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Child Marriage: Addressing the Challenges and Obstacles in the Post-2015 Agenda

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Abstract

This study explores the progress of child marriage eradication over the last forty years in order to identify the weak points of implementation as well as how these are being incorporated in the post-2015 agenda. An assessment of current rates by geographic region and several other demographic factors is included along with future projections for these affected areas. The shortcomings identified include a lack of program evaluation, negligence towards married children, a shortage of data on sub-national legislation efficacy, and minimal attention paid to child marriage in the context of slavery and human trafficking. The scope of the problem is laid out semi-chronologically by causes, consequences, solutions, related harmful practices, obstacles, and upcoming necessary changes. Insight into these areas was obtained through interviews with child protection policy workers of World Vision UK and experts in issues of gender equality within development. A need for continuity of commitment, increased scope of data collection, protection of overlooked populations, and inclusion of those most affected, including women and youth, are emphasized.

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Introduction

Child marriage refers to marriage under age 18.¹ It is increasingly being recognized as a major obstacle towards developmental progress at national and international levels. At the family level, it is often seen as a solution to problems such as girls' safety, poverty, and cultural pressures. In reality, however, it entails long term negative consequences for girls, their families, and their entire countries. The practice of child marriage, sometimes referred to as "early or forced marriage," has proven extremely difficult to eradicate since it is a problem that stems from several intersecting socioeconomic and cultural factors and is therefore deeply embedded in certain communities.

Marrying daughters off, often to much older husbands, is a universal occurrence. It is not specific to any one country, region, race, or religion. Although more predominant in developing countries, it happens in first world nations as well. For example, there were an estimated 3,000 forced marriages of women and girls under the age of 18 in the United States between 2009 and 2011.²

Child marriage is endemic in many regions, but its worldwide persistence and rates of occurrence give it some of the characteristics of a pandemic. Roughly 700 million women alive today were married or in union before the age of 18. One in three girls in the developing world will marry as a child.³

¹ United Nations General Assembly, *Convention on the Rights of the Child*, 2000, United Nations, Treaty Series, vol. 1577

² *Forced Marriage in Immigrant Communities in the United States* (2011) Tahirih Justice Center: Protecting Immigrant Women and Girls Fleeing Violence

³ *United Nations Children's Fund, Ending Child Marriage: Progress and prospects* (2013) UNICEF, New York, 2014.

There are certain trends that seem universal among affected regions and countries include the higher prevalence of child marriage among rural populations; girls in rural areas are twice as likely to marry as children than their urban counterparts. Additionally, girls without any formal education are three times as likely to marry before the age of 18 than those who finish secondary school.⁴ Independent of the overall wealth of a nation, girls in the lowest income quintile are more likely to give birth as adolescents than their higher income peers.⁵

The rates of child marriage are highly variable around the world. South Asia and Sub-Saharan Africa are the most affected; 18 out of the top 20 countries with the highest rates of child marriage fall into those two regions. Niger has the highest rate, but India has the highest total number of child brides, and Bangladesh has the highest rate of marriage for girls under the age of 15. Here the rate of child marriage is measured as the proportion of women between the ages of 20 and 24 that were married as children.⁶

South Asia has a higher overall rate of child marriage than Sub-Saharan Africa. In South Asia, there has been a sharp decrease in the rate of marriage under the age of 15, but marriage between the ages of 15 and 17 is still commonplace. Latin America and the Caribbean have shown the most stagnation as no significant reduction has been seen in the prevalence of child marriage in the past three decades. The Middle East and North Africa region has shown the fastest decline in child marriage.³ Child Marriage in the Central Asia and Eastern Europe region is not a rare practice, but is on average much less common than in other regions. Here data is difficult to collect since most child marriages are unregistered and many tend to occur amongst

⁴ Harper, Jones, Presler-Marshall & Walker (2014) *Unhappily Ever After: Slow and Uneven Progress in the Fight Against Early Marriage*. Overseas Development Institute (UK)

⁵ Williamson et al. (2013) *Motherhood in Childhood: facing the Challenges of Adolescent Pregnancy*. United Nations Population Fund: State of the World's Population

⁶ <http://www.girlsnotbrides.org/where-does-it-happen/>

groups that are overlooked by governments.⁷ For example, the national child marriage prevalence in Serbia is 5.9%, but is estimated to be as high as 54% among the Roma population.³

Despite these highly variable child marriage prevalences among different regions, worldwide averages have shown a steady decline. Globally, one in four women alive today were married as children, compared to one in three in the early 1980s. During the same period, the average proportion of married girls who married before age 15 declined from 12% to 8%. If the current rate of decline is sustained properly, the proportion of women married during their childhood will continue to decrease. Projections put this proportion at 22% by 2030 and 18% by 2050, compared to the rate of 33% in 1985.³

Given the large proportion of young people in the developing world, the so-called ‘youth bulge’, more girls are at risk of marrying early than ever before.⁴ In fact, an estimated 39,000 girls are married every day.⁵ While the rate of decline shows steady progress for the fight against child marriage, it will fall behind the rate of population growth in the most affected regions. Even if progress continues at this rate, the total number of women who will marry as children will roughly remain 700 million in 2050.

The inability of the current pace of progress to offset population growth rates will be especially pronounced in Sub-Saharan Africa. The region will surpass South Asia in total number of child brides as that number will double in Sub-Saharan Africa by 2050. It is predicted that even doubling the rate of decline in child marriage in this region won’t be enough to reduce the number by 2050.³

These projections indicate the growing global need to accelerate the current rate of decline in child marriage. Doing so will require intensifying current efforts on every level;

⁷ Child Marriage in Eastern Europe and Central Asia: regional overview. (2013) United Nations Populations Fund: Eastern Europe and Central Asia Regional Office.

international, national, subnational, etc. There is evidence that such progress is possible since the rate of decline between 2000 and 2015 is already faster than the average rate was over the last 30 years.³

Preventing early and forced marriage has been historically slow and difficult. International efforts against child marriage date back to the 1920s. India, for instance, passed the “Sarda Act” in 1929⁸, which made marriage illegal for girls under the age of 18. Today, however, the South Asian country has the highest number of child brides of any nation in the world and accounts for one third of married girls globally.³

Internationally, this relatively slow progress was accelerated during the 1990s after Cairo International the Conference on Population and Development in 1994 and the assertion of women’s and girls’ human rights at the UN International Conference on Women in Beijing in 1995.⁹ During the Millennium Development Goal era, however, child marriage was not addressed as a target even though it directly hindered progress on each of the eight goals.¹⁰

As the international community approaches the MDG deadline this year, it is faced with a daunting task that is both a challenge and an opportunity: eradicating child marriage within a generation. As the Sustainable Development Goals are being finalized, several international NGOs, national governments, and grassroots movements are taking a step back to reassess their efforts against child marriage.

This recent trend of assessment has revealed the most notable obstacles and shortcomings and identified the most effective strategies concerning anti-child marriage

⁸ Mukherjee, S. (2006). Using Legislative Assembly for Social Reform: the Sarda Act of 1929

⁹ Malhorta, Warner, McGonagle&Lee-Rife (2013) Solutions to End Child Marriage: What the Evidence Shows. International Center for Research on Women.

¹⁰ . *Protecting the Girl Child Using the Law to End Child, Early and Forced Marriage and Related Human Rights Violations* (2014) Equality Now

programing all over the world. The question now is, how should these key players address the weaknesses as well as amplify the strong points of efforts against child marriage in the post-2015 agenda?

Gender equality is key to achieving the post-2015 development goals, especially those concerning health, education, economic empowerment, and proper governance. The political declaration that the SDGs emphasize is present in the international community's commitment against early marriage.¹¹ The Universal Declaration of Human Rights, a foundational human rights tool, states that "marriage shall be entered into only with the free and full consent of the intending spouses".

The High-Level Panel of Eminent Persons on the Post-2015 Development Agenda and UN Women have declared child marriage as an important target within the SDGs in order to achieve gender equality, women's rights and women's empowerment. Additionally, the Human Rights Council Resolution, affirmed by more than a hundred countries, states that "the persistence of child, early and forced marriage contributes to impairing the achievement of the Millennium Development Goals and sustainable and inclusive economic growth and social cohesion, and that therefore the elimination of child, early and forced marriage should be considered in the discussion of the post-2015 development agenda."

¹¹ United Nations Sustainable Development Solutions Network (2014) *Proposed Sustainable Development Goals (SDGs) and Targets*

Literature Review

The available literature on child marriage generally does a better job at describing the problem and is weaker when it comes to sharing success stories of the many interventions that are being implemented in diverse settings. The extensive introductions are very thorough in outlining the extent of the practice, its causes, and its consequences. Solutions to the problem tend to get a much more vague treatment.

Additionally, navigating through the reports reveals just how segmented the approaches towards child marriage prevention can be. For example, the publication search engine available through the Girl's Not Brides' website allows users to search for reports by themes such as education, girls' safety, human rights, poverty, and sustainability@.

In terms of data representation on the issue of child marriage today, UNICEF's 2013 report entitled *Ending Child Marriage; Progress and Prospects* is an important tool that provides a stratified track record for progress that has been made against child marriage. It also provides projections that can be used to better allocate resources for future prevention work. The Ford Foundation's 2014 report *Ending Child Marriage in a Generation; What Research is Needed* gives an extensive analysis on the obstacles and shortcomings faced by past child marriage eradication programs and identifies several previously overlooked research gaps that require further investigation in order to improve the effectiveness of programs.

In January of 2015 Equality Now published an extensive update on the status of improvements to issues of gender equality have progressed in keeping with the Beijing Conference legislation entitled *Ending Sex Discrimination in the Law*. The policy review focuses on the most afflicted women in key countries according to human rights violations such as honor killings, servile marriages, sex trafficking, domestic violence, and biased employment laws.

Overall the report highlights the successes and failures of several state governments to uphold the agreement made to “revoke any remaining laws that discriminate on the basis of sex@” but provides little suggestion as it’s main goal is government accountability.

UNFPA’s State of the World’s Population report for 2013 entitled *Motherhood in Childhood; Facing the Challenge of Adolescent Pregnancy* outlines the impacts of adolescent pregnancy on girls’ health, education, and productivity as well as the many forms of pressures that facilitate it . The report’s focus on early pregnancy instead of early marriage alone is important because the two things don’t always occur in conjunction. Although it is most often the case that early marriage is followed by pregnancy, there are regions in which the social pressure to marry is less severe towards pregnant women since informal or seasonal unions are commonplace, such as in South America.

Overall, the reports and publications concerning child marriage call for interventions that aim to stop the practice as well as its underlying causes. They identify the most common criticisms of past efforts as well as the traits of successful programs. Many publications end with suggestions on how to best use the most effective programmatic features in the future, but it is rare for any to suggest ways to address the biggest weaknesses in anti-child marriage movements.

Research Questions

Given the prevalence of child marriage and the current trend towards assessing progress, it is vital to know why many efforts against it have done so poorly. At the same time, it is important to identify which practices have worked best in order to spread their use through implementation and advocacy. This study therefore asks: What have been the weak points of child marriage prevention? What have been the strong points? How is this knowledge being incorporated into the post-2015 agenda?

Research Methodology

This study was conducted through an extensive literature search on various topics surrounding in the institution of child marriage. The literature included annual progress reports published by organizations such as UNICEF and the ICRW as well as studies conducted on past programmatic evaluations.

Investigating the human rights aspect of this issue required an assessment of certain national laws and universal rights declarations created by members of the international community. International recommendations were used a framework through which to appraise certain violations. This study also incorporates four formal semi-structured interviews with experts in fields such as child protection policy, gender equality within human rights, grassroots movements on women's empowerment, and programmatic system strengthening on issues of child protection.

Causes

Early and forced marriage can be driven by poverty, situations of vulnerability such as girls being orphaned or in a state of emergency, lack of girl's education, gender inequality, dominant cultural or religious practices, lack of proper age documentation, and overall lack of

protection for the human rights of children. For example, in poor communities, marrying off a daughter means one less mouth to feed and often a very welcomed dowry or “bride price” paid by the groom’s family. In cultures where the groom’s family is paid instead, the dowry provided by the bride’s family can be lower if a she is young and uneducated.¹²

The key drivers of child marriage identified by this study were gender inequality within social norms, a desire to control female sexual activity, religious misconceptions and limited economic opportunities for women and girls. When girls don’t have the same value as boys, families and communities may discount the benefits of educating and investing in their daughters’ development and human capital.⁵

In places where every girl’s destiny is seen as a track to marriage and motherhood, families often see little point in educating their daughters as it will not be them but the husbands’ families that benefit.¹⁰ Child marriage is often seen as a defense against premarital sex, and the duty to protect the girl from sexual violence and harassment is transferred from father to husband.⁵

The practice of early marriage has a markedly disproportionate effect on girls. While it affects both girls and boys, girls are significantly more likely to be married as children than boys.¹³ It is estimated that half of married girls live in South Asia, where one in three girls is married before the age of 18 as compared to one in twenty boys.¹⁴ In 146 countries, state laws permit girls younger than 18 to marry with the consent of parents or other authorities. In 52 countries, girls under age 15 can marry with parental consent. In contrast, 18 is the legal age of

¹² Saruoh&Quaraman (2014) *Harmful practices based on tradition, culture, religion or superstition*. International NGO Council on Violence against Children

¹³ UNICEF. (2011). *Boys and Girls in the Life Cycle*

¹⁴ *New Insights on Preventing Child Marriage- A Global Analysis of Factors and Programs* (2007) International Center for Research on Women.

marriage for males in 180 countries.⁵ Such lack of gender equality in legal marrying age of reinforces the social norm that it is acceptable for girls to marry earlier than boys. Even when minimal age laws are in place, government failure to enforce birth and marriage registration makes it easier to avoid compliance with minimum age of marriage law as grooms and families can simply lie about a bride's age or hold ceremonies for unregistered marriages in secret.¹⁰

By marrying a daughter off early, the uncertainty concerning her future prospects and the risk of damage to a family's honor is essentially removed. The potential physical and psychological risks to the girl herself, however, remain for her to suffer through alone. This justification for child marriage makes sense in cultures where women and girls are seen as repositories for family honor and where their potential sexuality is seen as a risk that must be monitored and contained.¹⁰

Consequences

“Child marriage is perhaps the most urgent human rights and development challenge of our time. Child marriage harms girls, their families, communities, economies and nations the world over.”¹⁵ Its far-reaching effects go beyond the individual and can affect the entire community as well as national and global development. Some harmful consequences, among several others, may include increased exposure and susceptibility to HIV, violence in the home, and reduced freedom to interact with peers or to participate in civil and cultural activities in their communities.¹⁶

When children are married, they are often emancipated under national laws and lose protections as children since they are afterwards viewed as adults in the eyes of the law or by

¹⁵ Warner, Glinski, Thompson & Kennedy (2013) *Ending Child Marriage; What Will it Take?* Girls Not Brides: The US Partnership to End Child Marriage

¹⁶ Clark & Bruce (2006) “Protecting Young Women from HIV/AIDS: The Case Against Child and Adolescent Marriage,” *International Family Planning Perspectives*

custom. Child brides often become socially isolated and because of their marital status lose access to education and other services usually provided to children by the community.¹⁷ A child bride's lack of education and peers drastically reduces her support systems. Without skills, mobility, or connections, she will be constrained in her ability to overcome poverty for herself, her children, or her family.¹⁸

Of the 16 million adolescents who give birth each year, 90% of them are married.¹⁹ Early adolescent pregnancies, especially first-time pregnancies, are associated with higher rates of maternal mortality, pregnancy-induced hypertension, obstructed labour, and fistula.²⁰ Complications during pregnancy and childbirth are the leading cause of death among girls aged 15 to 19 in the developing world.¹⁹ Younger mothers are also more likely to exhibit poor feeding practices, have less consistent well-baby care practices²¹, such as vaccination, and are more likely to have stunted or wasted children²², when compared to older mothers.²³

The UN recognizes child marriage as a serious human rights violation

¹⁷ United Nations Committee on the Rights of the Child (2003) General comment no. 4: Adolescent health and development in the context of the Convention on the Rights of the Child. New York: United Nations.

¹⁸ Santhya, K., Ram, U., Acharya, R., Jejeebhoy, S., Ram, F., & Singh, A. (2010). International Perspectives on Sexual and Reproductive Health

¹⁹ WHO (2011) WHO guidelines on preventing early pregnancy and poor reproductive health outcomes among adolescents in developing countries. Geneva: WHO.

²⁰ UNICEF (2009) *Maternal and Newborn Health*

²¹ Finlay JE, Ozaltin E, Canning D. The association of maternal age with infant mortality, child anthropometric failure, diarrhoea and anaemia for first births: evidence from 55 low- and middle-income countries. 2011

²² Raj A, Saggurti N, Winter M, Labonte A, Decker MR, Balaiah D, et al. *The effect of maternal child marriage on morbidity and mortality of children under 5 in India: cross sectional study of a nationally representative sample*. 2010

²³ Prakash R, Singh A, Pathak PK, Parasuraman S. *Early marriage, poor reproductive health status of mother and child well-being in India*. The journal of family planning and reproductive health care / Faculty of Family Planning & Reproductive Health

that hinders the achievement of nearly all the Millennium Development Goals.²⁴ Child brides are less likely to finish school, which hinders the second goal of reaching universal primary education.²⁵ A lack of education leaves in turn leaves them with fewer economic opportunities and perpetuates the cycle of poverty for them and their children, which hurts the progress on the first goal of eradicating extreme poverty and hunger.²⁶

Girls who marry young are often given very little or no power over choosing whom they marry, and become women with little autonomy. This perpetuates the cycle of gender inequality for udy entire families and communities and thus undermines efforts to achieve gender equality as part of the third goal.²⁷ Adolescent pregnancies are more prone to potentially life-threatening complications such as obstruction of labor and vaginal-vesico fistula. These health risks block progress on the fifth goal concerned with reducing maternal mortality.²⁸

Younger mothers tend to have poorer child care capacities than mothers who give birth later in life. This delays the process of reducing under 5 mortality, which is goal number four. Goal number six, which in part concerns reducing the prevalence of HIV/AIDS, is impeded in two ways by the occurrence of child marriage. The first is physiological: adolescent girls are physically more susceptible to infection. The second is social; child brides are less likely to be

²⁴ Prakash R, Singh A, Pathak PK, Parasuraman S. Early marriage, poor reproductive health status of mother and child well-being in India. *The journal of family planning and reproductive health care / Faculty of Family Planning & Reproductive Health Care, Royal College of Obstetricians & Gynaecologists.* 2011;

²⁵Wodon (2014) *Eliminating Child Marriage to Boost Girl's Education.* The World Bank

²⁶ Child Marriage and Poverty (2006) ICRW

²⁷ State of the World's Children (2007) Women and Children: The Double Dividend of Gender Inequality. UNICEF

²⁸Raj (2010) The effect of maternal child marriage on morbidity and mortality of children under 5 in India: cross sectional study of a nationally representative sample. Department of Social and Behavioral Sciences, Boston University School of Public Health

able to negotiate safer sex practices with their generally older partners due to the inherent power imbalance of their relationships.¹⁸

Related Harmful Practices

Child marriage legitimizes a myriad of human rights violations against girls and young women under the guise of culture, religion, honor, and tradition. Several harmful traditional practices are directly linked to early and forced marriages. These include “honor” crimes, marriage by abduction or rape, FGM, exchange marriages, and temporary marriages.²⁹

In some parts of the world child marriage is used to cover up human trafficking. Many times, “marriage” is a guise for sexual exploitation, sexual abuse, forced labor. For example, temporary marriages, or mut’ah marriages, are thought to be a legitimate form of marriage by some Shia Muslims. Here girls are kept in sexual servitude for a short period of time before being divorced by their husbands and effectively sold into marriage again and again.¹⁰

Child marriage can be linked to restoring or maintaining family honor, a source of financial gain or means to settle a debt. A girl may be offered in marriage as a means of reparation for a crime or to settle a debt among disputing families, even when the girl was not involved in either situation.

In many cases, the girl is subsequently treated as a slave and is often physically beaten or otherwise punished in blame for the original crime committed someone else in her family. In Afghanistan the practice, which is known as baad , is a way of avoiding the use of violence to resolve conflict and may be used to compensate the families of victims of crimes such as theft or

²⁹ *Ending Child Marriage* (2013) Council on Foreign Relations

murder.³⁰ A girl given in baad is often subject to severe violence and overall mistreatment as her husband's family may take out its desire for revenge on her.

Forced marriage whereby a girl is abducted by a group and her future husband with the intention of being forcibly married is a traditional practice that is often still used in the Caucasus, East Africa, and some parts of Asia.³¹ The process can also include raping a girl then arranging marriage terms with her family in order to avoid the dishonor and shame associated with a daughter who has had what will be perceived as premarital sex. Laws that pardon rapists from any legal prosecution if they marry their victims can also contribute to child marriage.³²

The dynamic between FGM and child marriage is such that where one form of harmful practice is reduced or eradicated, the other may be retained or increased to take its place. Health consequences of FGM include severe hemorrhaging, infection, injury to surrounding tissue, genital sores, incontinence, urinary tract difficulties, and increased pain during menstruation, sexual intercourse and childbirth.³³ The two harmful practices can be contingent on each other. In parts of Tanzania, for example, if a girl has not undergone FGM, her father cannot demand a bride price.²⁹

Another harmful traditional practice linked with early marriage is the force feeding of child brides. In Mauritania, for instance, it is tradition for girls to be force fed in preparation for early marriage. This practice, known as “leblouh” or “gavage”, is common since fattening can

³⁰ Harmful Traditional Practices and Implementation of the Law on Elimination of Violence against Women in Afghanistan (2012) UNAMA and OHCHR

³¹ *From Invisible to Indivisible – Promoting and Protecting the Right of the Girl Child to be Free from Violence* (2008) UNICEF

³² Equality Now, “*The Impact of Discrimination in Law and Legal Processes on Women and Girls - some case examples*”, p. 6.

³³ Robinson et al. (2014) *Exploring the links: Female genital mutilation/cutting and early marriage*. World Vision UK

accelerate puberty and makes younger girls appear more womanly and therefore are more likely to be perceived as ready for marriage. Families may value their daughter's weight as the source of her beauty. Modern alternatives to force feeding include the use of medications that inflame

Solutions

Several NGOs and international organizations work to mitigate the impact of many of the drivers of child marriage, such as poverty, illiteracy, and gender inequality. Although preventing child marriage isn't always stated as a direct target, it sometimes results as part of many improvements in quality of life that these types of development work may bring about. Programs that specifically target child marriage reduction, however, are have recently been increasing in scope and efficacy.

A category of promising new programs against child marriage is emerging. These programs are large scale, school and incentive-based programs that involve cooperation between national ministries, multilateral agencies like the World Bank, and experts from the health and education sectors. Interventions that focus on subsidies, scholarships, and cash incentives have full engagement with governments and school systems. For this reason, they are generally able to reach a larger numbers of beneficiaries.⁹

The most effective anti-child marriage programs in terms of evaluation results show two extremes. The first contains long-term child marriage prevention programs that tend to be comprehensive because they aim to change deeply entrenched social and cultural practices. At the other extreme are the newer and smaller school and incentive-based programs that bring a combination of established efficacy and simple intervention: cash or other goods such as livestock given to parents in return for girls' school attendance and/or delayed marriage.⁹

The strongest outcomes have been documented by programs that worked directly with at-risk girls in order to empower them with information, marketable skills, and access to resources.³⁴ Programs with child marriage prevention as the primary objective often had a rigorous advocacy and/or community-centered focus. While health-focused programs were valuable for improving health outcomes, the study found that more social interventions such as home visits and girl groups led to improvements in both health and social outcomes.^{35,36}

Research has shown that girls' education is strongly correlated with delayed marriage. In fact, girls with secondary schooling are up to six times less likely to marry as children than girls who have very little or no education.³⁷ Research has found that every single year of education matters, and that secondary school makes the most difference to girls' power to make decisions about their future.⁴ School can be protective against marriage for at least two reasons. Simply attending school helps a girl to be perceived as a child, and thus not yet ready for marriage. Schools can be seen as a "safe space" for girls outside the home.³⁸

The causality of this relationship is debated, but more recent research suggests that being out of school puts girls at risk of marriage rather than marriage being a reason for girls dropping out of school.³⁹ Laws that protect pregnant girls from being expelled from school, such as those

³⁴ Jain, S & Kurz, K. (2007). *New Insights on Preventing Child Marriage: A Global Analysis of Factors and Programs*. Washington, DC: ICRW

³⁵ Santhya KG, Erulkar A.(2011) *Supporting married girls: Calling attention to a neglected group*: Population Council; February 2011

³⁶ Santhya KG, Haberland N, Das A, Ikhani A, Ram F, Sinha RK, et al. (2008) *Empowering married young women and improving their sexual and reproductive health: Effects of the First-time Parents Project*. Population Council

³⁷ UNICEF. (2007)a. *Progress for Children: A World Fit for Children Statistical Review*.

³⁸ Jejeebhoy, S. (1995). "Education and women's age at marriage." In S.J. Jejeebhoy, *Women's education, autonomy, and reproductive behaviour: experience from developing countries*, pp.60-77. Oxford, England: Clarendon Press.

³⁹ *Girls' Education and Youth Development*. (2011). The Center for Development and Population Activities (CEDPA).

exemplified by Papua New Guinea, help ensure a married child has some chance of rising above her circumstances and that the cycle of poverty is likely to continue for her children.⁴⁰

Girls groups and other community programs can also help to bring girls back to health services after they are married. Through initial contact with antenatal care, for example, married adolescent girls can be identified and connected with multi-sectoral services.⁴¹ In this way, health services can be an entry point to broader development programs, and provide access to other sources of care within the community that offer greater protection to married girls. Registration of birth and marriage can be an important tool to combating child marriage by requiring documentation of the age of the prospective spouses prior to legal union, which can crystallize the idea that potential brides are in fact still children.¹⁰

The most successful programs often address multiple factors and use culturally relevant interventions.⁴² Although a relatively new intervention, engaging and informing boys and men about child marriage shows a lot of potential in reducing its prevalence since it involves

community members who traditionally have more decision-making power and more influential opinions.⁴³ In a similar vein, more and more programs are engaging religious leaders in regions where child marriage is entwined with harmful traditional practices often condoned through a religious lense. For example, a religious who publicly announces that he will refuse to circumcise his daughter where that is a prominent practice can be a much more powerful symbol than incarcerating circumcisers or making families pay fines.⁴⁴

⁴⁰ Moira Eka (2011) *Case Study: Papua New Guinea*. Voice for Change

⁴¹ UNICEF. (2009) *Maternal and Newborn Health*

⁴² Amin S. Programs to address child marriage: Framing the problem: Population Council; 2011

⁴³ World Vision. (2013). *Untying the Knot: Exploring Early Marriage in Fragile States. Research Report*. London, England: World Vision UK

⁴⁴ DFID Event, Working with faith groups to tackle harmful traditional practices, as part of the Faith Partnership Working Group, held at DFID in London on 14 January 2014.

Obstacles

Through the analysis of past large-scale programs and mass reviews on child marriage and related developmental efforts, several of the most substantial obstacles and challenges to making progress on the problem have been identified. Overall gains have been relatively slow; the global rate of child marriage has fallen from 41.2% to 32.7% in the last four decades.⁴⁵ Still, several countries have been seemingly progressing backwards when it comes to early marriage. For example, human rights defenders who are speaking out on behalf of women and girls are frequently being targeted in Pakistan and Saudi Arabia.⁴⁶ In Iran, the number of married girls under age 15 has risen and a new law now allows adoptive parents to marry their adopted children, making adopted girls even more vulnerable to child marriage.⁴⁷ In Egypt legislation was discussed to actually lower the minimum age of marriage to as low as nine years old.⁴⁸

As more program, policy, donor, and advocacy constituencies pledge commitment to eradicating child marriage, resources and action to address this problem, it becomes important to examine past efforts and how well they have worked. The vast majority of programs that address child marriage are in need of more rigorous evaluation. For instance, only 10 percent of the programs identified in a 2007 ICRW report had been evaluated.⁴⁹ The ICRW released a 2011 report on the first critical mass of evaluated programs (23 in total) on the issue of child marriage to ever be studied.

⁴⁵ Nguyen, M. and Q. Wodon (2012a) *Global trends in child marriage*. World Bank

⁴⁶ Human Rights Council discussion of targeting of women human rights defenders, December 2013 <http://www.ohchr.org/EN/NewsEvents/Pages/UNDiscussionAddressesViolenceAgainstWomenHRDefenders.aspx>

aspx

⁴⁷ Justice for Iran, "Stolen Lives, Empty Classroom – An Overview on Girl Marriages in the Islamic Republic of Iran," Oct. 2013

⁴⁸ Equality Now (2010) "The Impact of Discrimination in Law and Legal Processes on Women and Girls - some case examples"

⁴⁹ *How to End Child Marriage: Action Strategies for Prevention and Protection* (2007) ICRW

Here, of course, lies the "positive bias" in the documentation and publication of evaluations since unsuccessful programs are less likely to be evaluated, documented and/or published. Only a few of these programs were found to target child marriage exclusively. For most programs, child marriage was a goal connected with achieving other health, welfare, or empowerment outcomes for adolescents and youth and was more of a positive but undocumented side effect of the overall endeavor.⁹

Social change can take many years or even generations to become firmly established, and studies that cover time periods of five or even ten years might not be long enough to capture the "true" changes. Evaluation challenges include limited programmatic timeframes, which make it difficult to know whether girls do indeed remain unmarried until age 18, and what the true long term impact of that delay is on their lives. In countries where child marriage persists, waiting 10 years for a significant change may easily mean the loss of half a generation of girls and young women to child marriage.

For programs that showed no significant results after evaluation, it is possible that the evaluation was conducted too soon after the intervention. Most often, child marriage programs stop at "wishes to marry later" as their goal and do not gather data on girls' capabilities or actual age at marriage after intervention.⁵⁰

Several programs are topical solutions, such as CCTs, girls' employment, and girls' school attendance, but don't do much to change the social norms that serve as the underlying drivers of child marriage.⁵¹ Conversely, governments and multilateral agencies that run large-

⁵⁰ Greene (2014) *Ending Child Marriage in a Generation; What Research is Needed?* Ford Foundation

⁵¹ Nanda, Priya. 2013. "Impact on Marriage: Program Assessment of Conditional Cash Transfers (IMPACCT) Project." Presentation at event on Mid-Cycle Results from Child Marriage and Gender Norms Research, 4 December 2013. International Center for Research on Women and USAID.

scale initiatives to eradicate poverty, increase economic opportunity, empower women, and educate girls have the potential to reduce child marriage because they address some of its major underlying drivers. These broader initiatives aren't always developed with child marriage in mind, and therefore do not collect relevant data that would make future evaluation on child marriage possible.

Since child marriage is a highly stratified issue with lots of intersecting drivers, key players, and consequences, programs and policies to eradicate it must be planned with unintended consequences in mind. For example, severe government action against early marriage has, in some cases, been found to drive these harmful practices underground, where they can lead to even greater harm to girls and young women.⁵²

In these circumstances, community protection and reporting mechanisms become even more essential. Effective reporting mechanisms help to enable law enforcement and prosecution systems to enforce legislation. This is crucial, because even children who are educated about their rights and are against harmful traditional practices can often be hesitant to report them to the authorities for fear of subjecting their parents or other close community members to criminal prosecution.⁵³

Recognition of the links between marriage and slavery are largely absent from the debate on child marriage, despite growing awareness about the negative consequences of the practice to girls who are already married.⁵⁴ Married adolescent girls have historically been an underserved population in the fight to end child marriage and protect children of all ages. This study identified

⁵² Boyden J., and others, "Child Protection and Harmful Traditional Practices: Female early marriage and genital modification in Ethiopia", (2012) *Development in Practice* 22

⁵³ Shell-Duncan, B., Wander K., Hernlund Y. and Moreau, A. (2013), "Legislating Change? Responses to criminalizing female genital cutting in Senegal." *Law and Society Review*

⁵⁴ Turner, C. (2013) *Out of the Shadows: Child Marriage and Slavery*. London: Anti-- Slavery International.

almost no government child protection policies or institutions that served girls and young women trying to escape early and/or forced marriage, which presents a large systemic gap in aid available to married girls.

Action against child marriage is sometimes taken at the individual bride's level, but there is rarely any support in place to help girls and young women who try to run away or legally divorce from early or forced marriages. In male dominated cultures, it is extremely difficult for women and girls to seek a divorce. This is true even in cases of violence and abuse. It is an expensive process that can involve the woman paying back her original bride price and taking on all of the court's legal fees on her own. This is exacerbated by the fact that her family is likely to be unwilling or unable to help her because of the stigma that divorce entails or the state of poverty that lead to her marriage in the first place.¹⁰ Additionally, women in these cultures are much less likely to be able to earn any income of their own.

It is likely that community mobilization activities serve a better supporting or complementary role to strategies that are more girl-focused and are not most effective when delivered alone. Programs that document the weakest results primarily work at the community or macro level alone by either mobilizing community members or changing laws and policies related to child marriage.⁹ This reinforces the fact that child marriage must be tackled from multiple angles at once so that top-down and bottom-up progress will 'meet in the middle'.

Changes for the Post-2015 Agenda

Article 16 section 2 of the Convention on the Elimination of All Forms of Discrimination against Women states that "the betrothal and the marriage of a child shall have no legal effect, and all necessary action, including legislation, shall be taken to specify a minimum age for

marriage and to make the registration of marriages in an official registry compulsory.”⁵⁵

Safeguard clauses must be included in the law and its enforcement to ensure that ‘parental consent’ cannot be used to justify customary or religious practices that allow for child, early or forced marriages.

Despite the modest scope of past program evaluation, it is clearer now than ever before that child marriage cannot be tackled in isolation. The values and principles of human rights, poverty eradication, gender and other forms of equity, and social justice are all addressed by comprehensively ending child marriage. As part of this effort, there must be a conscious shift in the focus from preventing the outcome to mitigating the underlying causes of child marriage. More segmented analyses of the diverse expressions, causes, and implications of child marriage are needed.

As is the case with eradicating other deeply rooted social problems, a good place to focus on is areas considered early marriage ‘hot spots’ where the practice is most prevalent and more difficult to combat. These include ‘double and triple hot spots,’ or places where multiple dimensions of vulnerability overlap.⁴

Concentrating efforts on such specific places means potentially having the greatest impact on the lives of the most vulnerable. These “hotspots” can be further categorized by ‘burden’ of child marriage through the overlap of health and wellbeing indicators such as maternal mortality, female literacy, under 5 mortality, and unmet need for contraception. Here there is a need to use data to identify and target geographic “hotspots” with high proportions and numbers of girls at risk of child marriage.¹

⁵⁵ UN General Assembly, *Convention on the Elimination of All Forms of Discrimination Against Women*, 18 December 1979, United Nations, Treaty Series, vol. 1249

Given the extensive and evaluated efforts made towards eradicating other harmful practices against girls and young women over the past four decades, the child marriage arena stands to learn much from some of the success stories in related fields. These fields include FGM, vesico-vaginal fistula, and gender-based violence and can provide valuable insight into working at the community level, improving enforcement, and destigmatization.⁹

International, state, and sub-national collaborations and partnerships must establish a division of labor in order to utilize see where partners' efforts fit together both geographically and conceptually. An emerging consensus that sub-national populations are the level at which to work most effectively on child marriage.⁵⁶

Donor governments must give greater investment priority to rigorous program evaluations in order to strengthen both the understanding and evidence around successful interventions to address early marriage and thus better allocate resources to continue and accelerate the fight against the practice. When countries are reviewed for development funding, a range of indicators that reflect the full scope of issues surrounding child marriage should be considered by both bilateral and multilateral donors.

Analysis

Child marriage can be caused, studied, and tackled from several very different angles. The issue itself is changing along with the developmental framework for the next 15 years that is being rewritten by the international community. Fundamental paradigm shifts are underway for the seemingly outdated practice, starting with the language of which it is comprised. According to Adwoa Kufuor, a Human Rights Officer within the Women's Human Rights & Gender Section of the OHCHR, deciding on a standardized language for the issue is essential to making

⁵⁶ Choice, Not By Chance: Family Planning, Human Rights and Development (2012) State of the World's Population. UNFPA

progress. For example, if the definition of a child includes the incapacity to give consent, then by definition every ‘child marriage’ is actually a forced marriage. Furthermore, the seemingly universal age limit of 18 for a child means that child marriage remains a legal practice in first-world countries such as Canada and the United States where the legal age of marriage is 16 with parental consent. In order to fully face the problem in all its forms, developed nations must acknowledge that it is not an issue that only happens “over there,” in the developing world.⁵⁷

Child marriage is an utter human rights entanglement. It is the violation of one fundamental right that in turn leads to the violation of many others, so much so that simply deciding on the language of aid is a daunting task. For example, should girls who find a way out of forced marriage be referred to as ‘divorced’ when their marriage was never legal in the first place? What rights can be put in place and defined for married children if girls lose the rights and protection of children once they are in union? The very notion of a “marriage”, of a union based on mutual consent, is extremely problematic when children are involved.

Ms. Kufuor confirmed what much of the most recent literature has suggested: that the weakest point of child marriage research lies at the sub-national level. This is where the data gaps widen as national data falls short of rates, burden, and implications of the practice among inhabitants of different ethnicities, religions, castes, geographic location, cultures, and citizenship status. The consequences of child marriage are similar, but the reasons are so varied that such stratified data collection is crucial to eradicating it completely.

It is phenomenal that the problem of child marriage is now seen as such a major issue by so many people today given that awareness and acknowledgment of it was nowhere near this level a generation ago. It is time to take advantage of the attention the issue has been accumulating by giving it a firm place on the post-2015 agenda. As of now, of the 169 sub-

⁵⁷ A. Kufuor, Personal Communication, May 5, 2015

targets of the 17 Sustainable Development Goals, child marriage falls under target 5.3 which calls for the elimination of “all harmful practices, such as child, early and forced marriage and female genital mutilations.” From the wording alone it is clear how entangled child marriage is with other harmful practices. According to Matthew Jones, of World Vision UK’s Child Protection Policy Unit, there is a notion among the development community that if the issue of child marriage is not on the final version of the SDGs, that the world might simply forget about it or lose much of its previous interest.

Mr. Jones primarily works on child labor policy, and notices what he hopes is not a pattern in terms of development work. He says that child labor gained a lot of awareness and commitment in the early 2000s after a summit on the issue that was followed by a type of international complacency or ‘tapering out’ of efforts made against it. With the recent Girl’s Summit in 2010 and the International Day of the Girl Child conference in 2014, Jones predicts that the same type of disinterest on the issue of child marriage might follow as it did for child labor if it is not firmly secured within the SDGs.⁵⁸

One of the groups for whom mobilization is essential for post-2015 development is the developing world’s “youth bulge,” or its high proportion of young people. Swati Kamble, a PhD candidate at the Graduate Institute of Geneva, emphasizes that every target within the SDGs should have a sub-target focused on youth within the context of every issue that is addressed. Like Ms. Kufuor, Ms. Kamble underlined the importance of addressing intersectionality. During her previous humanitarian work in the slums of her home state in India she focused on women’s empowerment. Here she noticed that the vulnerabilities that put pressure on families to marry daughters off early take different forms within different populations such as rural vs. urban.⁵⁹

⁵⁸ M. Jones, Personal Communication, April 29, 2015

⁵⁹ S. Kamble, Personal Communication, April 24, 2015

Overall, each interviewee stated that development beneficiaries should not be seen simply as recipients of aid but as active participants in their own capacity building. Implementation common during the MDG era is shifting. It can no longer be only vertical if the goal is sustainability and must be more integrated in its approach. Tracy Shields, chief human rights advisor for child protection programme policy at World Vision UK, works under this relatively new methodology known as ‘system strengthening.’ Systemic strengthening is a development strategy that encompasses the formal and informal situational factors surrounding a beneficiary. This strategy was formally announced by UNICEF in 2010 and adopted by World Vision in 2011. It was meant to replace the previous strategy that became known as the “issue-specific model” of development in which programming focused on one issue in isolation at a time. System strengthening is considered a much more sustainable alternative as it aims to ensure that beneficiaries don’t fall back into their previous situations once an intervention runs its course.⁶⁰

Conclusions

It is true that the prevalence of child marriage partially depends on national laws and their enforcement, community-level norms, and the scope of poverty in a country or region, but ultimately the decision to force a child into a marriage or union is made at the family level. Child marriage may be seen by families as a way of protecting young girls from premarital sex, pregnancy outside of marriage, rape and even prostitution. Families may want to build or strengthen alliances, pay off debts, or settle disputes.

Child marriage is a highly intersectional human rights problem that negatively their rights to health, education, equality, non-discrimination, and to live free from violence and exploitation. It requires an integrated and extensive response by states working in partnership and collaboration with a wide range of key players. Programs must focus especially on girls who

⁶⁰ T. Shields, Personal Communication, May 6, 2015

are either at a high risk of marriage and increase the outreach and services available to girls who are already married.

From a smaller to a larger scale, the order of programmatic magnitude utilized by anti-child marriage efforts are typically as follow; empowering girls with information, skills, and support networks; educating and mobilizing parents and community members; enhancing the accessibility and quality of formal schooling for girls; offering economic support and incentives for girls and their families; fostering an enabling legal and policy framework at large-scale structural efforts aimed at other goals, such as education, health, and poverty reduction, are beginning to make a connection with child marriage prevention.

Although this framework often represents the different levels of intervention as distinct from the others, they interlock and influence each other in important ways. People who work to end child marriage have to be conscious of the consequential trade-offs between taking a girl-focused approach and working with ‘gatekeepers’ such as parents, teachers, religious leaders, and politicians.

Consent of a child should never be accepted as a rationale for continuing to permit her ongoing abuse as a child bride. It is essential that young women and girls be involved in the development of policies and programmes that will address their rights.

Child marriage has been a long-overlooked issue that has recently gained much awareness through advocacy and currently has the attention of more multi-level key players than ever before. Despite the painstakingly slow progress made against it in the last four decades, the first fifteen years of the new millennium have shown that acceleration towards a turning point is possible. Putting this problem with far-reaching consequences on the post-2015 development agenda will help ensure continuous commitment to its eradication. It would be no small

developmental feat to abolish a practice with harmful implications for gender equality, maternal mortality, child protection, HIV/AIDs infection, education, under 5 mortality, poverty, and human rights violations.

The weaknesses in the fight against child marriage identified in this study are understandable given the rate of acceleration the efforts have undergone in the last fifteen years after trudging along for the greater part of the last four decades. A lack of evaluation is to be expected from an issue that doesn't lend itself to either clear-cut data or categorizations, but can be addressed through in-depth data collection at sub-national levels and standardization of terms, goals, and definitions. Leaving the majority of married girls underserved in these endeavors can be addressed by ensuring that they retain their rights as children even after an unlawful union violates their human rights. It will be more feasible to tackle child marriage in the context of the harmful practices they can entail now that there is steadily more and more research on what their implications are.

Along with addressing the weaknesses, it is necessary to amplify the strengths that have been identified in the fight against child marriage. These include, empowering women and girls, pushing for universal secondary education, providing reporting mechanisms, community mobilization, culturally contextualized approaches, and advocacy from the people who are affected the most.

Acronyms:

OHCHR: Office of the High Commissioner for Human Rights

UN: United Nations

ICRW: International Center for Research on Women

MDGs: Millennium Development Goals

SDGs: Sustainable Development Goals

UNICEF: United Nations Children's Fund

FGM: female genital mutilation

NGO: non-governmental organization

UNFPA: United Nations Population Fund

CCTs: conditional cash transfers

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