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MADRAS PRESS AND AGE OF CONSENT ISSUE

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Abstract:-According to A.R. Desai , the Press in India was an effective weapon in the hands of social reform groups to expose social evils. The Press in the Colonial Tamil Nadu richly contributed to the growth of the social reforms movement also, which, to a large extent, was part of the national movement. Sita Ram Singh observed, that nationalism and social reform 'went hand in glove' during the national movement in India. What he said about the close alliance between nationalism and social reform in India was true of the Colonial Tamil Nadu also. Majority of the nationalist press in the Colonial Tamil Nadu, supported the various issues connected with social reform. However, a few papers, like the *The Hindu*, *Swadesamitan* , *New India*, *Indian Patriot*, *Tamil Nadu*, *Swarjya* highlighted nationalist ideas and expressed very conservative opinions on aspects connected with the social reform. *The Hindu*, under G.Subramania Iyer gave equal importance to the political and social issues while *The Hindu*, under Kasturi Renga Iyengar, concentrated only on national movement and freedom struggle. These newspapers created political awareness among the people in Colonial Tamil Nadu. Another noteworthy feature was that pro- British papers like the *Madras Mail* , *Andhra Prakasika*, *Justice*, *Non-Brahman*, *Dravidian*, *Kudi Arasu*, *Puratchi*, *Revolt*, also supported various social reforms like abolition of child marriages, uplift of women and the improvement of the condition of women .

Keywords:-press, age of consent, social reform, orthodox, puberty, child marriage.

INTRODUCTION

The press played an important role in spreading the ideas of the womenfolk. The emergence of women's journal was indeed a glorious tribute to the reform movement.¹ Some worthy achievements by women in different fields appear in daily newspapers from time to and in the major dailies and almost all Indian language dailies carry a weekly women's section. A content analysis of this section would be needed before any comment be made on the subject matter of the sections and their views on the role and status of women.²

Press played a vital role to reflect the opinion of the people on various subjects. It was a powerful and popular media, which fought against a number of socio-economic political atrocities throughout the world.³

"*Mathar Marumanam*" encouraged the men to marry the widows by publishing proverbs and stories.⁴ Journal 'Stri-Dharma' work for women's labour to liberate the womenfolk from social and economic inhibitions.⁵ The press like "The Hindu", 'Madras Times' and some other newspapers also supported the Age of Consent Bill of 1891, and many newspapers were brought out to work for the upliftment of the women society.⁶

The Age of Consent Bill 1891

The Press of India and Madras Presidency particularly fought against the evil by exposing the demerits of the child marriage by way of giving much importance to matters relating to this practice. *The Hindu* and the *Swadesamitran* particularly devoted their editorial and correspondence columns as the forum for the debate on the merits and demerits of the proposed legislation on the Age of Consent.⁷

The Hindu daily newspaper commented that, when the orthodox Indians tried to organize a mass rebellion, the supporters of the Age of Consent Bill convened a public meeting in October 1890 at Madras and invited all the social reformers and the leaders of south to discuss this issue of great national importance.⁸ The meeting endorsed a petition to the government of India to legislate the proposed Bill on the age of consent.⁹

Some of the newspapers and journals projected public opinion on the need for the abolition of this practice. Bi-weekly journal, *Swadesamitran* in its 18 July 1890 issue referred this evil practice and suggested that all the public bodies and associations should simultaneously memorialise the government, stating that the age at which a girl might be allowed to cohabit with her husband should be by special legislation and be raised from ten to twelve.¹⁰

The *Karnataka Prakasika* in its August 11, 1890 issue stated that a child of 9 years was married to a man of 35 years in Bengal. It pleaded that the government should step in and fix a maximum age for marriage.¹¹

The Central Legislative Council passed the Age of Consent Bill in 1891, whereby age of consent was raised to twelve years.¹² The enactment of the act was marked by opposition and appreciation of press and the public. The papers, *Swadesamitran*, *Kerala Patrika*, *Kerala Sanchari* supported the act of legislation.¹³

The enactment of the Age of Consent Act, 1891 did not solve the problem of child marriage. It was impossible to change the long drawn social custom, which blended into the blood of every Hindu. If a girl was married at the age of 5 or 6, the Act could not prohibit it. The Act became a dead letter. After failure of legislative measures, again the social service organizations and the elite public raised the question of child mortality and morality due to child marriage. The medical reports exhibited the danger of child motherhood in mortal point of view.¹⁴

Newspapers such as *The Hindu*, the reformers whole heartedly welcomed this Act and also appealed to the government that the marriage age of the girls should again be raised further. In November 1892 the Madras Hindu Social Reform Association stated that the fixing of marriage age at twelve was not sufficient because it would prevent the young girls from going to schools.¹⁵

The weekly journal, *Wednesday* for the week ending 11 November 1914 remarked at the meeting of the Madras Legislative Council, V.S. Srinivasa Sastri would introduce a Bill to validate post-puberty marriages. Some time ago there was a discussion in the press whether according to the Hindu law as at present administered post-puberty marriages were valid and opinion was equally divided. The Bill was introduced for the purpose of removing any doubt in the matter. If some was so lost to decency as to contest the validity of post-puberty marriage and if the courts were to say that it was not lawful, that would undoubtedly give a blow to the amelioration of the condition of the girl-wife, and it was perhaps as well that any doubt in matter was removed by statute.¹⁶

On November 30, 1914, V.S. Srinivasa Sastri successfully introduced a Bill to declare the validity of marriages of Hindu women puberty.¹⁷ The Bill was welcomed by almost all the Non-Official Indian members as well as the press.¹⁸ According to the Indian Patriot, a daily, there was no violent opposition to the Bill.¹⁹

According to the *Hindu Nesan* however this Bill was denounced by a section of an educated Brahmin community. One of the criticisms was "The Bill is not to be useful in any way, as no legal measure can break the social barriers such as ex-communication."²⁰

Daily newspaper, *New India*, pointed out that the post-puberty marriages were opposed to the customs and the religion the Hindus. In a meeting held at Triplicane in Madras, under auspices of the "Hindu Mathar Sangam" a resolution was passed against the Bill.²¹

On the other hand *The Hindu* commented that the Bill was not an attempt to interfere with Hindu religion.²² Bi-weekly journal, *Swadesamitran* resolved that the government should accept this Bill and passed it into an Act, and that should not listen to the objections raised by the illiterate people who have not rightly understood its purpose.²³

Weekly journal, *Wednesday Review* refuted the various arguments against the Bill.²⁴ In 1922 a Bill was introduced in the legislature to raise the age of consent of the girl from twelve to fourteen by amending section 375 of the Indian Penal Code.²⁵

Journal *Stri- Dharma* reported that during the Simla session of the Legislative Assembly in July 1925 the Bill for the Age of Consent was re-introduced by Sri Hari Sing Gour, under the title of "Child Protection Bill". The purpose of the Bill was to raise the age of consent for unmarried girls to sixteen and married girls to fourteen. Sexual intercourse with the girl between thirteen and fifteen was made punishable.²⁶

Journal, *Stri- Dharma* in August 1925 mentioned that the press and Women's Indian Association did a pioneer work for the abolition child marriage. It extended its support for passing the Bill in the legislative assembly.²⁷

Journal, *Stri-Dharma* reported that again in 1926 the Women's Indian Association propagated the need for protecting minor girls from infant marriages.²⁸ While the Women's Indian Association and other social organizations and press were urging the government to take legislative measures to end child marriages.²⁹

The Select Committee was appointed to go through the Bill. The Select Committee gave its report in 1928. The most important recommendation made by it in the report was the extension of the application of the Bill from only the Hindus to all communities. This was followed by another Select Committee.³⁰

The Child Marriage Restraint Act (XIX of 1929) was passed in 1929. It was popularly known as Sarda Act. The Act punished the concerned parties if the marriage was performed in violation of the law, which prescribed fourteen years for the girls and eighteen years for the boys.³¹

The journal, *The Hindu Nesan* remarked that it was not in the least desirable to introduce a Bill to amend the Sarda Act either in legislative assembly or the council of state, when even the Orthodox Hindus who were at first opposed to the Act, had after a consideration of the provisions thereof come forward to say openly that it was indispensable and it had come into force even in some south Indian states.³²

Journal, *Tamil Nadu* wrote that it was nearly a year since the Child Marriage Restraint Act was passed. It was surprising as well as deplorable that the government had not yet fully brought it into effect. Why were they so indifferent in the matter, while they were rigorous in enforcing their other laws? Would this not create an impression in minds of the people that the government were by no means zealous where social reform was concerned? Unless the government took proper measures to punish adequately those who disregarded a law designed to put an end to the evil practice of child marriages they are apt to be accused of insincerity.³³

To conclude, though the government passed the Bill to raise the marriage age of the Indian girls, subsequently it tried to protect the post puberty married girls. In this matter the press has played a vital role in paving the way for further legislation to abolish child marriage.

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