Determinants of under-registration of marriage among women in India: An exploratory study in Jhunjhunu district of Rajasthan

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ABSTRACT

Background: Registration of vital events has been low coverage in India since long, especially registration of marriages. Studies and data on marriage registration are very limited in India. Therefore, the present study tried to examine critical determinants of the under-registration of marriage.

Methods: The present study is cross-sectional and exploratory in nature based on primary data collected from Jhunjhunu district of Rajasthan. Using a mixed-method approach, a total of 150 currently married women and men each were selected purposively and interviewed face-to-face for quantitative data. Two focus group discussions (FGDs) with currently married women was conducted for qualitative insights. Bivariate, principal component analysis (PCA) and multivariate analysis were performed to analyse the data. In this research article, we have conducted analysis only for the sampled women.

Results: The study found that only two of every fifth married women register their marriage. The respondents from rural residence (31%), Scheduled castes and Scheduled tribes (SC/STs) group (24%), low education (24%) and wealth index (8.5%) showed a lower level of marriage registration than their counterparts. Lack of awareness, no requirement of marriage certificates, social norms, and early marriages are the major cause of the under-registration of marriage.

Conclusion: The finding of the study concluded that socio-economic status, lack of awareness about marriage registration and no necessity of marriage certificates are the leading determinants of under-registration of marriages in district Jhunjhunu of Rajasthan. The government should create awareness of existing marriage registration legislation and the necessity marriage certificate as proof of document wherever possible.

1. Introduction

A country's complete and up-to-date vital registration system is the primary requirement for studying the population dynamic and framing the policy and programmes. The coverage of vital registration systems is scanty in low and middle-income countries. Globally, nearly 29% of births of under five years of children's were unregistered¹ and about half of deaths were not correctly documented.² Birth, death, and marriage are the vital events of almost everyone's life; the first two are universal, but marriage is a matter of choice.³ During the last decade, there has been an improvement in birth and death registration, but marriage registration is either unreliable or unavailable in low and middle-income countries.⁴

In India, civil registration started in the mid-nineteenth century, with the Births, Deaths, and Marriage Registration Act, 1866, which provided

voluntary registration throughout British India. In 1969, the Act was amended with excluding marriage registration and known as the Registration of Birth and Death Act, 1969. Over the period, various legislation has been enacted and provided provisions by religion to register their marriages. For instance, the Indian Christian Marriage Act (1872), the Kazis Act (1880), the Anand Marriage Act (1909), the Parsi Marriage and Divorce Act (1936), the Special Marriage Act (1954) and The Hindu Marriage Act (1955).⁵ The National Population Policy (2000) and the National Commission for Women (2005) have recommended introducing the compulsory registration of marriages bill throughout India. Despite several legislations and recommendations for compulsory marriage registration, no such law exists at the national level. However, many states including, Karnataka, Andhra Pradesh, Haryana, Maharashtra and Rajasthan, have adopted the recommendation and enacted a compulsory registration of marriage act. Nevertheless, this Act failed to

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achieve the expected outcome. Despite the law for legal age, many marriages are taking place before the legal age, and these marriages remain unregistered; these marriages are illegal but not void.

Apart from the legal aspects, many studies in different settings endorse that socio-economic and cultural factors influence the marriage registration process.^{6,7,8} In India, marriage is an immemorial and important social institute, has an entirely different cultural view of marriage from the rest of the world.^{9,10}

Marriage registration certificate is a legal document that provides many entitlements to the women, such as to get alimony and maintenance after divorce and property rights. Marriage registration is itself as empowerment for the women, which indirectly reduce domestic violence and their illegal desertion by husband. To our knowledge, limited studies explored the marriage registration phenomena in India. In the Indian context, no literature to the best of our knowledge is available on determinants of marriage registration among women. Therefore, the present study attempts to explore determinants that affect marriage registration.

2. Data and methodology

2.1. Selection of study area, data source and sampling

Jhunjhunu district in Rajasthan was purposively selected for the study, which has a moderate prevalence of early marriage in the state. Further, Chirawa and Surajgarh blocks in Jhunjhunu were randomly selected to select the villages. All the villages with more than 500 households under these two blocks were listed based on literacy rate and further divided into villages with high and low literacy categories. Two villages from each category were randomly selected as a primary sampling unit. Similarly, one census enumeration block (CEB) was randomly selected from each block. Thus, a total of eight villages and two towns (CEB) were selected as the primary sampling units (PSUs) for final data collection in the study. Finally, 300 households were sampled using purposive sampling from each selected PSU.

The design of the study is cross-sectional and exploratory in nature. If a household had two eligible respondents, the younger women and men married recently were given priority to participate in the study to minimise recall bias during the interview. A total of 300 eligible women and men respondents who were married in the last five years at the time of the survey were interviewed. The data was collected through the mixed method approach; the primary survey was conducted during 2019–2020. Semi-structured interview schedules for quantitative data and the Focus Group Discussions (FGDs) for qualitative data were used. FGDs were conducted to know the perception and awareness among people about the marriage registration. Each FGD comprises six to eight persons of the same gender. However, the analysis in the present article is restricted to only women's sample of 150 respondents.

2.2. Variables

The dependent variable for the present study is marriage registration, which is dichotomous, "1" indicates married individuals who have registered their marriage and "0" otherwise.

In the Indian setting, marriage is a social phenomenon, and one of the fundamental elements of a social institution is influenced by various factors operating in the society. In the study, selected socio-economic indicators were used such as age at marriage (less than 20, 20–24, and more than 24); age difference between spouses (No difference, 1–4 Years, more than 4 years); years of schooling of the respondents and their spouses (less than 10, 10–12, and more than 12); working status of respondents and their spouses (working, not working); caste (Scheduled Castes (SCs) Scheduled Tribes (STs), Other Backward Class (OBC), and Others); religion (Hindu and Muslim); wealth index (poor, middle and rich) and place of residence (rural and urban).

2.3. Statistical analyses

Descriptive statistics, bivariate and multivariate analyses were performed to fulfil the objective of this article. In order to create a wealth index, Principal Component Analysis (PCA) was carried out. PCA is based on household ownership of assets, amenities, fuel use, and other sources of wealth. The principal component generated by PCA was used to weight loading for these assets. The reliability of the index was tested by Cronbach's alpha values (0.689), which suggested that the computed index was reliable. Then tercile of the weighted scores was generated (low, middle, and high). All the quantitative data were analysed with the help of the Stata15.1 version and qualitative data with AtlasTi 9.

2.4. Ethical clearance

Prior to data collection, ethical clearance was obtained from the Student Research Ethics Committee of the Institute. The purpose of the study was explained to the respondents, and strict confidentiality of the collected information was assured. Written and verbal informed consent to participate and for publication was obtained from each participant.

3. Results

3.1. Quantitative findings

Descriptive statistics of the socio-economic profile of the respondents are presented in Table 1. About 27% of women and 23% of their spouses had less than ten years of schooling, and the majority of women (94%) were non-working. Nearly half (43%) of the women belong to the OBC

Table 1

Percentage distribution of respondents by background characteristics in Jhunjhunu district of Rajasthan

Background Characteristics	Percentage	Number
Age at marriage		
Less than 20	38.0	57
20–24	56.7	85
24 +	5.3	8
Respondent schooling (years)		
Less than 10	26.7	40
10–12	34.0	51
More than 12	39.3	59
Spouse schooling (years)		
Less than 10	22.7	34
10–12	31.3	47
More than 12	46.0	69
Respondent work		
Not Working	94.0	141
Working	6.0	6
Spouse work		
Not Working	12.0	18
Working	88.0	132
Difference between spouses age		
No difference	2.7	4
1–4	71.3	107
More than 4	26.0	39
Caste		
ST/SC	36.7	55
OBC	43.3	65
Other	20.0	30
Religion		
Hindu	91.3	137
Muslim	8.7	13
Wealth Index		
Low	39.3	59
Middle	32.7	49
High	28.0	42
Please of residence		
Rural	78.7	118
Urban	21.3	32
Total	100.0	150

category. Almost 90% of the women follow Hindu religion, and rest of them Islam. Around one-fourth of women belonged to the lower wealth tercile and the three-fourths were from rural areas.

Table 2 presents the percentage of registered and non-registered marriages by women's background characteristics. The results depicted a significant association of marriage registration with demographic and socio-economic background characteristics of women such as age at marriage, years of schooling, working status, age difference between spouses, caste, religion, wealth index, and place of residence.

Sixty-one per cent of women did not register their marriage. With increasing respondent age at marriage and years of schooling, the marriage registration also increases, and the same is found true for spouse's years of schooling. However, if the spouse has a 1–4 year of the age difference, they are (46%) more likely to register their marriage than spouses with either no or more than four years of age difference. The marriage registration was higher among those women who belonged to the other castes (57%) compared to OBC (45%) and SC/ST (24%). Women who belonged to the Hindu religion (42%) and high wealth tercile (67%) were higher in proportion registering their marriage than who belongs to Muslim (15%) and other terciles, respectively. Nearly three-fourths (72%) of women living in urban areas were having their marriage registered than less than one-third in rural areas (31%).

Table 3 summarises the logistic regression for estimating adjusted odds of the marriage registration for a given women's characteristics after controlling other background characteristics. Women who marry after 20 years are 3.84 times (*OR*: 3.84; *95% CI*: 1.28–11.46) more likely to register for marriage than women who marry before 20 years. Women who had more than 12 years of schooling are 12.52 times (*OR*: 12.52; *95% CI*: 1.78–87.83) more likely to register marriage than who had

Table 2

Percentage distribution of marriage registration among women by background characteristics, Jhunjhunun district of Rajasthan.

Background Characteristics	Not Registered	Registered	P-value
Age at marriage			0.000
Less than 20	80.7	19.3	
20–24	50.6	49.4	
More than 24	25.0	75.0	
Respondent schooling (years)			0.000
Less than 10	87.5	12.5	
10–12	62.8	37.3	
More than 12	40.7	59.3	
Spouse schooling (years)			0.008
Less than 10	82.4	17.7	
10–12	59.6	40.4	
More than 12	50.7	49.3	
Respondent Working			0.002
Not Working	63.8	36.2	
Working	11.1	88.9	
Spouse work			0.579
Not Working	66.7	33.3	
Working	59.9	40.2	
Difference between spouses age			0.038
No age difference	75.0	25.0	
1–4	54.2	45.8	
More than 4	76.9	23.1	
Caste			0.006
ST/SC	76.4	23.6	
OBC	55.4	44.6	
Other	43.3	56.7	
Religion			0.064
Hindu	58.4	41.6	
Muslim	84.6	15.4	
Wealth Index			0.000
Low	91.5	8.5	
Middle	46.9	53.1	
High	33.3	66.7	
Place of residence			0.000
Rural	69.5	30.5	
Urban	28.1	71.9	
Total	60.7	39.3	

Table 3

Logistic regression of marriage registration by background characteristics, Jhunjhunun district of Rajasthan.

Background Characteristics	Exp(β)	[95%Conf. Interval]	
		Lower	Upper
Age at marriage			
Less than 20			
20 and more	3.84*	1.28	11.46
Respondent schooling (years)			
Less than 10			
10–12	3.05	0.69	13.50
More than 12	12.52*	1.78	87.83
Spouse schooling (years)			
Less than 10			
10–12	1.20	0.26	5.51
More than 12	0.56	0.09	3.61
Spouse work			
Not Working			
Working	1.11	0.26	4.82
Difference between spouses age			
No difference			
1–4	5.08	0.24	106.59
More than 4	2.04	0.09	48.12
Caste			
ST/SC			
OBC	0.72	0.20	2.57
Other	0.66	0.16	2.66
Religion			
Hindu			
Muslim	0.30	0.03	2.61
Wealth Index			
Low			
Middle	7.97**	2.27	28.06
High	15.99***	4.32	59.19
Place of residence			
Rural			
Urban	2.50	0.74	8.44

Note: ® Reference category; Level of significance***p < 0.001, **p < 0.01, *p < 0.05.

Respondent working status dropped as the sample size was small.

below ten years of schooling. In contrast, women who belong to the Muslim religion were less likely to register marriage than women who belong to the Hindu religion (*OR*: 0.30; *95% CI*: 0.03–2.61). According to the wealth index, women in the higher group of wealth index were 15.99 times (*OR*: 15.99; *95% CI*: 4.32–59.19), followed by women belonging to the middle wealth index were 7.97 times more likely to register marriage than poor wealth index women (*OR*: 7.97; *95% CI*: 2.27–28.06). Women living in urban areas are 2.50 times more likely to register for marriage than women from rural areas (*OR*: 2.50; *95% CI*: 0.74–8.44).

3.2. Qualitative findings

The themes that emerged from the qualitative research indicated three main pathways by which the registration of marriage gets affected in the study population. These factors included the lack of awareness about laws regarding marriage, social-cultural beliefs, and early marriage. The majority of FGDs participants were unaware of the need for a marriage certificate. Even if a few knew it, they thought it was only required by couples working in government jobs. In addition, some participants reported that marriage registration was undertaken by those couples who marry against their parents' wishes. Here are a few insights or quotes by the participants of qualitative data collection (FGDs), which present the awareness and attitude towards the marriage registration.

"We do not know that marriage should be registered." [Female, age 20 years, SC caste]

"I do not need any piece of paper [marriage certificate] to prove my marriage. My family is there to prove my marriage, and I also do not require a marriage certificate for any documentary proof or purpose like joint bank account and making the ration card." [Female, age 23 years, OBC]

Marriages performed traditionally are very important in Indian society. However, many FGD participants expressed that they liked to marry through their rituals and customs rather than through registration process. Some respondents reported no practical use of marriage certificates in their community/village, while they knew certificate is required for seeking government services and institutional delivery benefits.

"People should consider marriage through custom, and within their caste, if people do not do so; the society considers it as a stigma and breaking norms." [Female, age 20 years, Other caste]

Many previous studies found that under-registration of marriage was primarily due to underage marriage. All the participants agreed that underage marriage is illegal in India, and people may be punished according to the law. Participants mentioned that people who get married before legal age at marriage did not seek registration, knowing that they may be punished by law enforcement agencies.

4. Discussion

The present study found that around 61% of women had not register their marriage and demonstrated that low education contributed to higher under-registration. Previous studies conducted in various settings also underlined the importance of education and its association with marriage registration.^{11,12,13,14,15} Education works in two ways; higher education will decrease the probability of under-registration of marriage, and higher registration will decrease early marriages or marriages below the legal age.¹⁶ Currently, working women are more likely to register their marriage than those non-working. A similar finding was previously reported that working women had a strong preference for registering their marriage.^{12,17} The possible reasons could be that work status is directly related to education and provides empowerment and awareness about their entitlements.

This study is evident in noticing the stark differences in marriage registration between the rich and poor. The logistic regression analysis revealed that marriage registration was significantly higher among women in the high and middle wealth group compared to the poor. Wealthier people have higher odds to register their marriage than the financially weaker section of the society. Existing literature and qualitative insights of the present study suggest that there is under-registration of marriage among underprivileged people because of the low education, lack of awareness of the importance of marriage registration, and the high dominance of traditional customs among them.^{4,11,16} Apart from the demographic, other factors encourage people to register their marriage, such as receiving monetary help at the time of pregnancy (*Janani Suraksha Yojana*), joint bank account, applying for government jobs, and ration cards.

Qualitative insights identified that unawareness about the marriage registration and certificate, conventional social norms, lead to under-registration marriage. In the rural setting of India, marriage through the legal process is stigmatised, and most people believe that only those who marry against parents wish need to register their marriage. Historically, marriage registration is not a part of some religious rituals, and people believe social acceptance is enough to validate their marriages. Early marriages are a part of traditional believes and rituals which led to under-registration of marriages in the study population.^{4,14,16} A similar study found that most marriages done through traditional rituals were remained under-registered because couples marry within their cultural norms with or without recourse concerned about self-fulfilment and marriage registration considered as a secondary role.¹⁸

Many studies found that most early marriages were performed through social rituals only, and these marriages are always under-registered.^{19,20} Marriage performed through social/traditional rituals will be accepted in society, but not in the eyes of the law; there must be a certificate, which the marriage registration office issues. Women married through traditional rituals can have rights in society but may face when they claim their legal rights of inheriting or sharing husband's assets, income and other ownership. For instance, women cannot claim any property, alimony and maintenance after the divorce unless they have a marriage registration/certificate, otherwise often they face a long legal battle before acquiring these basic entitlements.

Even though for a healthy marital status, every marriage needs to establish the rights and responsibilities of each of the spouses through a systematic universal marriage registration. There is no denying the necessity to enact a uniform law to eradicate the complexities of unregistered marriages. Therefore, the policymakers and planners must develop awareness about the importance of marriage registration at the local level, mainly among women. The marriage registration will help in enhancing gender equality, reduce child marriage, bigamy and gender violence, and women will have the right to express themselves during the marital dispute, if any.

Strengths and limitations

The study is based on primary data with limited sample size. Therefore, findings cannot be generalised at the national or even at the state level. Despite the limited sample size, the study provides impactful evidence related to the causes of under-registration of marriage among women in the Jhunjhunu district and similar settings. One of the strengths of this study is the inclusion of women's awareness and registration regarding marriage. This provides an opportunity to examine the attitudes and factors that led to the under-registration of marriage in social settings like district Jhunjhunu.

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Availability of data and material

The data associated with this article was collected for PhD work, and survey respondents were assured raw data would remain confidential and cannot be shared with anyone.

Ethical approval

The ethical approval was granted by the Student Research Ethics Committee of the Institute. Furthermore, written or verbal consent to participate and for publication was taken from the respondent.

Author's contributions

(1) Ms. Nutan Kumari has conceptualized and design the study. (2) Ms. Nutan Kumari and Mr. Rajan Ram have analysed and interpreted the data. (3) Mr. Rajan Ram drafted the article and revising it critically for important intellectual content. (4) Professor Chander Shekhar has finalized and approved the article version to be submitted.

Declaration of competing interest

None to declare.

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References

- UNICEF. *Status of civil registration and vital statistics in South Asia countries 2018*. UNICEF; 2019. <https://www.unicef.org/rosa/reports/status-civil-registration-and-vital-statistics-south-asia-countries>.
- International Development Research Centre (IDRC). *Harnessing the power: CRVS systems for 2030 global agendas*. Ottawa: International Development Research Centre; 2018. https://crvssystems.ca/sites/default/files/inline-files/WebVersion_CRVS_Innovations_Conference_Outcomes_Report.pdf.
- UNICEF. In: Hawke A, ed. *Innocenti digest no. 7: Early marriage: Child spouses*. UNICEF; 2001. <https://www.unicef-irc.org/publications/pdf/digest7e.pdf>.
- Buvinic M, Carey E. *Leaving no one behind: CRVS, gender and the SDGs*. Centre of Excellence for Civil Registration and Vital Statistics Systems; 2019. Retrieved from https://www.data2x.org/wp-content/uploads/2019/03/CRVS_Gender_1.2_NoOneBehind_e-WEB.pdf.
- Government of India. *Compulsory registration of marriages*. No.270. Ministry of Law and Justice, GOI; 2017. <https://lawcommissionofindia.nic.in/reports/Report270.pdf>.
- CSR, NIPCCD. *A study on child marriage in India: Situational analysis in the three states*. National Institute of Public Cooperation and Child Development; 2008. <http://feministlawarchives.pldindia.org/wp-content/uploads/A-Study-on-Child-Marriage-in-India-three-states.pdf>.
- Mian N, Shaikh RH. Modernizing marriage registration law in Bangladesh. *Int J Phys Soc Sci*. 2013;3(7):2249–5894.
- Gupta GR. Love , arranged marriage , and the Indian social structure. *J Comp Fam Stud*. 1976;7(1):75–85.
- Sheela J, Audinarayana N. Mate selection and female age at marriage: A micro level investigation in Tamil Nadu, India. *J Comp Fam Stud*. 2003;34 (Retrieved from Expanded Academic ASAP database).
- Castle S, Ortiz E, Setel P. *Demand-side factors related to the registration of births, marriages, and deaths: A literature review*. CRVS Working Paper Series; 2020. Issue 2.
- Jamilah J, Puspita M, Dimiyati E, Tetep T, Melati P. *People's unawareness of the importance of marriage certificate*, 1–5. EAI; 2020.
- Musarandega R. Integrated human rights and poverty eradication strategy: the case of civil registration rights in Zimbabwe. *Int Soc Sci J*. 2009;60(197–198):389–402. <https://doi.org/10.1111/j.1468-2451.2010.01728.x>.
- Princewill O. Vital civic registration system as a tool for development planning in Nigeria : An examination of the major challenges. *J Cult Soc Dev*. 2015;11:36–43. ISSN 2422-4800.
- Santhya KG, Haberland N, Singh A. *She knew only when the garland was put around her "neck": Findings from an exploratory study on early marriage in Rajasthan*. New Delhi: Population Council; 2006.
- World Health Organization, Inter-Parliamentary Union. *Child, early and forced marriage legislation in 37 Asia-Pacific countries*. Geneva, Switzerland: WHO; 2016.
- Amin S, Das M. Marriage continuity and change in Bangladesh. In: Kaur Ravinder, Palriwala Rajni, eds. *Marrying in South Asia: Shifting concepts, changing practices in a globalising world*. Orient Blackswan; 2014:89–115.
- Patoari MMH. Causes and effects of child marriage in Bangladesh: a case study at halishahar, Chattogram, Bangladesh. *Acad J Interdiscipl Stud*. 2020;9(2):162–172. <https://doi.org/10.36941/ajis-2020-0034>.
- Bah S. The Improvement of marriages and divorces statistics in South Africa: Relevance, registration issues and challenges. *PSC Discussion Papers Series*. 1999;13 (2), 1. <http://ir.lib.uwo.ca/pscpapers%5Cnhttp://ir.lib.uwo.ca/pscpapers/vol13/iss2/1>.
- Niamba L. *Geographical and gender disparities in the registration of births, marriages, and deaths in the Nouna health and demographic surveillance system, Burkina Faso*. Ottawa, Canada: CRVS Working Paper Series; 2020. <https://idl-bnc-idrc.dspacedirect.org/bitstream/handle/10625/60237/IDL%20-%2060237.pdf?sequence=2>.
- UNICEF. *Child marriage knowledge , attitudes , and perceptions among affected communities in Albania*. Albania: UNICEF; 2018. <https://www.unicef.org/albania/reports/child-marriage>.