Child Marriages in Pakistan: Issues of Sampling, Representativeness and Generalization

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Abstract

Data collection techniques used by various organizations in Pakistan on the issue of child marriages have produced disparate figures. The article has examined the data collection methodologies, sampling representativeness and generalizations of the findings based upon such data for the year 2012 and afterwards. The analysis revealed that data compiled by the non-governmental organizations indicate a rising trend in child marriages, quite contrary to the data shown in the three consecutive Pakistan Demographic Health Surveys (1990-91, 2006-07, 2012-13), which showed a declining trend in the menace. Figures and percentages are drawn by the non-governmental organizations from non-representative samples, scant and skewed data, which depict a misleading picture of the phenomenon, hence the precise and accurate quantum of the issue, is hitherto unknown. This situation entails an inability for policy makers in conceiving a viable counter strategy.

Keywords*: child marriages, methodological issues, generalization, non-governmental organizations, representativeness of data

Introduction

Marriage as an institution legally connects people and serves as the very basis of family life by means of sexual and procreative union (Cherlin, 2004). Marriage is a socio-cultural phenomenon that entails an implicit consent in the human societies, world over (Adebowale etal., 2012). In all the societies, whether industrialized or developing, marriage is reckoned as the union of two people wherein the intent of procreation is socially, culturally and religiously permitted. Early or child marriage are marriages carried out before reaching the age of eighteen when the girls are physiologically and psychologically too weak to undergo the strains of motherhood and shoulder the household responsibilities (Raj, Saggurti, Balaiah, & Silverman, 2009).

According to Child Marriage Restraint Act, 1929, it is a marriage consummated before reaching the legal age in Pakistan i.e. eighteen years for male issue and sixteen years for females. Prior to April 2010, the Eighteenth Amendment in the Constitution of Pakistan, the Child Marriage Restraint Act 1929 was the legal instrument to check underage marriages. It proscribed child marriages vide Section 4, 5 and 6 as an offence.

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The revised Child Marriage Restraint Act, 1929 (XIX of 1929) redefined "child" a person in case of being a male issue should be below 18 years and in case of a girl, she should be below 16 years. Child marriage redefined as a marriage wherein either of the contracting parties is a child or under marriageable age and its violation a penal offence indictable with fine and imprisonment. Any marriage either of a boy or that of a girl before the legal marriageable age (reaching 18) is reckoned as child or underage marriage nevertheless such incidences more frequently observed among girl children (UNICEF, n.d.).

The different legal statutes in Pakistan have defined 'child' differently with variant age limits e.g. Juvenile Justice System Ordinance, 2000 defines child as a person below the age of 18 years at the time of commission of offence. Pakistan Penal Code (PPC) of 1860 declares that no action can be deemed as offence when done by a child below the age of seven. The section 83 of PPC declares that nothing can be termed as criminal when done by a child above seven but below twelve with insufficient maturity to understand or judge of the nature and repercussions of his/her action on the occasion. "Hadd' can be enforced on a person who has attained puberty and it is fixed 18 years in males and 16 years in females (Hudood Ordinance, 1979). The Code of Criminal Procedure 1898 declares a person as "Juvenile" who is under 15. Punjab Youthful Offender Ordinance 1983 declares a person as a child who has not attained the age of 15.

The Sindh Child Marriage Restraint Act, 2013 determines 18 as a universal age for both the sexes, in clear contrast with those of set by Punjab wherein 18 for males and 16 for girls are set as limits. The rest of the provinces follow the Child Marriage Restraint Act 1929. According to Article 1 of the Child Rights Convention, any human being below the age of 18 is a child and this definition has been ratified by 194 countries.

The marriageable age and the age of a child in Pakistan have been defined differently for local, national and international level.

Most of the nation states usually set marriageable age as a matter of right at 18, barring few exceptions for catering parental or legal authorization. These exceptions vary considerably from region to region (UNFPA, n.d.).

A marriage of a 16 years' girl child (except in Sindh with marriageable age 18) will be legal locally. Setting age at 16 as thresholds for legal marriageable age stems from geographical and cultural traditions. Traditionally a girl is deemed as young upon attaining puberty which symbolizes first menstruation cycle (menarche) and certain physiological changes. Globally the average age of menarche is 12 to 15 (Women's Gynecologic Health, 2011). However, in India this age is determined at 12.1 years in 1998 (Sharp, 2008).

Consequently, differences in the child and marriageable age definitions at local, national and international level generate confusion in data collection, analysis and its subsequent reconciliation at national and international level.

Significance of Child Marriage Issue in Pakistan

Child marriage is not Pakistan specific issue rather it is a global phenomenon. Out of the total marriages annually carried out in Bangladesh 65 percent of women are married before the age of 18 in Bangladesh, followed by India and Pakistan with 47 percent and 40 percent respectively (UNFPA, n.d.). Early marriages are more frequented in developing countries wherein extramarital childbearing is not approved, the institution of marriage is universal and only form of legal

cohabitation (Bates, Maselko, & Schuler, 2007; Singh & Samara, 1996). Child brides are kept under stringent spousal controls and undergo sexual activities usually without their consent (Otoo-Oyortey&Pobi, 2003). Such sexual intercourse can be reckoned as child abuse (Bates et al., 2007; Hervish & Feldman-Jacobs, 2011; Mikhail, 2002; Otoo-Oyortey&Pobi, 2003). Child brides hardly enjoy household autonomy and are potentially at a higher risk of succumbing to domestic violence (Clark, Silverman, Shahrouri, Everson-Rose, & Groce, 2010; Gupta, 1995) and adverse health outcomes (Nasrullah, Zakar & Kramer, 2013).

Pakistan in 2015 had an estimated population of 191.71 (Economic Survey of Pakistan, 2015) and according to National Institute of Population Studies, Planning & Development Division, (2010) the women population between 10-19 years approximates at 45.12 million out of the total 48.65 percent female population. Consequently 21.95 million females could be under potential danger of being married as child.

Approximately half of the total marriages carried out in Pakistan involve child girls who have not reached the age of 18 years (Nasrullah et al., 2013; Tribune, 2013). According to Anees and Zarina (2015), 24 percent Pakistani women are married before the age of 18 and during 2000 and 2010, seven percent girls were married before the age of 15 years. Other sources presume that the phenomenon exists around 30 percent of the total marriages in Pakistan. In national surveys conducted during 2000 to 2010 in ten different countries of the world, revealed that around 58 million young women in less developed countries are married before18 (Hervish & Feldman-Jacobs, 2011).

Materials and Methods

The present study involved an extensive search of a series of online as well as electronic sources from February 12, 2017 to April 11, 2017 to identify the studies that appear to be relevant to child marriages and available data in Pakistan. For getting an in-depth understanding of the issue, we used the printed as well as electronic national and international reports, documents, and various studies. Printed material was mainly taken from various national newspapers and non-governmental women and child activist organizations including Aurat Foundation, Shirkat Gah, Action Aid, Strengthening Participatory Organization, and Sahil. Additionally, published reports and literature of government organizations such as Finance Division of Pakistan, Planning Commission of Pakistan were also consulted. For the present study, literature was retrieved from various online databases including Science Direct, LYCOS, SSNR, NCBI, PubMed, Google Scholar, Jstor, LYCOS, SAGE Pub, and Elsevier. A total of 14 reports and 27 peer-reviewed articles on child marriages were selected and reviewed for this study.

The information on child marriage was searched by using various combinations of key words/key terms such as 'child marriages in Pakistan', 'magnitude of child marriages in Pakistan', 'state of child marriage in Pakistan', 'legal basis of child marriage in Pakistan', 'data on child marriage'. Additionally, the abbreviations of different multilateral terminologies and interventions such as GBV (Gender Based Violence), VAW (Violence against Women), CRC (Convention on the Rights of the Child), and DV (Domestic Violence) were put in the search engine to find out information in the broader perspective of the present study. The combination of the various key words and the use of acronyms helped the researchers to find out a stock of literature in the form of books, research articles, working papers, organizational reports, policy papers, conference proceedings and other relevant material concerning child marriages, data collection, and other aspects of the issue.

Additionally, the raw data of Pakistan Demographic and Health Survey (PDHS) 2012-13 along with the national organizations, the material and reports of international organizations such as United Nations Children Education Fund (UNICEF), United Nations Development Programme (UNDP), United Nations Population Fund (UNFPA), International Labor Organization (ILO) and Oxfam GB provided an invaluable insight into the issues concerning the causes, data collection, and implications.

Data retrieved from all sources was critically and systematically examined and reviewed to ascertain the causes of child marriages in Pakistan, the issues of data collection, and other aspects of the child marriage in Pakistan. Since there is no representative data and information is available on the issue of child marriages, the data from different national and multilateral sources have been compared and analyzed.

In the present study, data and information retrieved from various sources about child marriage have been analyzed and a comparative picture has been drawn about data collection methodologies vis-a-vis generalizability of the data.

The present study was not without any limitations. This study did not involve primary data collection whereby the researchers had to rely upon the available secondary data which could not be empirically tested. Moreover, the available secondary data including the biggest sampled data of PDHS had the issues of in-adequate representation and generalization. Although the present study analyzed the information critically and systematically, but it did not involve any inclusion-exclusion criteria, mainly due to paucity of reliable data sources and evidenced based information.

Data Collection and Issues of Consistency

The statistics collected and analyzed in the reports of different NGOs are used by stakeholders as secondary data in legislation, policymaking, advocacy, social mobilization as well as sensitization of masses on the same. However, uniform statistics on child marriages are hard to find in Pakistan. Since uniform statistics are to be compiled through reliable data collection methodology, while, NGOs working in Pakistan are mainly relying upon convenience sampling and proffer an altogether different picture of the phenomenon. As discussed above, inconsistent data with variant percentages on child marriages are being quoted at different fora. Goonesekere (1998) has rightly pointed out thatlimited availability of data on child marriages in Pakistan projects its desolate image.

UNICEF in its National Report (2012) claimed that in Pakistan, 70 percent of women are married before 18 and 20 percent the tender-age of 13. Predictably, the figures are particularly high in rural areas. The figures cited in the report do not mention data source either primary or secondary. Likewise, nothing is mentioned or known about the data collection methodology.

The NGO Sahil during 2012 compiled a total of 75 cases of early child marriages reported from 33 districts out of 134 including AJK in the country (Cruel numbers, 2012). The analysis shows that 43 percent incidents of early child marriages occurred within the age bracket of 11-15 years and 32 percent within 6-10 years (Table 1).

The comparative analysis of the figures compiled by Sahil in 2012 and 2015 indicates the upsurge in child marriages with 4.17 percent in Punjab, 34.89 percent in Sindh,19.08 percent decline in KPK, followed by 12.87 percent in Baluchistan. Whereas only 2 cases were reported from federal areas, i.e. Islamabad Capital Territory (ICT) in 2012, while no case was reported in 2015in ICT

(Table 2). Additionally, the data presented by Sahil indicate that there were 30 cases from urban areas and 45 cases in rural areas during the year 2012 in Pakistan. According to the data compiled by Sahil, during the year 2015 the total 104 girls and 08 boys' child marriage cases were reported. The results show that 35.5 percent of the children who were married off at early belonged to the age group of 11-15 years and 33.6 percent were from the age group of 6-10 years.

The methodology of primary data compilation by Sahil relied on collection of news items from 70 national regional and local dailies along with the cases directly reported to them. Previous year's complied figures are analyzed and compared with those of the current year and difference is projected numerically. Print media served as a sample frame here but the defining characteristics of it are rather specific and biased and it might have missed enough of the relevant information.

Another NGO Aurat Foundation in its Annual Report (2012) reported 24 cases of child marriages. Further this NGO reported 38 cases in their report published in 2014with the highest cases (18) in Punjab. Moreover, if case per million is calculated, it is 2.31 cases per million population (Table 3). Comparably, Cruel Numbers Report of Sahil indicated 75 cases in 2012 and 112 cases in 2015. There is a visible difference in reported number of cases by the both organizations between 2012 and 2015.

The Aurat Foundation's annual Reports 2012 and 2014 are, in fact, the collection, analysis and evaluation of the figures compiled from miscellaneous national and local newspapers. The data compilation methodology adopted is evidently flawed since vast number of cases may go unreported because of the socio-cultural constraints and inaccessibility of media in certain areas such as Federally Administered Tribal Area. Moreover, socio- political upheavals and natural disasters such as floods might have actively diverted media gaze from the incidences appearing lesser significant. Such data collection could be under and over reported, exaggerated on the part of reporters and affected by moral constraints etc. The sampling technique adopted by the NGO is a convenient and biased one. Only media flashed reports and cases directly reported to them are selected. Consequently, the possibility of equal chance of being represented is gone along with the claim of the representativeness of the population. Moreover, on the basis of these specific instances larger inferences and generalizations are made. According to Mason (2002p. 197) "If your sample is not entirely representative of a wider population you must not make claims which suggests that it is".

Sadaf and Shamas (2016) did the descriptive analysis of all ever married women with ages ranging between 15-49 from the three round of Pakistan demographic and health surveys (1990, 2006-07 & 2012-13)by categorizing women who were married before the age of 15 (very early marriages) and the women who were married between 15 to 18 (early marriages). The analysis of the data at univariate level manifested that the trends of marrying girls before the age of 15 declined from 31.9 percent to 11.1 percentbetween1991 and 2013, respectively (Table 4).

The comparison of 2012 and 2014 figures depicted in the annual reports of Aurat Foundation show 58.33 percent rise in child marriages in Pakistan (VAW 2102-14). While the figures depicted in Cruel Numbers 2012 and 15 Reports compiled by Sahil, it records 14.28 percent rise in child marriages (Cruel Numbers 2012-15). There is a stark variance between the figures of PDHS and the NGOs.

PDHS data is based on a nationally-representative household survey from all over the country. Random sampling technique was adopted for the selection of household 6944 in urban and 7056

in the rural area (PDHS, 2012-13). When PDHS methodology is compared with theabove mentioned NGOs, it transpires that the latter are relying upon convenience and haphazard sampling. Their size of sample is too small and the data compiled is too skewed to become the basis of valid generalization. This is substantiated with the fact that 75 and 112 cases of child marriages were compiled by Sahil in year 2012 and 2015 respectively, while Aurat Foundation compiled only 38 cases of child marriage in 2014 against the total female population of 87.91 million in 2014.

Sampling technique, Representativeness and Generalization

Out of 160 pages of Situation Analysis Report (2012) by UNICEF the word 'child marriage' has been used only five times. No specific details are available in the report regarding the research methodology and data collection techniques on the phenomenon. Nonetheless, the report states that 70 percent of girls are married by the age of 18, and 20 percent by the age of 13; probably, the numbers are specifically high in rural areas. Unusually if 70 percent girls are being married off at an early age in Pakistan, the issue should not have missed the gaze of UNICEF experts. Besides, the Human Rights Commission of Pakistan in its State of Human Rights (2013-14 & 2015) too did not mention any nationwide data on child marriages. UNICEF Annual Reports 2013-14 & 2015 were also analyzed and no data regarding child marriages was found.

Aurat Foundation during the calendar year 2012, collected data on child marriages from the newspapers, police help lines, hospitals and officials shelter homes. Convenient and haphazard sampling techniques were used for selecting newspapers out of 422 dailies. Likewise, Sahil too primarily gathered its data on child marriages from newspapers, NGO Rozan, Madadgar helpline and the cases directly reported to them. It monitored a total of 86 newspapers out of the 422 dailies. Sahil did not mention as to how 86 newspapers are sampled.

Representative sampling is sine qua non in survey and poll research because these are always drawn through probability methods. Probability sampling is applied where the listing frame of population is available. Quantitative researchers are adamant that findings of representative sample are generalizable to the population (Seale, C., Gobo, G., Gubrium, J, F. & Silverman, D 2004). The researchers beginning with an imprecise notion of a target population, are likely to have an explicit accessible population wherefrom participants are sampled. Even accessible populations, which are linked to hypothetical target populations in a diffuse and often unarticulated way, are frequently ill-defined in research reports. In many cases, the population may be identified based on sample characteristics and relevant eligibility criteria—that is, the real starting point is often the sample, not the population. Random sampling is a means to statistical model of generalization. Small convenience samples which are not selected by way of theoretic reasons pose stark threats to generalizability (Denise & Cheryl, 2010).

In the above stated self-selected or voluntary response samples, the NGOs relied on the first available primary data source without additional requirements. They took the sample from that part of population (girls below the age of 18) which was easily accessible. The studies which draw on the non-probability convenience sampling always suffer from credibility loss on the grounds of high vulnerability to biased selection, being prone to sampling error and their influences being beyond the control of the researchers (Denise & Cheryl, 2010). The researchers in the above stated instances are acting like paleontologists and archeologist who usually find very little or whatever has come to their way in the print media.

Discussion

The year 2012 was taken as a period under review for analyzing the data collection and generalization by above stated NGOs. According to the Pakistan National Report 2012, published by the UNICEF, 70 percent Pakistani women were married before the age of 18 which means every woman has 0.69 percent chance of being married off as a child. In other words, 690 women out of 1000 are married before the age of 18. Since nothing is specifically mentioned about the data collection and representativeness of sample etc. the generalization of results looks implausible and is even incompatible with the results compiled by Sahil and Aurat Foundation in the similar period.The analysis of 75 cases compiled in The Cruel Numbers (2012) by Sahil revealed that chance of a child marriage per woman was recorded at 0.0000008531 out of the total female population of 87.91 million during the year 2013. In other words, one child girl marriage will occur in 1.7 million female population. The sample involved in the data compilation is haphazard, convenient, biased and skewed hence its results cannot be safely generalized to the entire population.

Likewise, annual report (2012) compiled by Aurat Foundation, largely counted on news reports published in Print Media. It reported 24 cases which means incidence of child marriages per person is 0.000000273. Put in other way, the chance of one girl child being affected is after 3.6 million female population. Similarly, as above, the sample involved in the compilation of data is convenient, small, biased and skewed that its results cannot be generalized to the entire universe.

In PDHS (2012-13) the data was collected through random sampling and indicated 11.1 percent girls are married off before the age of 15 during 2012-13, thus the incidence of underage marriage would be 0.111. In other words, approximately, 11,000 women are married off before the age of 15 years out of one million women. However, data presented by the above mentioned NGOs contrastingly indicate a continuous upsurge in child marriages in Pakistan. The comparative analysis of compiled data by NGOs and Organizations can be seen in Table 5.

Additionally, Pakistan National Report by UNICEF mentioning the prevalence of child marriages at 70 percent did not mention the sampling frame or source. Likewise, the Cruel Number report by Sahil indicated 43 percent of child marriages (11-15 years) in 2012, and 57.58 percent in 2015 for the same age group. The Annual Report of Aurat Foundation also showed an increase in child marriages for the time under consideration. These organizations together indicate a continuous increase but at variant percentages in the phenomenon, but they used convenient sampling and relied upon news reports. In contrast, the PDHS drew a random sample, which is representative. The all of the NGOs relying upon non-random sampling, mainly convenient sampling and media reports tend to show an increase in the phenomenon, again with varying figures. Whereas the national representative survey of PDHS show the picture that is absolutely in contrast to the claims of the NGOs. The conflicting claims regarding quantum of child marriages in Pakistan are shown in Table 6.

Even, according to the data of Crime Branch of Punjab Police,there were only 16 cases registered in 07 districts against the violation of Child Marriage Restraint Act, 1929 (Crime Branch, 2016) do not reveal a true picture of the phenomenon Thus the data of registered cases on child marriages is too scant to become a representative sample for further generalizations there from.

Conclusions

The essential objective of data collection is to generate quality evidence, facilitate in answering research questions and   evaluate results with reference to the phenomenon under study. However, the above stated datasets for child marriages are primarily maintained by local and international organizations**.** data collection techniques used by different NGOs in Pakistan have produced contradictory results during the period under review. Even the data compiled by same NGO in the consecutive years are inconsistent and list asymmetrical increase in the child marriages. The data collection methodology and sampling techniques by the organizations except by that of ORC compilation of PDHS data in have been non-representative, biased and convenient. Print media served as sampling frame and the news items published in these dailies are compiled and analyzed for subsequent statistical details.

The data collection methodology is beset with limitations such as inaccessibility of media, cultural and moral restraints, selection bias and political and natural upheavals diverting media attention and space from incidence of less significance. The above stated studies used non-probability convenience sampling which always suffer from credibility due to high vulnerability to biased selection, sampling error and influences being beyond the control of the researchers. All these factors tell upon the representativeness of sample and reliability of the compiled data. The data compiled is too scant and skewed to lead to meaningful generalization. Consequently, government should take unusual initiative for the compilation of reliable data on child marriages and gender based issues because only authentic data can help in realizing the real magnitude of the issue along with putting an end to specious generalizations on sensitive social issues which otherwise would continue to tarnish the soft image of Pakistan.

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Tables

Table 1
Child marriages by age group

Total districts	Reporting districts	Total cases reported (2012)	Different age brackets of child marriages	Cases and percentage (2012)	%
134 Including Punjab (36), Sindh (29), Baluchistan (32), KPK (26), ICT (01) and AJK (10)	33	75	1-5	02	2.67
			6-10	24	32
			11-15	32	43
			16-18	11	14.67
			Not Mentioned	06	08

Source: Cruel Numbers 2012, Sahil. Retrieved from http://sahil.org/cruel-numbers/

Table 2
Comparison of cases of child marriage

Province	No. of Cases (2012) n (%)	No. of Cases (2015) n (%)	Difference (%)
Punjab	25 (33.33)	42 (37.50)	+4.17
Sindh	12 916.00)	57 (50.89)	+34.89
Baluchistan	13 (17.33)	5 (4.46)	-12.87
KPK	19 (25.33)	7 (6.25)	-19.08
ICT	2 (2.67)	1 (0.89)	-1.77
AJK	3 (4.00)	-	-4.00
GB	1 (1.33)	-	-1.33
Total	75 (100)	112 (100.00)	-

Source: Cruel Numbers 2012&15, Sahil. Retrieved from http://sahil.org/cruel-numbers/

Table 3
Region wise break up of child marriages during the year 2014

Region	Customary Practices Vanni/Swara	Early/Forced Marriages	Total
Punjab	43	19	62
Sindh	03	18	21
KPK	324	0	324
Balochistan	0	01	01
ICT	0	0	00
FATA	0	0	00
Total	370	38	408
Case per Million	0.23	2.31	-
Population %	0.00042	0.000043	-

Source: Violence against Women (VAW) Annual Report 2014

Table 4
Ratio of women married at different age levels (in 5-years group)

	Age at first marriage					
Current Age (in 5 year groups)	Number of Respondents (n)			Less than 15		
	1990-91	2006-07	2012-13	1990-91	2006-07	2012-13
15-19	405	569	605	31.9	21.08	11.1
20-24	1058	1499	2106	19.9	13.9	5.6
25-29	1461	2007	2724	19.4	13.4	6.0
30-34	1195	1786	2528	19.4	14.8	6.0
35-39	1026	1653	2226	17.3	15.2	8.9
40-44	812	1302	1765	19.5	15.2	10.1
45-49	615	1208	1603	17.1	14.8	10.2
Total	6572	10024	13557	20	14.9	7.7

Source: PDHS 1991, 2006-07 and 2012-13

Table 5
Comparative analysis of compiled data by NGOs and organizations 2012-13

Name of Organization	Data collection method	Numbers/percentage of violations	Crime per person	Remarks
National Report 2012(UNICEF)	Not mentioned	70%	0.69	690 women out of 1000 are affected.
Cruel numbers(2012)	News items	75 cases	0.0000008531	One women will be affected after 1.7 million.
VAW Annual Report 2012	News items	24 cases	0.000000273	One women being affected after 3.6 million
ORC (PDHS 2012-13)	Random sampling	11.1%	0.111	11 thousand women affected in a million.

Source. Researchers' own analysis

Table 6
Conflicting claims regarding quantum of child marriages in Pakistan

Sr. No.	Data Collection Organization	Compilation Year	Child Marriages	Sampling/Source
1.	UNICEF	2002-2012	6.7% (Married by 15) 24% (Married by 18)	MICS
2.	Pakistan National Report (UNICEF)	2012	70% (18 Years and Below)	Not Mentioned
3.	(Cruel Numbers)	2012	43.00% (11-15 Years) 32.00% (06-10 Years)	Convenient Sampling,/News Reports
		2015	57.58% (11-15 Years) 38.48.00% (11-15 Years)	
4.	Aurat Foundation, Annual Report	2012 2014	No case reported 38 Cases	Convenient Sampling, News Reports
5.	Opinion Research CompanyPDHS	1990-91	31.9% (Less Than 15 Years at First Marriage)	Random Sampling Technique, Representative Sample
		2006-07	21.8% (Less Than 15 Years at First Marriage)	
		2012-13	11.1% (Less Than 15 Years at First Marriage)	