegal and punishable offence. These concerted efforts have led to a shift in public perception. People are increasingly recognizing the need to abandon old practices and are acknowledging the equal importance of the girl child alongside boys. Many girls are now enrolled in schools and are treated as equals to boys, reflecting a broader societal change. The empowerment of women and the evolution of feminist thought have also driven a strong voice among the girls. They are now equipped with knowledge about their basic human rights and freedoms, enabling them to speak up for themselves and advocate for their rights. This transformation signals a move towards a more equitable and just society, where the rights and potential of every individual, regardless of gender, are recognized and valued. Nowadays, new trends of marriage such as love marriage are embraced by people. Educated individuals have the freedom to choose their life partners. The emergence of various platforms, including educational institutions, workplaces, and social gatherings, provides opportunities for people to interact, get to know each other, and fall in love – a trend that reflects the changing times. The prevalence of modern thoughts and the popularity of these new marriage trends have significantly reduced the incidence of child marriage. In short, the practices of child marriage in the Nyishi is a bygone story and emerged an equitable society is a direct result of collective effort.

Abbreviation

NGOs: Non-Governmental Organizations.

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Both the authors have contributed equally to this work.

Conflict of Interest

The authors declare that they have no known competing financial interests or personal relationships that could have appeared to influence the work reported in this paper.

Ethics Approval

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