

AN ECHO OF SILENCE

A Comprehensive Research Study
On Early Child Marriage (ECM) In Iran

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ACKNOWLEDGMENT

Since this research began two years ago, an enormous amount of time has gone into this study to quench my own thirst for a deeper knowledge of Early/Child marriage (ECM) in Iran. It has been a period of a profound intense learning journey for me on both a personal and professional level. I consider it a journey of immense feelings which at times was overwhelming but served as a motivation to complete my work on the topic.

The research on ECM has its roots in my previous research on Female Genital Mutilation or 'Cutting' (FGM/ FGC) in Iran. When I returned from Europe to my birthplace Iranian Kurdistan in 2005 after an absence of many years, I learnt more about FGM as reflected through the research study in 2015¹.

The idea for this research originated during the years of research for the FGM study. I found ECM in abundance in Iran and discovered that both ECM and FGM are sometimes linked to one another and often operate simultaneously as gender based issue. Whilst child marriage is not a foreign topic in my own area in Kurdistan and even with my relatives and family, during the field work on FGM that was carried out in four Iranian provinces, I notice a great many of the participants in the interviews were young children who were married off at an early age. Not only girls who were now wives and mothers but also a considerable number of boys who were now husbands and fathers by marrying or forced to marry in early years of their life. This raised my interest to find out more about ECM, to decipher whether or not there is any possible connection between FGM and ECM and to pave the way and prepare for my next study which I now proudly present.

The massive amount of data gathered for this study has yet to be fully analysed, but the intention is eventually to publish it as a book in English and Farsi soon.

The positive news is that ECM rates are declining across the globe, including in Iran. However, there is still a lot of work to be done in order to rise the marriage age and eradicate ECM in Iran.

¹ Kameel Ahmady, 2015-"in the name of tradition" Uncut voices, oxford 2016

I, along with a number of other like-minded researchers, would like to extend our hands and offer our cooperation to the Government of Iran to support a nationwide effort to raise ECM awareness in Iran, to reach out to practising communities and start a dialogue between the relevant stakeholders and to synchronize any action plan with our universal human rights commitments. The Government is a signatory to a number of international children rights treaties, and whilst it should ratify all outstanding treaties it also needs to adopt a comprehensive action plan on addressing ECM. Such a plan would need to include, but not restricted to the following (for more recommendations also see Chapter Four): (1) engagement and buy-in from the local key influencers and stakeholders (given the culturally sensitive nature of the topic); (2) a national education programme, which should include, amongst other things, raising awareness on the dangers of ECM; and (3) new laws to raise the marriage age and even criminalizing ECM. The Government can gain leverage via the various international experiences and successes in fighting ECM, such as UNICEF's programmes, as well as the on-the-ground capabilities of NGOs and Community Based Organizations (CBOs) in Iran, to succeed in its own campaign against ECM.

In doing this research I would like to express my gratitude to the numerous people who have supported and helped me so much throughout this period. Here I would like to thank my spouse, Shafagh Rehmani, whose unconditional support never wavered as she stood by me in difficult times and my close friends and advisers who inspired me to persevere with this research project study.

My special thanks go to the following that assembled, analysed, triangulated, and developed a narrative so that I could present this work in the form of a comprehensive report. My utmost gratitude goes to my editor Lorraine Koonce and proof reader and Dr Masoumeh Maarefvand and for editorial support, proofreading and feedback in Farsi. In particular my gratitude goes to my assistants Fariba Almasi and Humaira Naz from Pakistan who stood by this research and helped me throughout to develop and refine this study by acting not only as assistants but translator, field worker and consultants. I also thank others who have chosen to be nameless for their cooperation and readiness to accomplish this task.

Throughout of this study, numerous people and organizations have helped me tremendously in completing the project. This study and, in particular, parts of the fieldwork, was only made achievable by detailed fact finding research, field based training, support and assistance. In this regard, I would like to thank Fariba Almasi, Humaira Naz, and Dr Masoumeh Maarefvand. I acknowledge the support, hospitality and insightful inputs and suggestions from all the relatives, friends and people within the seven provinces where the field research was carried out. I am deeply grateful to the following:

From the province of Hormozgan I would like to thank Shirin Telande, Molavi Amene Rastegar, Ahmad Bestaki, and Khoram Hafezi.

My sincere gratitude goes for the supporters in the province of Isfahan especially Golita Hossein Pour Esfahani, Jamileh Hashemyan, Sadegh Homafar, Abdul Ghader Ahmady, and Mehtab Ahmadpoor.

In Razavi Khorasan province a very warm support and help was given by Parisa Arghiani, Fatemeh Bunasiri, Molavi Ali Reza Ilkhani ferahabadi, Ferhad Aslami, and Nasrin Salehi. This research study owes much to the assistance and help provided by Sedigheh Asheghi, Ebrahim Hoseini, Dariush Dochani and his wife, Poya Restegar, and Omid Rahmani in East Azerbaijan.

In Khuzestan province Mansour Eskandari, Sirous Khanzadeh, Leyla Khoshkam, Mojtaba Gahestooni, Narges Nazemi Nia, Amir Houshang Arefian, Ezzatollah Jafari, Karim Aboukhani, Marziyeh Larki, Samandar Abudoleh, Zahra Khazaael, and Fariba Zanganeh were of a proven valuable source of support.

In Sistan and Baluchestan province , the office of Molana Molavi Abdol Hamid IsmaeelZahi, ,Haj Hefizoall Rigi, Molavi Abdulsamd Mohammadi Jazinaki, Abdulbagi Ahmadi, Resol Nam, Molod IsmaeelZahi, and Fershte Serbazi for their extraordinary collaboration.

In West Azerbaijan: Mala Hasan Vazhi, Sheller Fattahi, Muhammad Rasoul Azin, Karim Rehmanpoor, Jina Tabasom, Parvin abdullahi, Nazdar Husseini for their help and support.

For supporting me in launching this research to highlight the traumatic rite of ECM I like to thank the following: Lotfollah Mohseni, Kazem alizade, Mansoor Tevekoli, Mina poori, Shima Ghoshe, Ziba Jalali, Mahtab Mardfard, Norheim Aud Lise, Fabien Mathieu, John Chua, Qazal Arian, Kasra Pahlewani, Mohammad Hoseini, and Siamand Kaveh and PedramWarshoyi.

Many thanks to all the clerics, religious institutions and other public figures who cooperated in this research. I would also like to extend my gratitude to Molana Molavi Abdol Hamid Ismaeel Zahi and his staff, Haji Mula Hassan Vazhi, Molavi Ali Reza Ilkhani ferahabadi and his wife Molavi Fatemeh Bunasiri, Mula Rehmetsolla, Molavi Abdulsamd Mohammadi Jazinaki, Haj Ahmad Penahi, Shik Mohammed Tano, Ali Reza Noori, Hajji Noor Mohammed Mohmmadi for their immense contribution during the course of this research. I also owe a special note of thanks Molavi Amene Rastegar and Mashhad Seminary of Traditional Islamic School of Higher Learning, and Provincial clergy Centres of West and East Azerbaijan and Isfahan.

I would like to thank to the tribal leaders Sirous Khanzadeh, Mula Muhammad Rasoul Azi. Special thanks must be given to staff and responsible ministries and agencies of Iran, including those responsible for health, social services and medical universities that were ready to share knowledge and data about the affected provinces in order to recommend and encourage the government to acknowledge and take on board the importance of addressing ECM.

Kameel Ahmady

11th of Oct 2016 international day of Girl 2016

ABSTRACT

In the eyes of many, Early Child Marriage (ECM) affects and complicates young children's lives, brings harmful consequences to their health, and affects their future development on every level. In some developing countries, ECM is an economic tool that can improve the economic status of the family. It can fortify bonds between families, ensure girl's virginity before marriage, controls her sexual desire, and avoids the possibility of a girl reaching an age where she is no longer desirable as a wife by a man or his family². Complications related to pregnancy and childbirth are the main causes of death amongst 15–19 year-old girls³. Equally devastating are the health consequences which make girls prone to sexually transmitted infections, including HIV. From a social perspective, it is a brutal end to her education and autonomy as well as minimising her life choices. Girls are reduced to mere commercial commodities.

Early marriage, also referred to as early child marriage, is defined as the marriage before age 18.⁴ It is derived from traditional and conventional norms and its prevalence is in abundance both in urban and rural areas. It is not a newly emerging phenomenon in the world's history. ECM has received significant public attention from scholars, governments, children rights groups, NGOs and various UN organisations.

There is no doubt that investing in girls, developing their social and economic assets and ensuring their access to education and health services is a vibrant sign

² Alemu, B. 2007. Early marriage in Ethiopia causes and health consequences. International Centre for Research on Women.

³ Marrying Too Young, 2012, UNFPA, <https://www.unfpa.org/sites/default/files/pub-pdf/MarryingTooYoung.pdf>, Accessed 7/18/2016

⁴ United Nations Children's Fund (UNICEF), Early Marriage: Child Spouses, Florence, Italy: UNICEF, 2001.

of gender equality that will translate into stronger societies and vibrant economies. Education is often seen as the key to prevent ECM.⁵ Women who are educated are healthier, participate more in the formal labour market, earn more income, have fewer children, and provide better healthcare and education to their children compared to women with little or no education.⁶ With worldwide care and support, the levels of ECM are generally declining although a substantial proportion of young children are still married under the legal age of their society. One clear egregious example of this is Iran.

According to the Iranian religious structure, puberty and menarche are considered to be the transitional pivotal turning point from childhood to adulthood. Reaching this biological threshold means becoming eligible for marriage regardless of age. Although ECM marriage is applicable to both boys and girls, the harsh reality is that the impact is greater on young girls. It is a global issue but rates vary dramatically, both within and between countries. Nevertheless, in terms of proportions and numbers, most ECM takes place in rural sub-Saharan Africa and South Asia.⁷

Although little data is available on child marriage in Iran and in absence of credible and independent studies, official Iranian government statistics show that tens of thousands of girls and boys under the age of 15 are married off by their families each year in Iran. The numbers may actually even be quite higher. Some families in Iran do not register underage marriages, or do so illegally.

⁵ UNICEF, 'Girls' Education: Introduction', website update as of November 2004, www.unicef.org/girlseducation/index.htm

⁶ Klugman, J., L. Hanmer, S. Twigg, T. Hasan, J. McCleary-Sills, and J. Santa Maria. 2014. *Voice & Agency: Empowering Women and Girls for Shared Prosperity*. Washington, DC

⁷ UNICEF-Joint Press release March 7, 2013

According to Iran's Association of Children's Rights, the number of girls married in Iran under the age of 15 went from 33,383 in 2006 to 43,459 in 2009, a 30% increase in three years. This is due to cultural norm and local customs, deepening poverty and parents' desire to control their daughter's sexuality.

For the first time this study aims at analysing the prevalence of ECM in Iran by focusing on the prominent socio-cultural factors that mirror this deep-rooted inequality that is responsible for its continual existence and adherence. The rationale for this study is to demonstrate the evidence and prevalence of this harmful practice in Iran and to assist decision makers in sharpening their focus on this urgent protection of girls' human rights. Respect for girls' human rights requires that we prevent and eradicate child marriage and actively support those girls who are already married. It is the only course by which we can avert what otherwise is the human tragedy of ECM. This study is an effort to bring to the surface the problem of early marriage in Iran.

CHAPTER 1

ORGANISATION OF THE STUDY

This study targets children and groups who are unable to give free and full consent about who they marry as their patriarchal social obligations dictate otherwise. The aims are to demonstrate the various causes and consequences of ECM, to lay to rest and challenge denied facts, and most importantly, to be the voice for the silent.

The study has been divided into four chapters. The first chapter is an introduction to the narrative of early child marriages, literature review, and its global prevalence. The first section would also briefly introduce the prevalence of the practice in Iran and its historical roots.

The second part analyses the underlying rationales of ECM and explores the availability of religion, laws and policies as tools of social change to eliminate the prevalence of ECM in Iran.

The third part addresses the phenomenon specifically in Iran whilst discovering the untouched and unheard realities, narratives and new data not seen or revealed by the government in seven Iranian provinces that have a highest rate of ECM. This section looks specifically at the reasons why ECM is increasing in some parts in Iran. Related influential factors and contributed variables in the study are discussed thoroughly via a depiction of an analytical model.

The fourth and the last part draws on conclusions, present recommendations, and suggested ways forward. This part puts together findings and

recommendations from the research about ECM in Iran to guide and encourage policy makers, program designers and advocates in the struggle to mitigate this depravity.

This study also addresses the multitudes of equally compelling issues imbedded in ECM including the link between ECM, FGM and polygyny.

AN INTRODUCTION TO ECM

According to the Convention of Rights of the Child a child is considered to be from the age of birth to 18, but in some countries the age may differ depending on a countries' specific law. The United Nations Population Fund (UNFPA), defines ECM as "any marriage carried out below the age of 18 years, before the girl is physically and psychologically ready to handle the responsibilities of marriage and childbearing." The World Health Organization (WHO) defines childhood as being under 15 years of age.



Figure 1 Poor families live in tents in Sistan & Baluchistan- Photo by: M Maarefvand

Accordingly, in cases where the child is under this age, ECM is defined as a marriage that takes place "on behalf of the person (child) by his/her father or grandfather without taking the minimum legal marriage age into account."

Child marriage is a marriage in which at least one of the spouses is less than 18 years old. In most cases, it is the girl who is still a child. As previously discussed,

in Iran once the biological threshold is reached this translates into eligibility for marriage, regardless of age⁸.

From a human rights and gender perspective, the practice of ECM is a result of obvious gender oppression and harmful customary or traditional practices that results in sustaining gender inequality and subjugation.

In the developing world, the crucial issue of ECM is increasing with the expansion of the youth population. The main culprits and contributing elements provoking this practice are the increase in poverty levels, lack of or low education and obedience to the exigencies of patriarchal culture and cultural beliefs which emphasizes misplaced protection of girls by forcing them to become child brides in an unwanted married life. Tragically despite the physical repercussions and the persistent discrimination of young girls, little progress has been made towards ending the practice of ECM marriage in Iran.

Although the consequences of early marriage on young girls are well known as the issue impacts girls disproportionately and with more intensity, sadly, the other side of the coin is quite invisible for the world. There are little reliable comprehensive studies on how ECM affects young men. The discourse of the ECM rate and impact on young boys is not a very thoroughly researched even by

“My Mother was a housemaid, cleaning people’s houses. I couldn’t study though. I myself now am a housemaid too. On that time I thought by getting married early, I cut one mouth to feed. I thought that I’m doing the best for my family. I didn’t even know to whom I’m marrying.

*Female respondent-32
Kuy-e Al-e Safi, Ahvaz, Khuzestan province*

⁸Loaiza Sr. AndS.Wong, “Marrying too young. End child marriage,”2012, <http://www.unfpa.org/sites/default/files/pub-pdf/MarryingTooYoung.pdf>

experts from the leading international organizations working to combat child marriage (UNICEF, Girls Not Brides, the Population Council, nor the International Centre for Research on Women (ICRW). This lack of empirical data has resulted in wide lack of knowledge about the dilemma of underage boys as grooms. They are often forced to drop out of school and take menial jobs to support their new family. This premature nuptial perpetuates the cycle of poverty that led to their marriage in the first place. This is not a tragedy that lasts during a boy's life span but an intergenerational cycle in the collective struggle to lift them out of this ritual.

The statistics are harrowing. 156 million men alive today were married as children, according to the most recent UNICEF data. Despite this massive figure that warrants further study, there is still scant research or work being done to address the issue of child grooms. This means there are tens of millions of young boys and men who are almost virtually invisible in ECM research, advocacy, and on-the-ground prevention work.

This tragedy of ECM on young boy's lives severely affects their upcoming life's patterns and put a burden on the already daunting phenomena of early marriage where their lack of mental and physical maturity translates into serious issues and pitfalls within a marriage in which they have no say.

ECM is a human rights violation as held by the 1948 Universal Declaration of Human Rights (UDHR). It has also been codified in several international and regional treaties and in many succeeding human rights forums. In most societies and cultures, where adolescence or adulthood bring an ample number of

opportunities for boys and girls, ECM brutally restricts personal freedom and the closing down of opportunities to prosper and grow at a natural pace.⁹ Many simply go from being a child to a mother/father. Child marriage is a setback in the fulfilment and maintenance of human rights, development, equality and the health and education of children. ECM goes against the principles enshrined in the UDHR and numerous international treaties.

Its physical, emotional and psychological impact limits the chances of personal growth for both genders. As it is the girl who is still a child and affected in larger numbers and with more intensity,¹⁰ there is the harrowing additional brunt for girls in terms of premature pregnancies and reproduction for which their bodies are not fully prepared¹¹. In ECM young girls are at high risk of sexual assault, rape, domestic violence, abuse and abandonment.

Poverty is one of the major contributing factors of ECM in countries and regions where it is acute. The economic aspects of ECM plays a dominate role particularly in countries/regions, where girls are often considered as an economic burden on the family's sparse or limited resources. In this context the family's limited resources and obtaining a guarantee against poverty overrides any concerns for the young girl who often is given to a much older and or elderly man as a strategy of survival. A study conducted by the Ministry of Social Affairs in Egypt of five very poor villages, revealed the early marriages of very young girls to men twice their age from Middle Eastern countries via brokers.¹²

⁹ Mensch, Barbara S., Judith Bruce and Margaret S. Greene (1998), *The Uncharted Passage: Girls' Adolescence in the Developing World*, The Population Council, New York. 17 'Too Many Teen Brides', in *The Progress*

¹⁰ IBID

¹¹ UNICEF Journal-Early Marriages-Child Spouses- <https://www.unicef-irc.org/publications/pdf/digest7e.pdf>- Accessed 7/20/2016

¹² *Early Marriage in Selected Villages in Giza Governorate*. A study carried out by the Ministry of Social Affairs, Egypt, and supported by UNICEF Egypt, 1999.

'Ibn Qudamah, a Sunni leader confirmed that the father has the authority to marry off his daughter to someone suitable for her when she is under the age of 9.¹³ This practice and perception is very common in the Middle Eastern countries where poverty prevails in abundance. Similarly, in traditional societies in Sub-Saharan Africa, the families receive a bride-price in the form of cattle or cash from groom's family. In these countries, early marriages are used as a tool to handle the poor skeleton of the societies.¹⁴

Early marriage is also a way to subjugate women under the guise of protection and security which places them under male's control. These sorts of arrangements ensure that child is legal, and belong to men they are married to, thus giving her a respectable position and status in her respective society¹⁵. In such societies, from a very young age, girls learn to avoid going outside and to adopt an attitude that does not provoke men to be attract towards them. Parents encourage this submissive attitude to make her a desirable and worthy young bride¹⁶.

Female Genital Mutilation/Cutting & Early Marriages

What is disturbingly noted is the tangled link between ECM and other related gender misogynist acts such as female genital mutilation/cutting (FGM/C). Findings of a previous large-scale project on FGM/C prevalence in Iran¹⁷ indicate

¹³ Sahih-e-Bokhari, Tazwij-ol-Nabi section, sayings 3683 and 3606.

¹⁴ Rwezaura, Bart. "The Changing Context of Sub-Saharan Africa." *The Best Interests of the Child*, Clarendon Press, Oxford (1994).

¹⁵ Caldwell, John C. and Pat Caldwell (1977), 'Role of Marital Sexual Abstinence in Determining Fertility: A Study of the Yoruba in Nigeria', *Journal of Population Studies*, Vol 31, 1

¹⁶ Report of the Pakistan Commission on the Status of Women', Government of Pakistan, 1989; quoted in: Taylor, Debbie (1993), *Servile Marriage: A Definition, a Survey, and the Start of a Campaign for Change*, Anti-Slavery International, London.

¹⁷ Ahmady, K. 2016. *In the Name of Tradition. Female Genital Mutilation in Iran*. Frankfurt am Main: UnCUT/VOICES Press

an association between the prevalence of this phenomenon in at least two provinces of Hormozgan and West Azerbaijan as shown in a recent study. Seven major districts with the highest rate of early marriage occurrences, have witnessed a relatively high percentage of FGM including, Razavi Khorasan, East Azerbaijan, Khuzestan, Sistan and Baluchestan, West Azerbaijan, Hormozgan and Isfahan.



Figure 2 Local Bibis who perform FGM in Hormozgan province –Photo by: Kameel AHmady

The dilemma for the 21st century is the continuation of gender inequalities which tear the fragile fabric of agency and free consent for women. In under developed and poor countries, the most predominant harmful cultural and traditional practices affecting the right of women and girls to live their lives on their own free will are FGM/C) and ECM. Ancient patriarchal ideology that has been imposed on women *via* ECM and FGM, vividly exemplifies the lack of choice women must make in order to be married and accepted in their society.

In the history of gender human rights, tradition and culture has been invoked to mask gendered based violence (GBV). The world has acknowledged the multiple forms of violence perpetrated against women simply because they are female. In every country and society, women and girls suffer from these multiple forms of violence. This violence against women, (VAW) often manifests itself in harmful

customary or traditional practices that devalued women. It has many forms but the most savage forms are ECM and FGM.

This section aims to explore some of the potential links between the practices of FGM and ECM. It is hoped that this report will be of interest to agencies engaged in policy development, programming and funding of interventions around these twin oppressive practices.

FGM & ECM - UNDERSTANDING OF THE TWO VARIABLES

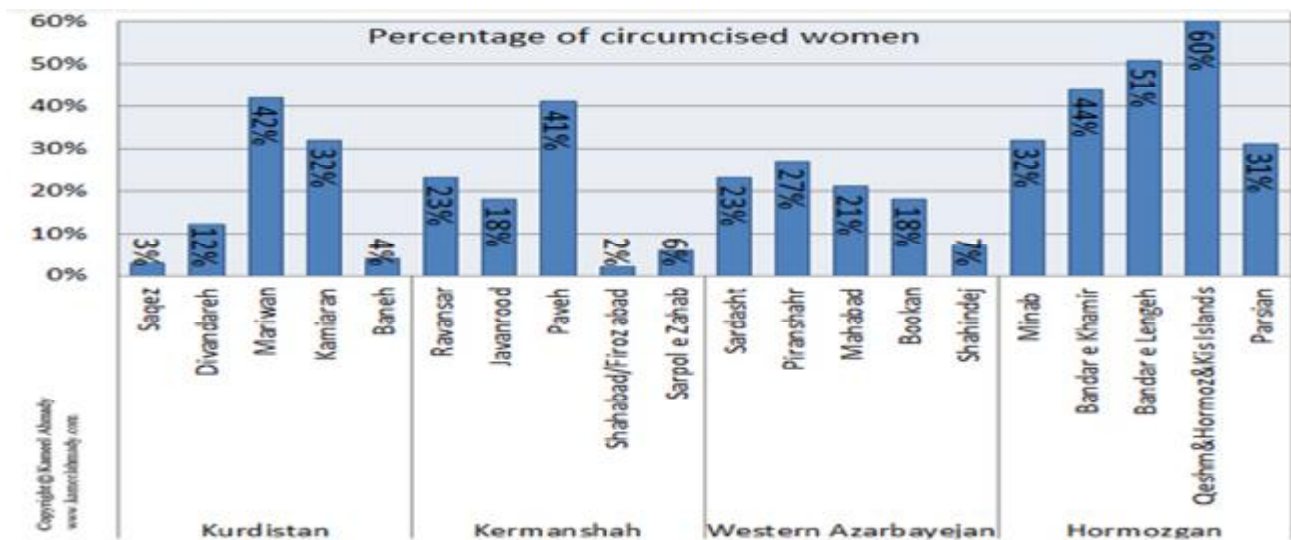
The history of FGM is unknown. However, it is practiced in abundance in Africa and in some pockets in the Middle East. A number of studies track its traces to more than 2000 years¹⁸. Women in Africa, the Middle East, and Indonesia constitute nearly half of their respective populations. This has neither translated into social-political empowerment nor economic liberation. Instead it has translated into heightened risk as these women are the most vulnerable within their society. Some live in societies where the exigencies of their patriarchal culture demand a literal mutilation of the most crucial external sign of womanhood- their external genitals. Although FGM is practised as tradition in the Middle East, Indonesia, Iraqi Kurdistan, Iran and Yemen the highest incidence is practised in Africa. FGM can be found in twenty nine African nations, many of them in West Africa distributed more or less contiguously across a zone running from Senegal in the west to the Horn of Africa in the east.¹⁹

Studies have shown that at least 125 million girls and women have experienced FGM in Africa and the Middle East and as many as 30 million girls under the age

¹⁸ Kameel Ahmady. *In the Name of Tradition. Female Genital Mutilation in Iran*. UnCUT/VOICES Press 2016

¹⁹ Female Genital Mutilation/Cutting by UNICEF Africa, issuu.com/unicefafrica/docs/fgcm

of 15 may still be at risk over the next decade²⁰. A recent study by the author of this study conducted in the context of Iran shared the findings from four provinces Hormozgan, Kermanshah, Kurdistan and West Azerbaijan that “a woman’s virginity is considered to be of a vital importance to secure her future and to gain her a marital status. If a woman cannot protect her virginity, it means she has ruined the honour of her family. This ultimately overburdens her to preserve the family reputation by any means and, in order to meet that objective; women continue the ritual of circumcision in the family”²¹.



In Iran,²² women who undergo FGM – often called *Khatne* or *Sonat* – primarily undergo Type I or rarely Type II. However, the types vary from one region to the next. Whilst in some villages in Kermanshah and Kurdistan women believe that some small amount of bleeding from a cut is necessary, in other areas such as *Hormozgan* the genitals may be more extensively cut.²³

²⁰ UNICEF. Female genital mutilation/cutting: A statistical overview and exploration of the dynamics of change. July 2013.

²¹ Kameel Ahmady. *In the Name of Tradition. Female Genital Mutilation in Iran*. pp.49. UnCUT/VOICES Press 2016 & <http://kameelahmady.com/fgm-in-iran>

²² Female genital mutilation practised in Iran, study. www.theguardian.com

²³ Kameel Ahmady. *In the Name of Tradition. Female Genital Mutilation in Iran*. UnCUT/VOICES Press 2016 & <http://kameelahmady.com/fgm-in-iran>

FGM is not alone in being a practice that physically and brutally impinges on the intimate daily lives of females.²⁴ It is highly plausible that when we view FGM it is connected to another harmful practice, ECM. FGM and ECM are two of the most harmful and prevalent traditional practices affecting millions of women and girls today. Therefore, it is impossible to distinguish completely the linkage and grim issues of FGM and ECM.²⁵ Alone is devastating but when they exist together in a single setting, the devastation is a hellish horror. In Ethiopia ECM and FGM have been identified as the most prevalent forms of Harmful Traditional Practices (HTPs) prioritised for elimination in the National Strategy and Action Plan on HTPs against Women and Children.²⁶ Around the world, girls and women are forced to live with the joint consequences of FGM and ECM. Both are powerful norms. Both are supported by notions of time and tradition. Both are deep rooted cultural practices. Both violate the rights of girls and women.²⁷ And both are imposed against their will and choice.

Similar to FGM, ECM is a global problem that cuts across countries, cultures, religions and ethnicities. Child brides can be found in every region in the world, from the Middle East, Latin America, and South East Asia to Europe. Each year, 15 million girls are married before the age of 18. This translates to 28 girls every minute.²⁸

²⁴ London School of Hygiene and Proper Medicine, (2013) *Violence against Women a Global Health Problem of Epidemic Proportions* 20 June

²⁵ Plan UK (2014) *Help Us End Early and Forced Marriage Now*. Available at : <http://WWW:Plan-uk.org>.

because- i- am- a- girl out-/about-because-i-am-a- girl /violence –against –girls /violence –against girls/early –and-forced- marriage.

²⁶ Child Marriage and Female Circumcision: r4d.dfid.gov.uk/pdf, Evidence from Ethiopia Young Lives Policy Brief 21

²⁷ Child marriage | Child protection from violence...www.unicef.org/protection

²⁸ www.girlsnotbrides.org/about-child-marriage

As recognised by WHO, UNICEF and UNFPA, FGM is "all procedures involving partial or total removal of the external female genitalia or other injury to the female genital organs whether for cultural or other non-therapeutic reasons"²⁹. Thus FGM is a collective generic term used for the various degrees of cutting on the external female genitalia. There are four types of FGM and all four of them are cruel in its nature. Type four includes nicking of the clitoris (some refer to this as symbolic circumcision), burning or scarring the genitals or introducing substances into the vagina to tighten and labia stretching³⁰. Type III is the most harrowing and common and is considered to be the worst form as it involves the removal of all the genital parts.

One of the main rationales of FGM in traditional societies is that it prepares girls for marriage³¹ with concomitant assurance that the girl is a virgin. The cruel fact is that men demand it and may refuse to accept a bride or pay a bride price for a young girl whose virginity is not assured by FGM. FGM is the proof of a future bride's virginity. It is believed that FGM ensures a girl's virginity, making sure she has not had sex with anyone before marriage. With this assurance, men are more willing to marry her and pay more money for her, which is paid to the girl's parents.³²

The association between virginity and FGM is so strongly linked that a girl who has not undergone FGM has virtually no chance of marriage.³³ They are considered impure, incomplete and often ridiculed. This will of course place girls

²⁹ Eliminating Female genital mutilation: An Interagency Statement", Geneva: World Health Organization, 2008.

³⁰ Toubia, Nahid. "Female circumcision as a public health issue." *New England Journal of Medicine* 331.11 (1994): 712-716.

³¹ What is behind the tradition of FGM? - www.african-women.org/documents/behind-FGM-tradition.pdf

³² Female genital mutilation FORWARD www.forward.uk.org.uk 2014/12

³³ Beliefs and Issues : Female Genital Mutilation - www.fgm.co.nz/beliefs-and-issues

at a higher risk of poverty and social stigma. In traditional societies where marriage is a women's predominate source of economic survival and standing this is a particularly critical loss. The girl with a genital cut is more desirable and there are more chances for her to enter into a forced and early marriage. Men take benefit of the patriarchal set up and demand for a pure and untouched bride³⁴.

STANDING ON SIMILAR GROUND-FMG AND ECM

Taken as a whole, there are bleak similarities between ECM and FGM both FGM and ECM have the core issue of no consent and no choice. The right to 'free and full' consent to a marriage is recognised in the Universal Declaration of Human Rights – that consent cannot be 'free and full' when one of the parties involved is not sufficiently mature to make an informed decision about a life partner. The Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) makes reference to ECM in article 16 that states: "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"³⁵.

As cultural and societal pressures to submit to FGM and ECM are quite entrenched and powerful, it is difficult to ascertain whether a woman is truly consenting to FGM. Considering that FGM is often conducted from days after birth to puberty and beyond and that in half the countries for which national

³⁴ Burrage, Hilary. *Eradicating Female Genital Mutilation: A UK Perspective*. Ashgate Publishing, Ltd., 2015.

³⁵ <http://www.un.org/womenwatch/daw/cedaw/text/econvention.htm>

figures are available, most girls are mutilated before the age of five,³⁶ consent is clearly absent.

Consent in an ECM arrangement is also dubious³⁷ as there is also and almost always the troubling issue of free and full consent, and whether or not she received all the facts and information about marriage. One third of girls in the developing world are married before the age of 18 and 1 in 9 are married before the age of 15.³⁸ They have essentially become juvenile sex slaves³⁹. ECM is customarily arranged by parents, sometimes involving promissory agreements between families whilst children are too young to conclude alliances⁴⁰. In both FGM and ECM, consent has been made by others on the girl's behalf.

ECM and FGM are recognised as a violation of the human rights of girls and women and as a form of VAW. VAW is a global scourge that affects millions of women every year. It has been estimated that one in three women and girls experience gender based violence in their lifetime. ECM and FGM are a manifestation of gender based violence.⁴¹ ECM and FGM are also internationally recognised as a violation of the human rights of girls and women as set forth in a multiplicity of international agreements.

Many UN conventions emphasis this important and initial stance. Article 16 of the 1948 Universal Declaration of Human Rights (UDHR) states: (1) Men and

³⁶ Female Genital Mutilation/Cutting: A Statistical Overview and Exploration of the Dynamics of Change, New York: United Nations Children's Fund, July 2013

³⁷ Forced marriage - Child protection - Child rights. www.protectingchildren.org.uk/.../forced-marriage

³⁸ www.icrw.org, Child -marriage-facts-and-figures -

³⁹ Hilary Burrage, *Eradicating FGM : A UK Perspective* , (2015) at 53

⁴⁰ Child Marriage supra at 21

⁴¹ Why is child marriage a form of violence against women, www.girlsnotbrides.org

women of full age have the right to marry and found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution. (2) Marriage shall be entered into only with the free and full consent of the intending parties. Strikingly similar provisions are included in the 1966 International Covenant on Economic, Social and Cultural Rights and the 1966 International Covenant on Civil and Political Rights.

Article 1 of the 1956 Supplementary Convention on the Abolition of Slavery states “Any institution or practice whereby: (i) A woman, without the right to refuse, is promised or given in marriage on payment of a consideration in money or in kind to her parents, guardian, family”

Articles 1, 2, and 3 of the 1964 Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages state: No marriage shall be legally entered into by any person under this age, except where a competent authority has granted a dispensation as to age, for serious reasons, in the interests of the intending spouses. All marriages shall be registered by the competent authority.

Article 16.1 of the 1979 Convention on the Elimination of All Forms of Discrimination against Women prescribes equally for men and women: (a) The same right to enter into marriage; (b) The same right freely to choose a spouse.

Article XXI of the 1990 African Charter on the Rights and Welfare of the Child states: Child marriage and the betrothal of girls and boys shall be prohibited and effective action, including legislation, shall be taken to specify the minimum age of marriage to be eighteen years.

ECM is frequently addressed by the Committee on the Rights of the Child and was identified by the Pan-African Forum against the Sexual Exploitation of Children as a type of commercial sexual exploitation of children.⁴²

ECM and FGM are usually performed around or before the age of puberty. It signals the tragic end of childhood and the abrupt entry into adulthood, which spells marriage.

Girls are pushed into adulthood before they are physically and emotionally mature forcing them to struggle with the physical and emotional health consequences of becoming pregnant too young and /or multiple pregnancies. The younger the girl is at the time of marriage, the worse is the abuse on the grounds of forced early sex.

As previously discussed, it is a fact that in an African society, a woman who fails to marry virtually does not exist because cultural attitudes and norms leave no place for unmarried or childless women. It is also understood amongst the populace that no one marries an un-mutilated woman. To fail to mutilate one's daughter is to practically ensure her ruination⁴³ and in order to be married, women must be mutilated. It is at this juncture the two most prevalent form of HTP coalesces and solidifies the continuum practice of VAW. FGM contributes to ECM in some communities ⁴⁴ as in some cases the use of FGM in traditional societies will be followed by an ECM. ⁴⁵

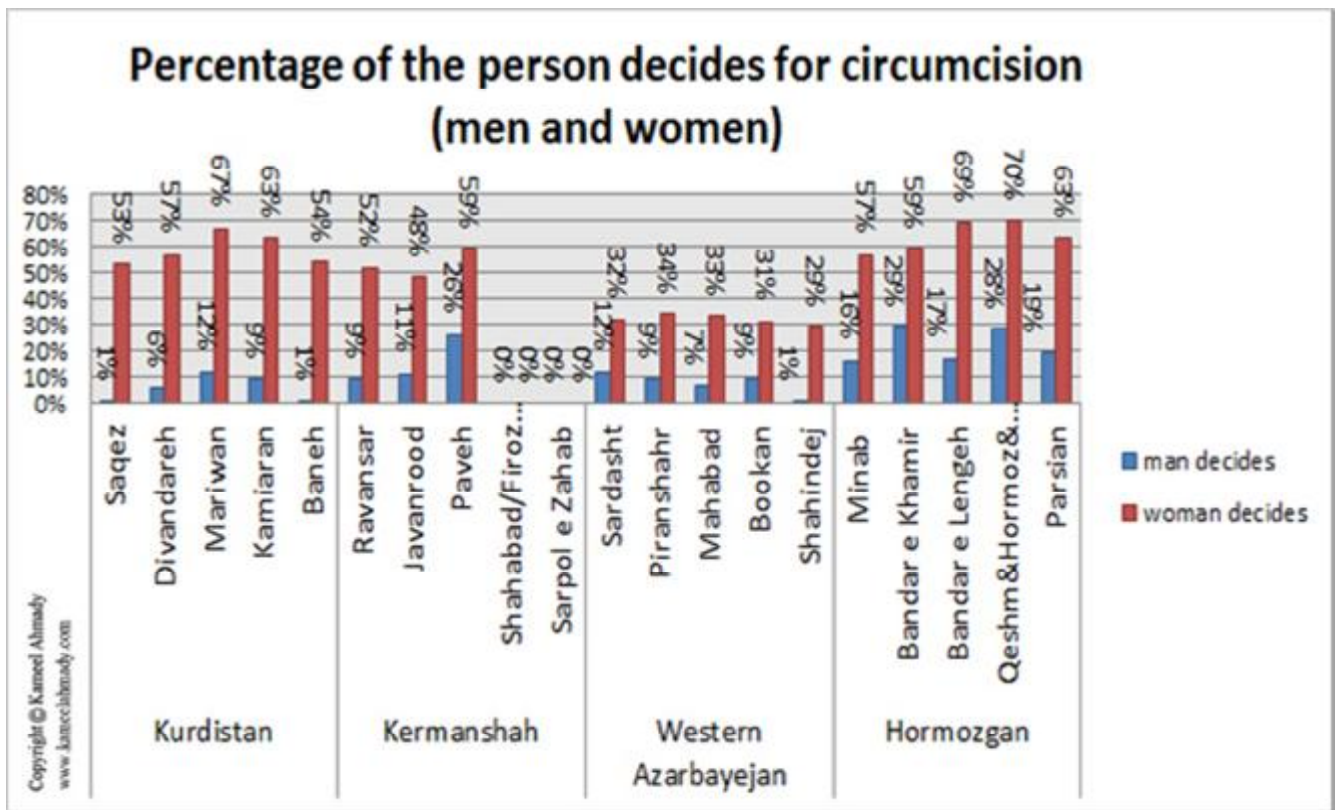
⁴² Mikhail, S., 'Child marriage and child prostitution: Two forms of sexual exploitation', *Gender and Development*, vol. 10, no. 1, 2002, p. 43– 49.

⁴³ Lightfoot-Klein, Hanny. *Prisoners of ritual: An odyssey into female genital circumcision in Africa*. Haworth Press, Inc, 1989.

⁴⁴ Child Marriage and Human Rights Abuses in Tanzania, www.hrw.org/report/2014/10/29/no-way-out/child...

⁴⁵ Ibid

According to *Keep the Girls Safe Foundation* girls are married off at a young age after undergoing FGM and are expected to assume the role of a wife and mother.⁴⁶ According to Human Rights Watch (HRW) girls from certain ethnic groups have also reported being forced to undergo FGM to prepare them for marriage. As children females understand that FGM will be the rite of passage that will introduce them to ECM. In both practises childhood has tragically been squashed, cut short and in both cases there is an often violent abhorrent introduction to sexual intercourse.



Both are broadly linked to the social status, respectability and honour of the families, which are maintained through the marriageable value of girls.

⁴⁶ FGM - keepgirlssafe.org/fgm

In some villages in central Kenya girls are a source of income and fetch 48 goats when they are married.⁴⁷ Worse still, as discussed previously, an FGM survivor is valued more and the bride price is higher.

Many practising FGM and FCM societies are a reflection of the notion that a woman represents and retains her father's honour. The marriage is not only a union of two people, but an alliance of family and honour. These notions of family and honour are dependent on the purity, virginity and correct conduct of women which is ensured through strict control over her social and sexual behaviour. By extension it translates to the honour of the child bride's family and the family receiving the bride⁴⁸.

ECM and FGM are linked to poverty and sexual vulnerability in which parents seek to protect their daughters from social and economic hardships. Consequently, families may often view FGM and ECM as positive strategies to overcome poverty in a context of limited economic opportunities and social protection for women.⁴⁹ Through ECM and FGM parents seek to protect their daughter's from these risks.

Poverty is a basic underlying rationale for ECM. Considering the sparse opportunities where girls' education is limited and restricted opportunities for training or employment, ECM is viewed as a rational option by parents and sometimes even the girls themselves. Marriage payments can provide support for parents: bride wealth payments, which for example are customary in southern

⁴⁷ Ending FGM and Child Marriage in Kenya | plan-international.org/blog/2015/05/ending-fgm

⁴⁸ Moghadam, V. M. (2004). "Patriarchy in transition: Women and the Changing Family in the Middle East, *Journal of Comparative Family Studies*, pp. 137-162.

⁴⁹ Child Marriage and Female Circumcision, *supra* at 21

Ethiopia.⁵⁰ However, girls who marry young are more likely to be poor and stay poor⁵¹ and the majority of affected girls in an ECM become condemned to a life of financial and social insecurity. This is a real paradox for many parents, given that they marry off their daughters at a young age in the genuine belief that this will enhance the girl's and the family's security.⁵² Poverty ultimately fuels ECM, which in turn perpetuates the feminization of poverty.

ECM is an integral part of a system of patriarchal control over a women's sexuality. In the context of perceived vulnerability and sexuality, parents feel that they are reducing the risk of their daughters engaging in pre-marital sex, exposure to sexually transmitted diseases, notably HIV/AIDS, pregnancy, disgrace and social stigmatisation. In the context of low life expectancy, parents are keen to ensure their daughters find respectable husbands whilst they are alive. There is of course the implicit additional factor that by marrying their daughters early, parents hope, in the absence of alternative social security, to have grandchildren to look after them in old age.⁵³ ECM puts women and girls at particular risk of sexual, physical and psychological violence throughout their lives⁵⁴.

Similar to ECM, FGM is part of a system of patriarchal control of women's sexuality that negates the view that sexuality is a natural aspect of growing up and becoming a woman. One of the major consequences of FGM is that women who have undergone it are deprived both physically and psychologically of their

⁵⁰ Ibid

⁵¹ www.girlsummitpledge.com

⁵² EARLY MARRIAGE IN SOUTH ASIA - UNICEF www.unicef.org/rosa/earlymarriage

⁵³ Caroline Sweetman, Violence against Women-Oxfam Focus on Gender, Oxfam 1998-P 29

⁵⁴ www.girlsnotbrides.org/why-is-child-marriage-a-form-of-violence-against-women.

sexuality⁵⁵. FGM in this realm serves as a means of sexual control. Girls undergo FGM usually before puberty so they will be submissive to their husbands⁵⁶. For the same reasons that parents support FGM, parents support ECM i.e. to protect girls' sexually and reputations via marriage⁵⁷. Sadly both FGM and ECM in reality are economically based and culturally endorsed paedophilia.

FGM and ECM places the girl's reproductive health at risk

The mucous in the female genital tract has an immune system whose function is to activate the immune responses of the cells in the vaginal and cervical surfaces.⁵⁸ Vulnerability to infection may be amplified by the circumstances in which young girls have sexual intercourse. Non-consensual or hurried intercourse may inhibit mucus production as there will be less of a barrier to viral penetration. It will provide less assistance in minimizing irritation and tearing of the genital membranes, and facilitating viral entry⁵⁹.

A young woman's genital tract is not mature at the time she begins to menstruate. Although the mucus membrane changes from a thin single layer of cells to a thick multi-layer wall, this transition is often not complete until late teens or early twenties⁶⁰. Pain during intercourse and infertility are further common consequences of FGM⁶¹. The younger the girl at the time of her first sexual relations, with early forced and frequent sex that is less likely to be

⁵⁵ FGM New Zealand (2011) *Beliefs and Issues* - <http://fgm.co.nz/beliefs-and-issues/> Accessed August 15, 2016

⁵⁶ Hilary Burrage, *Eradicating FGM : A UK Perspective* , (2015) P 53

⁵⁷ Child Marriage and Female Circumcision (FGM/C): Evidence from Ethiopia-Young Lives Policy Brief, July 2014-
<http://www.younglives.org.uk/sites/www.younglives.org.uk/files/YL-PolicyBrief>

21_Child%20Marriage%20and%20FGM%20in%20Ethiopia.pdf-Accessed August 15, 2016

⁵⁸ Cutting the Rose, supra note 10, at 14.

⁵⁹ M. Elizabeth Duncan et al, *First Coitus before Menarche and the Risk of Sexual Transmitted Disease*, *Lancet*, vol. 335:338-340, (1990).

⁶⁰ *Young Women: Silence ,and Susceptibility*, supra note 118, at 3-4

⁶¹ *Female genital mutilation* - Royal College of. www2.rcn.org.uk/__data/assets/pdf_file/0010/.

consensual, the greater the chance of severe pain, physical damage, obstetrical complications and injury. These bone dry medical facts give no impression of how heart rendering this is when a child, who is physically immature is introduced into the world of sexual intercourse. In South Asia where every year millions of pre-teen girls become the wives of older men, the young girl bears the risks associated with imposed early sexual activity, including pregnancy.⁶²

In FGM cases, mortality and general rates for infants born to mothers who have undergone FGM have been observed to be significantly higher than the norm⁶³ depending on the type of FGM. One study showed an increase need to resuscitate babies whose mothers had undergone Type III at an eye brow raising 66 per cent. Similarly the mortality rate amongst babies during and immediately after birth was reported as much higher for those born to mothers with FGM. Neonatal problems occur primarily as a result of obstructed or prolonged labour which, if unchecked, can cause foetal distress, anoxia (lack of oxygen to the body's tissues) and tragically to foetal death⁶⁴.

ECM and FGM are the most enduring enemies of a woman's dignity and security with their dual grip of preserving male dominance and sustaining female subjugation. Both reinforce the sustainability of gendered based violence masked as tradition and solidified through the passage of time within a patriarchal culture.

It is time to link FGM and ECM as two forms of VAW that often operate à la suite. The stark statistics reveal that 42 per cent of women in Africa in the age group of

⁶² International Center for Research on Women "Too young to Wed. The Lives, Rights and Health of Young married Girls".

⁶³ Toubia, N (1994) Female Circumcision as a Public Health Issue *New England Journal of Medicine* 331: 712- 16

⁶⁴ Female genital mutilation - Royal College of. www2.rcn.org.uk/__data/assets/pdf_file/0010/.

15-24 years married before reaching the age of 18 and 48 per cent of women in Southern Asia married before reaching the age of 18.⁶⁵ When these girls who have undergone FGM and are subsequently married, it becomes virtually impossible to escape the depressing conclusion that FGM often lays the passage for ECM.

What is clear that FGM and ECM cannot be addressed in isolation, as often one is a pre requisite for the other. ECM and FGM are not the cause of gender inequality. They are consequences of it.

ECM & POLYGAMY:

Marriage has always been regarded as a moment of celebration and as a milestone in a person's life. Marriage as an institutional pattern is specialized for bringing unanimity and interdependence for maintaining the familial affairs⁶⁶. Monogamy is marriage consisting of only two parties in contrast to polygamy which is the state of marriage to many spouses.⁶⁷ Polygynous unions remain a practice in many countries, particularly (though not exclusively) in Africa.

Polygynous unions are more common in rural areas than in urban areas in all countries with the exception of Uganda (36 per cent of women in urban areas are in polygynous unions, compared to 32 per cent of women in rural areas). These unions are more common amongst women from the poorest 20 per cent of society than amongst women from the richest 20 per cent of society.

⁶⁵ Unicef (2005). Early Marriage: A Harmful Traditional Practice. Available at http://www.unicef.org/publications/Oles/Early_Marriage_12.lo.pdf

⁶⁶ Bankole, A., Singh, S., Woog, V., & Wulf, D. (2004). Risk and Protection: Youth and HIV/AIDS In Sub-Saharan Africa. New York.

⁶⁷ Harper, Douglas (ed.). "Polygamy". Online Etymology Dictionary. Archived from the original on 1 February 2016.

Lack of education strongly correlates with the practise of polygamy. Women who had received no education were more likely to be in polygynous unions than women who had received a primary education. The proportion of girls in polygynous unions tends to decrease as girls' level of education increases. Large age gaps between spouses in polygynous unions are more likely than for those in monogamous marriages. In Nepal, 3 per cent of women whose partners are 0 – 4 years older are found in polygynous unions compared to 9 per cent of women whose partners are 10–14years older and 20 per cent of women whose partners are 15 or more years older. In Madagascar and Namibia, a greater proportion of girls aged 15–19 are in polygynous unions compared to the overall proportion of women, indicating that the practice might be increasingly commonplace in those countries⁶⁸.

When viewed through the prisms of ECM, polygamy, is seen by some as a license for promiscuity and a grotesque violation of women's rights. This was echoed by the United Nations Human Rights Committee reported that polygamy violates the International Covenant on Civil and Political Rights (ICCPR), citing concerns that the lack of "equality of treatment with regard to the right to marry" meant that polygamy violates the dignity of women and should be outlawed.⁶⁹ It is interesting to note that in many Muslim states that practice polygamy such as Saudi Arabia, United Arab Emirates, Qatar, Malaysia, Brunei, Oman, and South Sudan, are not signatories of the International Covenant on Civil and Political Rights (ICCPR).

⁶⁸ Early Marriage: A Harmful Traditional Practice -.. www.unicef.org/publications/files/Early_Marriage

⁶⁹ "Equality of Rights Between Men and Women". University of Minnesota Human Rights Library.

Polygamy and ECM often means for the girl a life of sexual obedience, economic servitude and performances of heavy amounts of domestic work. The harmful effect of ECM and polygyny is also borne out by the fact that ECM is largely associated with a range of negative repercussions from halting education and blocking any opportunity to gain vocational and life skills without their free consent. Through the imposed polygamous relationship, sex becomes an expected commodity. Girls often have multitude pregnancies and preferably sons. The man is cared and maintained by multiple females in his centrist patriarch world, and the benefit of multiple wives becomes a vessel in which economic gains are made. Females are relegated to an underclass value, mainly for domestic and reproductive labour.

The feature of polygamy has been an important focal point for researchers on early marriage as it an intermediating variable with its strong negative correlations of domestic violence, high birth rates and exposure to sexually transmitted disease due to the multiplicity of partners. Girls who do not know how to prevent HIV infection are more likely to be in polygynous unions than those who do.

A high risk of physical abuse is often seen when the girl is married to a boy who is also underage. Due to his youth, he is often not able to protect her which makes the girl highly vulnerable to violence, abuse, and indignity from the older men in the family such as the father-in-law, brother-in-law's, and uncles.⁷⁰ Many of the girls face constrained decision-making, reduced life choices and dramatic life changes for the girl child who is now a "wife child" and often soon after, a

⁷⁰ Ending Child Marriage, Consultation Report, Joint Women's Program, New Delhi, India, Jyotsna Chatterji, Director, JWP, Consultation series 2005-2006.

“motherchild”. The rampant practice of underage girls as polygamous wives is a sordid aspect of polygamy. ECM paves the way to the narrative of polygamy.

As there is a link between polygamy and early marriage and household poverty, it is worthwhile to note that these narratives are interrelated. It is also important to underscore that in many countries, where ECM and polygamy co-exist in silent acquiescence; there are also rapid climate changes that contribute to chronic food shortages, rampant poverty, and high population growth rates, all of which overly burden an already weak social and economic infrastructure. Measures aimed at curbing ECM and polygamy are given short shrift⁷¹. The ritual of polygamy has an economic consequence as it not only increases family size but also maximizes the burden on parents which compels them to get rid of the burden by putting their daughters in a pre-mature wedlock. ECM and polygamy are acts of unburdening and an economic coping strategy.

Similarly, in traditional cultures, ECM is also a predominant reason of extramarital affairs. At some point in their lives boys realize that they did not really enjoy life in their early adulthood years and now find it exciting to indulge in an extramarital affair thus giving birth to unethical norms in societies. Once the boy reaches the age of maturity and moves out of the village for a job, he may be attracted to another girl. This leads to numerous cases of bigamy and polygamy. In such cases the first wife, who was married as a minor, is often thrown out of the house or mistreated. This is when ECM and polygamy take a

⁷¹ Mapping Early Marriage in West Africa - Girls Not www.girlsnotbrides.org/wp-content/uploads/2013/10/Ford.

crueller turn. The practice of early marriage is responsible for perpetuating different forms of violence against women⁷².

As many men marry extra wives covertly, having exact figures on polygamous marriages are difficult to determine. In most of the countries where there is a legal age limit for marriages, a large number of polygamous marriages (and most ECM) are not officially registered with no accompanying legal certificate. Many parents falsifying girls' ages. This increases the chances of polygamy for the male spouse as he can choose to have more wives besides the young girl.⁷³ Such acts are made easier in rural areas where birth certificates are often non-existent or not properly recorded.⁷⁴ Considering that a marriage certificate is an important identity document, this lack of documentation adds another layer to the already dismal consequences of ECM and polygamy.

In re-envisioning law and legal strategies to combat polygamy and ECM it is important to capture the harsh experiences of women that are so often excluded in the law where something seemingly simple as having a marriage certificate become problematic.

A GLANCE AT THE GLOBAL PREVALENCE OF ECM

Research has shown that not only does ECM occur in many different areas of the world, but also people practice ECM with open hearts because of its social

⁷² Ending Child Marriage, Consultation Report, Joint Women's Program, New Delhi, India, Jyotsna Chatterji, Director, JWP, Consultation series 2005-2006.

⁷³ Armstrong Ukwuoma -CHILD MARRIAGE IN NIGERIA: THE HEALTH HAZARDS AND SOCIO-LEGAL IMPLICATIONS-2014-
<https://books.google.com.pk/books?>

⁷⁴ Early Marriage: A Harmful Traditional Practice: A Statistical Exploration, UNICEF, 2005

acceptable position⁷⁵ According to a report by the *Girls Not Brides* “if there is no reduction in child marriage, the global number of child brides will reach 1.2 billion by 2050”⁷⁶. However in terms of proportions and numbers, most child marriages take place in rural sub-Saharan Africa and South Asia. These two continents are considered to be a hub for the practice of ECM.

In developing countries, the trend of marrying adolescent girls is quite commonplace and deeply entrenched. Older women are not desirable for marriage because of social norms and perceived notions of desirability. As per the 1991 census in India, nearly 5% of girls between the ages of 10 and 14, and over 35% girls between the ages of 15 and 19, were married. As per the findings of the UNFPA, 51% of women in Bangladesh and 74% of women in Niger were married before the age of 18⁷⁷. In specific parts of West Africa, East Africa and South Asia, marriage before puberty is not unusual⁷⁸. In North Africa, the Middle East and other parts of Asia, marriage shortly after puberty is a part of tradition and is highly embedded within the culture. Latin America and Eastern Europe are not far behind in practicing the ritual of early marriages where female adolescents are often married between the ages of sixteen and eighteen years old. These marriages are mostly forced marriages because these adolescents are coerced into matrimony, without full and free consent and without the

⁷⁵ Gaffney-Rhys, R. (2011). International law as an instrument to combat child marriage. *The International Journal of Human Rights*, 15(3), 359–373. doi:10.1080/13642980903315398

⁷⁶ <http://www.girlsnotbrides.org/about-child-marriage/>

⁷⁷ *Marrying Too Young*, 2012, UNFPA, <https://www.unfpa.org/sites/default/files/pub-pdf/MarryingTooYoung.pdf>, Accessed 7/18/2016

⁷⁸ Pathfinder International, 2006. *Women and girls' empowerment: Preventing early marriage*. Available at www.pathfinder.org. Accessed 18/07/2016.

opportunity to exercise this by choosing their partners; therefore, early marriages are also referred to as forced marriages⁷⁹.

Though there is statistical evidence that ECM is slowly declining, progress has been uneven across regions and countries. In the Middle East and North Africa, the percentage of women married before age 18 has dropped by about half, from 34 per cent to 18 per cent, over the last three decades. In South Asia, the decline has been especially observed in s marriages involving girls under age 15, dropping from 32 per cent to 17 per cent; the marriage of girls under age 18, however, is still commonplace. Although rates of child marriage are lower overall in Latin America and the Caribbean, no significant change has been seen in the prevalence of child marriage. In Indonesia and Morocco, the risk of marrying before age 18 is less than half of what it was three decades ago. In Ethiopia, women aged 20 to 24 are marrying about three years later than their counterparts three decades ago⁸⁰. Despite gains, this rate of decline is barely fast enough to keep pace with population growth. For example, in some countries where child marriage is common, including Burkina Faso and Niger, the median age at first marriage has not changed significantly. In Burkina Faso, prevalence has remained constant at around 50 per cent for the past three decades. If this persists, the number of child brides will increase substantially in the coming years as the population expands.⁸¹ The rates of progress need to be scaled up simply to offset population growth in the countries

⁷⁹ Clark, Shelley. In press. "Early marriage and HIV risks in sub-Saharan Africa," *Studies in Family Planning*

⁸⁰ Child marriage | Child protection from violence...www.unicef.org/protection/57929_

⁸¹ Ibid

where the practices are most common. High levels of child marriage amongst the poorest still persist⁸². It is undeniable fact that ECM is still a widespread practice. In 1985, 33% of the girls were married before the age of 18 and 12% before their 15th birthday. In 2005–2006 more than two-fifths of all women aged 20–24 were married by 18 years old and by 2010 this number lowered to 26% and 8% respectively⁸³. It is mostly adolescent girls who the victims are bearing the physical and emotional brunt of this oppressive and patriarchal custom because they are not in a position to express their consent.

The statistics do not paint a pleasant picture. According to UNFPA, nearly one in three girls continues to marry as a teenager in many parts of the developing world, which comprises 34 % of this age group's population. Considering this trend, it is estimated that by 2020, 140 million girls under the age of 18 will be married and 50 million of them will be under 15 years of age. Every year 14 million girls get married. Every day 39,000 girls are getting married. One in every 9 girls in developing countries is married before her 15th birthday. Estimates suggest that if marriage patterns remain unchanged, within the next 10 years more than 100 million young women will be married during their adolescence (i.e., before age 18), and roughly 14 million will be married by age 15 . UNFPA has claimed that “between 2011 and 2020, more than 140 million girls will become child brides⁸⁴. Today, there are an estimated 580 million teenage girls in the world of whom 88 % live in the developing countries. Currently in these developing countries 20,000 girls are married under the age of 18. If this practice

⁸²Child marriage | [www.unicef.org/protection/57929_](http://www.unicef.org/protection/57929_A_Profile_of_Child_Marriage_in_Africa) A Profile of Child Marriage in Africa

⁸³ Gaffney-Rhys, R. (2011). International law as an instrument to combat child marriage. *The International Journal of Human Rights*, 15(3), 359–373. doi:10.1080/13642980903315398

⁸⁴ *Marrying Too Young*, 2012, UNFPA, <https://www.unfpa.org/sites/default/files/pub-pdf/MarryingTooYoung.pdf>, Accessed 7/18/2016

carries on within the same trend, it is highly plausible that by 2030, 15 million children will be child mothers.

Girls in ECM are more likely to experience poor sexual and reproductive health. Studies have shown that most girls who enter early marriages are expected to get pregnant right away, as they are under intense pressure to bear children, and preferably, sons, in order to prove their fertility and value. This often leads to tragedy for both the mothers, who are still children themselves, and for their babies⁸⁵. Every year 7.3 million girls who are under 18 give birth to babies. 2 million of them are under 14. Statically prenatal mortality rates are 50% higher amongst babies born to mothers under the age of 20. Every year 70,000 of these babies die shortly after birth. Annually 3.2 million children have to abort their babies.

There are 10 countries with the highest rates of child marriage: Niger, 75 %; Chad and Central African Republic, 68 %; Bangladesh, 66 %; Guinea, 63 %;

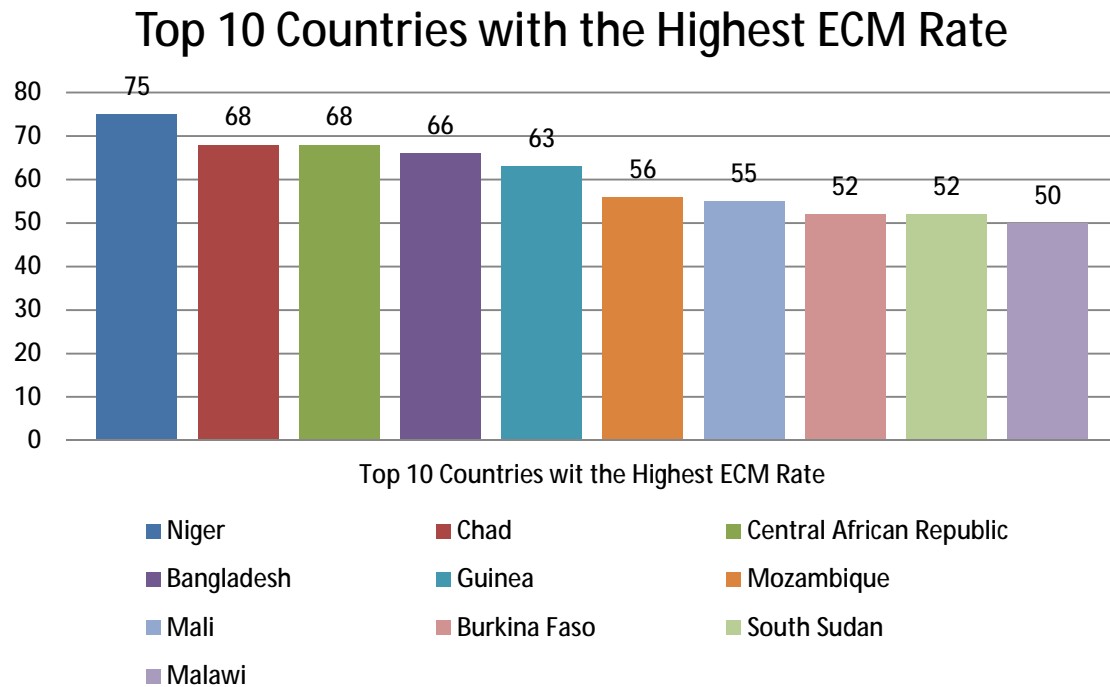
"My mother in law said that I swear you're infertile. So, I cut off the pills I took and got pregnant 2 months later. Then I found out that she intentionally said those things so that I could have a baby. I wanted to have baby in other conditions not in that poverty and as a child; I wanted her wishes to come true. I have anaemia and asthenia.

*Female Respondent, Ahvaz, Koy Al Safi Female respondent-32 years old
Kuy-e Al-e Safi, Ahvaz city, Khuzestan province*

Mozambique, 56 %; Mali, 55 %; Burkina Faso; South Sudan, 52 % and Malawi, 50%. However, whilst the prevalence of child marriage in India is not the highest

⁸⁵ Nour, Nawal M. "Health consequences of child marriage in Africa." *Emerging infectious diseases* 12.11 (2006).

recorded, the sheer size of its population means that India accounts for one-third of the world's child brides, the highest number of any country in the world.⁸⁶



LITERATURE REVIEW

Literature is quite pronouce about the presence of the highest rates of child marriages in poorest /undeveloped countries, particularly in the lower class with meagre resources and/or when it comes to household investment decisions. People in such countries and cultures prioritize boys; therefore, ECM marriage is deemed as the only viable solution to reduce a family's economic hardship by making girls the financial responsibility of her chosen husband. There has been considerable research conducted over the last decade on early child marriages, including attempts to understand and combat the phenomenon, and to analyse

⁸⁶ Klugman, J., L. Hanmer, S. Twigg, T. Hasan, J. McCleary-Sills, and J. Santa Maria. 2014. *Voice & Agency: Empowering Women and Girls for Shared Prosperity*. Washington, DC:

some of the factors that contribute to child marriage and its consequences⁸⁷. The reviews suggest that social and cultural norms, including those related to religion influence the age at which a girl is expected to marry. In addition, socio-economic status, education levels, and community context also influence the likelihood of a girl being married early. Less is known about the contexts in which girls themselves make the decision to marry.

A great deal of researchers have tried to more proactively deal with the issue of young spouses, however due to its complexity, the issue remains a widely-spread problem as the UNICEF stated in the report *Early Marriage, Child Spouses* (2001)⁸⁸. Another quite renowned and well written report by the World Bank “*Voice and Agency: Empowering women and girls for shared prosperity*” (2014) acknowledges the fact that the causes of child marriage are found to vary among regions⁸⁹. The World Bank publication stresses the great age gap between spouses as the most common factor within child marriage. It cuts off the girl’s influence over her husband which shapes the power structure at the household and leads to domestic violence⁹⁰. The UNICEF report (2001) further supported the discourse of domestic violence and states that the miserable situation causes girls to run away from their spouses which is highly frowned upon and is akin to the original sin in South Asian and especially in the Muslim populated countries. A number of girls trying to escape these unwanted and forced unions have

⁸⁷ Klugman, J., L. Hanmer, S. Twigg, T. Hasan, and J. McCleary-Sills. 2014. *Voice and Agency: Empowering Women and Girls for Shared Prosperity*. Washington, DC: The World Bank. [\[CrossRef\]](#)

⁸⁸ UNICEF (United Nations Children’s Fund). (2001). *EARLY MARRIAGE, CHILD SPOUSES* [Online] Innocenti Research Centre, Italy <http://www.unicefirc.org/publications/pdf/digest7e.pdf> [Accessed 13-08-16]

⁸⁹ World Bank. (2014). *Voice and Agency. Empowering women and girls for shared prosperity* [Online] http://www.worldbank.org/content/dam/Worldbank/document/Gender/Voice_and_agency_LOWRES.pdf [Accessed 13-08-16]

⁹⁰ World Bank. (2014). *Voice and Agency. Empowering women and girls for shared prosperity* [Online] http://www.worldbank.org/content/dam/Worldbank/document/Gender/Voice_and_agency_LOWRES.pdf [Accessed 13-08-16]

become victims of honour-based violence as the girls are perceived as having compromised the “honour” of their families. The families respond to this perceived incorrect behaviour within their cultures by serving upon them the ultimate consequences which is coined as “Honour Killing”⁹¹ that occurs in Bangladesh, Egypt, Jordan, Lebanon, Pakistan, Turkey and elsewhere.⁹²

Similarly UNFPA’s report “Marrying too young: End Child Marriage (2012) also draws similar conclusions regarding ECM⁹³. The report looks at the combination of the effects and influences of ECM on people from different regions. This report has brought to the surface these differences and clearly shows the disparities within different geographical pockets.

The research literature on ECM has targeted and mostly concentrates on ECM’s prevalence in the South Asian and Muslim communities. But the undeniable fact is that unfair marriage practices, domestic violence and other multiple forms of GBV are widespread in many societies. GBV may differ in scope and degree but not in kind. In industrialized societies, it may express itself in various nuances via music, ridiculing women, sexual harassment and societal pressure. Tradition is the most enduring enemies of a woman’s dignity and security and aims at preserving male dominance and female subjugation. VAW is a problem worldwide, occurring, to a greater or lesser degree, in all regions, countries, societies and cultures, and affecting women irrespective of income, class, race or ethnicity. Numerous researchers have addressed this issue. As

⁹¹ UNICEF (United Nations Children’s Fund). (2001). EARLY MARRIAGE, CHILD SPOUSES [Online] Innocenti Research Centre, Italy <http://www.unicefirc.org/publications/pdf/digest7e.pdf> [Accessed 13-08-16]

⁹² ‘Domestic Violence against Women and Girls’ (2000), Innocenti Digest No. 6, UNICEF Innocenti Research Centre, Florence

⁹³ UNFPA (United Nations Population Fund). (2012). Marrying too young: End child marriage [Online] New York, USA. <http://www.unfpa.org/sites/default/files/pubpdf/MarryingTooYoung.pdf> [Accessed 13-08-16]

Mayer (1995) argues, the international norms enshrined in the United Nations Declaration on Human Rights and their sentiment go against many of the discriminatory traditions which have long been entrenched across legal systems, including within the West. Kamla Saruo comments on GBV as part of the global problem that is linked to traditional hierarchical power relationships between men and women and parents and children and can occur in any communities where these relationships exist⁹⁴.

Nepali Journalist Kamala Sarup (2007), discusses the harmful effects an adolescence girl experiences in an early marriage. She adds that “lack of education, early pregnancy, health problems, forced sexual relations, denial of freedom and personal development and early divorce and abandonment may be relegated to the girls because they are still children- vulnerable and submissive”⁹⁵.

According to Nawal M. Nour (2006) young girls who are married under the age of twenty are at risk for HIV infection. This observation has been borne out by several studies on the African population. These young girls who are often marry to an older more sexually experienced man and are unable to effectively negotiate safer sex, leaving them vulnerable to sexually transmitted infections. A study in Kenya demonstrated that married girls had a 50% higher likelihood of becoming infected with HIV than unmarried girls. This risk was even higher (59%) in Zambia. In Uganda, the HIV prevalence rate for girls 15–19 years of age was higher for married (89%) than single girls (66%); for those 15–

⁹⁴ Khanum, N (2008), Forced Marriage, Family Cohesion and Community Engagement: National Learning through a Case Study of Luton, Equality in Diversity

⁹⁵ Kamla Saruo 2007-http://newsblaze.com/thoughts/opinions/early-marriage-has-harmful-effects-on-women_2653/

29 years of age, HIV prevalence was 28% for married and 15% for single girls. Moreover, as Nour stated, the age gap between men and women was a significant HIV risk factor for the wives. A hypothesis relevant to this finding is that a young girl may be physiologically more prone to HIV infection because her vagina is not yet well lined with protective cells and her cervix may be more easily eroded. All of these studies showed that girls are being infected by their husbands⁹⁶. Poignantly, for many of these girls it is their ECM that puts them at risk for HIV infection.

There have been some studies that indicate marrying later in life brings benefits not only for the spouses but also for the upcoming generations as it ensures a prosperous and healthy future for the family. Marrying later gives freedom and ensures expression of consents for girls which free them from all negative consequences of ECM as previously discussed. The UNICEF's report (2011) links marrying later with the higher level of education, empowerment and self-sufficiency, and entry in formal labour force for girls⁹⁷. The World Bank also states that marrying later and getting all such benefits contribute to better welfare and combating poverty in whole societies⁹⁸. The tragic reality faced by 15 million girls around the globe every year is that they will not know the benefits of marrying later.

⁹⁶ The Inter-African Committee on Traditional Practices Affecting the Health of Women and Children, Newsletter, Early Marriage in South Asia, December 2003.

⁹⁷ UNICEF (United Nations Children's Fund). (2011). Adolescence: An Age of Opportunity [Online] New York, USA. http://www.unicef.org/sowc2011/pdfs/SOWC-2011-Main-Report_EN_02092011.pdf [Accessed 13-08-16]

⁹⁸ World Bank. (2014). Girls' Education [Online] <http://www.worldbank.org/en/topic/education/brief/girls-education> [Accessed 14-08-16]

EARLY CHILD MARRIAGE PREVALENCE IN IRAN

A considerable proportion of children and teenagers in Iran are married before the age of 15. There seems to be a scarcity of data on ECM in Iran. As early marriages are unregistered, their prevalence is hard to determine quantitatively. This problem is further exacerbated by the fact that some births in rural areas of Iran are also unregistered⁹⁹, making the age of a child at the time of marriage hard to determine. It is unquestionable, however, that the custom of child marriage is widely prevalent throughout all 31 provinces of Iran. It is important to underscore that ECM not exclusively a feminine issue. It also includes the marriage of very young boys who live within societies where ECM is socially accepted and practiced.

Paradoxically, it is worth noting that the marriage trends in Iran show a bipolar scale. On one side of the scale there is the active-aged generation who reluctantly puts off marriage until midlife, and at the other side, the scale leans towards very young girls and boys who are unwilling targets or victims of ECM practice. Factors such as gradual relative development, acquired modern lifestyle and personal economic problems have led the young generation to postpone marriage to until they are older. The rigid rules of Islamic Iran as it relates to human rights, family honour, and sexuality play against the background that marriage has been the only acceptable form of engaging in sexual relations. Engaging in sexual intercourse outside of marriage is problematic, particularly as there are no other ways of meeting these needs.

⁹⁹UNICEF- Birth Registration in Iran-An analysis of the state of relevant laws in Iran

People are encouraged to marry very young in order to help maintain social order and control. After the Islamic revolution of Iran, the laws that limited ECM were distinguished as unreligious and against the Islamic Sharia. Many of the marital rules were revised and the marriage of children was permitted. Ruhollah



Figure 3 Marriage exhibition held throughout Iran, supported by the Government-Photo by: Kameel AHmady

Amam Khomeini, the leader of the revolution of Iran, in his treatise mentions marrying immature girls, having affairs with them and sensually touching them by their husbands, as long as actual intercourse does not take place. ECM has been one of the main concerns for political and religious leaders of Iran, as an honourable and acceptable practice, making its adverse consequences easier to brush aside.

Influential indicating factors that contribute to the occurrence of ECM providing the analytical model of this study are discussed in detail in the next chapter. These independent variables are cultural capital (including norms and traditions), religious beliefs, social position, economic capital and the level of education. Control variables are gender and area of residency. Early marriage also assumes the role of independent variables for dependent variables that appear in the presented model. Those dependent and independent variables are domestic violence, cultural poverty, economic poverty, and hygiene and health risks.

In this context, it is critical to better understand the special needs of children and teenagers, to implement design programs that consider their unique

circumstances and take into account their vulnerabilities. The world has become more vigilant and alert to ECM as evidenced of the hundreds of studies and surveys that have been conducted to describe the proportion and distribution of ECM in different regions of the world. In the past decade as a reflection of the rising global agenda, several local studies and university MA student thesis have also contributed to the importance of public awareness in this area.

CHILD MARRIAGE RECORDS IN IRAN

Government official statistics¹⁰⁰ indicate that more than 7.7 % of girls in Tehran and 40 % in Sistan and Baluchistan were married before the age of 18. The rate of teen marriage in rural and urban areas has been reported as 19.6 % and 13.7 %, respectively¹⁰¹. According to the latest census in Iran in 2015 the highest number of registered marriages pertained to women who were 15–19 years of age¹⁰². Equally the latest available data on marriage frequency in 2014, showed that the total marriage cases for boys and girls under 18 years of age have been 287,077 (254,490 girls and 32587 boys). However there are no precise numbers for this phenomenon, as in most regions marriage ceremonies are concluded within the family and are not registered officially.

At least 48,580 girls between 10 and 14 years of age were married in 2011, and 48,567 of whom were reported to have had at least one child before they reached 15 years of age. Some 40,635 marriages of girls less than 15 years of age were also registered between March 2012 and March 2013, of which more than 8,000

¹⁰⁰ <http://www.sabteahval.ir/>

¹⁰¹Matlabi. H, Rasouli. A, Behtash. H, Dastjerd. F, andKhazemi. B, "Factors responsible for early and forced marriage in Iran," *Science Journal of Public Health*, vol. 1, no. 5, pp. 227–229,2013.

¹⁰²Ministry of Interior National Organization for Civil Registration of Islamic Republic of Iran, 2013, <https://www.sabteahval.ir/Upload/Modules/Contents/asset99/e-g-92.pdf>

cases involved men who were at least 10 years older than their child bride. Furthermore, at least 1,537 marriages of girls under 10 years of age were registered in 2012, which is a significant increase compared with the 716 registered marriages between March 2010 and March 2011. The number of registered divorces for girls under 15 years of age has also consistently increased since 2010. The Iranian government's response to the foregoing problem was to pronounce that the law prohibits forced marriage, meaning that all marriages in the country are consensual.¹⁰³

Whilst numerous physical and mental problems related to ECM target young girls as victims as the damage threatening them is considerable, young boys are also endangered too. The experience for boys is to a lesser extent less likely to be as exploitative or physically harmful as compared to girls. Nevertheless, boys are harmed. They lose the chance to higher education which would include not only learning the academic subjects but also a place where they can learn the importance of respect for girls' rights. Some are forced to drop out, so they can earn money to pay off wedding costs or to support their parents, wife and children. Many boys marry early because of family expectations and economic pressures. Additionally, for boys the denial of childhood and adolescence, entering into adulthood at an early age and forcing to work to fulfil family's economic needs and responsibilities, are their main setbacks. These young boys are thrust into the full burden of domestic responsibility, fatherhood and sexual relations rather than experiencing the normal milestones of childhood.

Data on the number of boys affected by child marriage are limited, making it difficult to draw definitive conclusions on its status and progress. Nevertheless,

¹⁰³Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran

available data confirm that boys are far less likely than girls in the same region to marry before age 18.¹⁰⁴ In 2014, total of 32587 boys were married and 1372 cases got divorced whilst they were younger than 18.

The number of child mothers in comparison to child fathers has increased 506 times, showing that girls in the age range of 10 to 18 (85 % of the age group population) are married to men 18 years of age or older. Only 15 % of them were married to a person in the same age range¹⁰⁵. As it will be elaborated on through the next chapter, divorce is another correlative concern that coincides with child marriage. Divorce rates in Iran at these age groups (10-18) are alarmingly high. According to the latest available demographic data, 21,149 boys and girls who were under 18 got divorced in 2014.

HISTORICAL ROOTS OF ECM IN IRAN

Iran as a Middle Eastern country has been a part of a so called identical cultural life with other Middle Eastern societies, such as the Arab world. Though Iran is not an Arabic country it has common deep roots with the Arabic world of Islam. Its law are based on old static Islamic rules, and Arabic is a language that is taught at school in contrast to other Iranian nations (such as Kurd, Turk, Baluch, Lur etc) who have not been successful in having academic subjects taught in their own language. This provides us with the importance and influential role of the Arabic culture in Iran's history. Thereupon, we must look at the intricacies of the Arabic world in order to comprehend the historical roots of child marriage.

¹⁰⁴ Child marriage | Child protection from violence...www.unicef.org/protection/57929_58008.html

¹⁰⁵ Industry world, The Condition of Registering marriage of girls under 15 years of age

Arab countries are located in tropical areas where the high temperature is one major element in precocious puberty development in young girls and boys, justifying ECM to become a widely acceptable social tradition. Most religious leader and clerics refers to early marriage in hot tropical climate reason that since the body grows faster,



Figure 4 Lur family from Khuzestan supports early marriage to keep their boys/girl clean-Photo by: Kameel Ahmady

sexual desire is higher. This is commonly believed by people in South and East of Iran and interviews recorded in a recent study on FGM in these provinces show how commonplace is this belief although this biological element does hold true only in these geographical areas, the tradition has seeped beyond the Arabic boundaries by promulgation of the Islamic religion. It is worth mentioning that the southern regions of Iran that are populated by Arab Iranians the observed cultural characteristics exhibited during field work proved to be much more similar to the Arabic culture than the Iranian culture. The conclusion is that their customs for marriage and acceptable marriage ages were a reflection of their nationality, rather than their geographical area in the map which was Iran. This was observed even amongst different districts of Khuzestan in south west of Iran. In those villages with Arab, Fars and Lur nationalities that practice ECM, the Arabic ones had dramatically and alarmingly higher rates of child marriage and women subjugation.

Religious leaders' commands and traditional stories from the prescribed lifestyle of the prophets are exemplified as a model for Muslims living Iran. Copying and adopting their mannerisms has been an encouraged aim at all ages.

Age is another influential factor in ECM. The younger the girl, the higher the chances of her being virgin, as in this regard, older men usually preferred young girls.¹⁰⁶

Commentaries made by historians and travellers who have written their observations about marital norms and situations are also worth mentioning. These written observations are the main proof of the existence and historical prevalence of ECM in Iran that is often reflected in custom.

Virginity and chastity play a crucial role not only in a young girl's life but also in a family's dignity in social relationships. Iranian tradition places a great deal of emphasis on abstaining from pre-marital sex. In most provinces where fieldwork takes place including Sistan and Baluchistan, a white napkin or cloth put in the middle of bed of the newlyweds on their first night, as the stained bedding and clothes are considered to be the proof of a bride's virginity. In some cases where the bride does not bleed due to different shape of hymen physiology a distrust towards her arises; occurs, a dispute that sometimes remain a burden for the rest of her life or in some cases result in sending the bride to her family the next day or divorce in later date. In some cases the groom family ask for medical certificate from the bride family prior to the wedding, this can be obtained from the government medical centres where female Dr will examines the bride to be

¹⁰⁶ فلور، وليم (2010)، *the social history of sexual relationships in Iran*, translated by Mohsen Minu Kherad, Stockholm, p. 48-49.

and issue a certificate called virgin certificate. Extreme social pressure surrounding virginity experienced predominantly by women in Iranian culture results in women seeking hymen restoration from private medical Dr who charge large amount of money, if they were involved in sexual relationship prior to their marriage.

DISCUSSION

The aim of the chapter is to increase knowledge about the underlying causes of child marriage in general, by looking at Iran as a case example, which is characterized to a large extent by child marriage. This chapter defines the phenomenon of ECM in detail along with its global prevalence and analyses the various underlying factors of child marriage. The chapter further narrates the literature review where the research clearly considers ECM obstacle for development. The rise or existence of child marriage is a complex and growing narrative which necessitates further research to diagnose and combat this insidious and deeply embedded practise

Within Iran, context, the narrative demonstrates the prevalence of ECM in the country, shared statistical information, and its historical roots by giving examples from eminent scholars and historians. Further understanding on the topic of ECM in Iran will be discussed in subsequent chapters.

CHAPTER 2

OVERVIEW

AGE OF CONSENT/EARLY MARRIAGE WITHIN THE LEGAL CONTEXT IN THE WORLD

Marriage is a socially or ritually recognized union or legal contract between spouses that establishes rights and obligations between them, their children, and between their in-laws. Although the definition of marriage varies from one culture to another, principally it is a universal cultural institution in which interpersonal relationships are acknowledged¹⁰⁷.

Social trends attitudes to marriage have changed dramatically over the past 100 years. Nowhere is this more evident than the changing attitude towards the age at which people get married.

In the past, marriage at a relatively young age was commonplace. In fact, prior to 1800, the vast majority of people around the globe lived and worked in the same place. The home was a small factory, a bustling hub of productivity. This geographical proximity of home and work had an impact on how couples viewed their relationship one another. However, as the Industrialised Revolution expanded through North America, Europe and the rest of the industrialised world, people increasingly left their rural lives to live in urban centres. These economic changes from an agrarian to an industrial and service-based economy had an impact on the family structure. The Industrial Revolution helped create

¹⁰⁷Haviland, William A.; Prins, Harald E. L.; McBride, Bunny; Walrath, Dana (2011). *Cultural Anthropology: The Human Challenge* (13th ed.). Cengage Learning.

opportunities for employment for all members of the family. For example, the lives of large sections of the population of Great Britain underwent massive changes during the Industrial Revolution. However its greatest impact was on the institution of marriage as the intensity and timing of marriage were negatively affected by migration flows dominated by young women, with the consequence that the total fertility rate declines as immigration grew.¹⁰⁸

CHILD MARRIAGE

Historically, child marriage was common around the world. With an average life expectancy between 40 and 45 years, ECM was typical. In ancient and medieval societies, it was common for girls to be betrothed at or even before puberty¹⁰⁹. It had been observed in ancient Israel that the contractual arrangements of a young girl were the undisputed prerogatives of her father. Young girls were married before the age of 15, often at the start of their puberty.¹¹⁰

Studies also indicated that the numerous references to child marriage in the 16th- century's literature and other sources showed that child marriage was so common that it was virtually the norm. A young girl of twelve and a half was already considered an adult in all respects.¹¹¹

In Greece, early marriage and motherhood for girls was encouraged.¹¹² Young boys were expected to marry in their teens as seen in Ancient Rome, where girls

¹⁰⁸ The age at marriage of migrants during the ...www.sciencedirect.com,

¹⁰⁹ Abgeliki Laiou (1993), *Coercion to sex and marriage in ancient and medieval societies*, Washington, DC, pp 85-190

¹¹⁰ M.A. Friedman (1980), *Jewish Marriage in Palestine*, Vol 1, The Jewish Theological Seminary of America

¹¹¹ Ruth Lamdan: *A Separate People: Jewish Women in Palestine, Syria, and Egypt in the sixteenth Century*, p. 47. Leiden, 2000

¹¹² Nancy Demand (1994), *Birth, Death, and Motherhood in Classical Greece*, Johns Hopkins University Press, pages 101-104

married above the age of 12 and boys above 14.¹¹³ In the middle Ages under English civil laws, marriages before the age of 16 were commonplace. In Imperial China, child marriage was also commonplace.¹¹⁴

It was only towards the 20th century that ECM was questioned. The age of individuals' first marriage increased in many countries and most countries increased the minimum marriage age.

AGE

Most jurisdictions set a minimum age for marriage, that is, a person must attain a certain age to be legally allowed to marry often at 18. The age at which a person can be legally married can differ from the age of consent¹¹⁵. In jurisdictions where the marriageable age is lower than the age of consent, those laws usually override the age of consent laws in the case of a married couple where one or both partners are below the age of consent. Some jurisdictions prohibit all sex outside of marriage irrespective of age.

Reliable data for ages at marriage is scarce. In England, for example, the only reliable data in the early modern records came from property records made after death. Not only were the records relatively rare, but not all recorded the participants' ages. However, it seems that the more complete the records were, the more likely they were to reveal ECM. Modern historians have sometimes

¹¹³ Dahl, GB (2010). "Early Teen Marriage and Future Poverty". *Demography*. 47: 689–718.

¹¹⁴ Zhao, Z. (1997). "Demographic systems in historic China: some new findings from recent research". *Journal of the Australian Population Association*

¹¹⁵ The age of consent is the age at which a person is considered to be legally competent to consent to sexual acts, and is thus the minimum age of a person with whom another person is legally permitted to engage in sexual activity.

shown reluctance to accept evidence of young ages of marriage, dismissing it as a 'misreading' by a later copier of the records¹¹⁶.

A study from the 40 Demographic and Health Surveys indicates a considerable ratio of women in developing countries continue to marry as adolescents. The study reveals that the highest number of ECM practice is most predominant in Sub-Saharan Africa and in South Asia and practiced in abundance in North Africa, the Middle East and Southeast Asia. A girl who has attended secondary school is considerably less likely to marry during adolescence, and in countries with a higher proportion of women with a secondary education, the ratio of women who marry as adolescents is lower¹¹⁷.

In the 12th century, Gratian, the influential founder of canon law in medieval Europe, stated that the age of puberty for marriage should be around 12 years for girls and around 14 years for boys. However he acknowledged that consent could be at a younger age. Marriage would then be valid as long as neither of the two parties annulled the marital agreement before reaching puberty, or if they had already consummated the marriage. Judges sometimes honoured marriages based on mutual consent of children younger than 7. In contrast to established canon, there are recorded marriages of children as young as 2 and 3 year olds¹¹⁸.

¹¹⁶ Bullough, Vern. "[Encyclopaedia of Children and Childhood in History and Society](#)". *Faqs.org. Internet FAQ Archives*. Archived from [the original](#) on 28 September 2008. Retrieved 25 August 2015.

¹¹⁷ International Family Planning Perspectives, 22:148–157 & 175, 1996

¹¹⁸ Bullough, Vern. "[Encyclopaedia of Children and Childhood in History and Society](#)". *faqs.org. Internet FAQ Archives*. Archived from [the original](#) on 28 September 2008. Retrieved 25 August 2015.

In humanitarian crises such as in conflict or natural disasters, child marriages increase in numbers. ECM essentially is a strategy for economic survival; it means one less person to feed, clothe and educate. Families that are experiencing hardships consider child marriages as the only coping mechanism to confront poverty or conflict and violence. It is worthwhile to mention that child marriages are present in abundance in eight countries which are considered fragile states. It shows the interrelatedness of ECM with poverty, conflict, and violence¹¹⁹. The age of the child become irrelevant as social upheavals such as regional violence, war and conflict push ECM to another level.

ECM in WAR and CONFLICT

Child marriage continues to be a grim worldwide reality for many young girls due to a host of factors including notions of honour, warped views of gender, wrenching

“My mother told me that if I wouldn't marry, she'd kill herself. It was important to me to marry someone who I wouldn't have to pretend that everything was okay and fool myself after. I don't know the exact age I was when I got married because my sister's identity was used for me after she died during the Iran -Iraq war.

Zahra, 35 Abadan, Khuzestan province

poverty, splintering of the family infrastructure, lack of education, sparse job opportunities and war and conflict. Weaken infrastructures and increased occurrences of sexual violence and assault that already underscore ECM, are exacerbated during war and armed conflict.

¹¹⁹ Niger, Central African Republic, Chad, Bangladesh, Mali, South Sudan, Guinea, and Malawi are listed as fragile states as defined by OECD. See definition in States of Fragility 2015: meeting post-2015 ambitions. Revised edition, 2015

Within the history of mankind, the world has born witnessed to an ocean of numerous armed conflicts. These armed conflicts have produced untold victories and untold tragedies. Many lives destroyed and communities were torn apart. But deeply entrenched within the devastations of armed conflict, which in and of itself is horrific, lies another devastation. Gender based violence (GBV) manifested in times of conflict and war and ECM. As a result of these conflicts ECM has become more intense. The ongoing nature and magnitude of ECM against young girls and women carries on during post conflict in foreign military bases, in purportedly safe rescue camps, in camps for refugees and the internally displaced. ECM is a stark ugly reminder that armed conflict, whether pre or post takes its heaviest toll on young girls and women.

Young girls and women, who find themselves in the midst of armed conflict and

“There is a growing number of girls forced to get married for security and economic problems and in the years of war. Families use marriage as a defines mechanism to prevent any violence caused by war. Military forces use sexual harassments as a weapon of war that's why child and early marriages is a way to get out of it for families.

Aram Shakaram

Member of 'Save the Children Organization'

in the path of fighters from radical groups such as the Islamic State and Boko Haram Militants, face a shocking subjection to GBV that is employed as a tactic of terror by these radical groups. The media has diffused harrowing accounts of rape, sexual slavery and ECM being used by extremists including giving young girls as wives and or gifts to militant fighters.

In a recently released paper by the Council on Foreign Relations, titled “*Fragile States, Fragile Lives: Child Marriage Amid Disaster and Conflict*,”¹²⁰ the relationship between child marriage prevalence rates and fragile states was explored. Existing data and an abundance of qualitative evidence point to a stark conclusion: the countries with high rates of ECM tend to be amongst the world’s most fragile and least stable. The numbers are telling: Nine of the ten countries with the highest rates of ECM appear on the OECD list of fragile states. Three of the top ten countries, as per the Fund for Peace’s Failed States Index, have ECM rates well over fifty per cent. And nine of the bottom eleven countries on UNDP’s Human Development Index have ECM marriage rates greater than forty per cent. Fragile states and poverty, already pivotal factors in ECM, become even more entrenched in times of war and conflict.¹²¹

As GBV increases in times of war and conflict, families frequently turn to ECM as a way to protect their girls from the disproportionate burden women and children bear during armed conflict.¹²² When families live in war torn regions, parents may genuinely believe that marrying their daughters is the best way to protect them from the risk of the dangers. *A Save the Children* study cites “increasing reports of early marriage as parents take desperate measures to ‘protect’ their daughters from sexual violence.”¹²³ In war-affected areas in Afghanistan, Burundi, Northern Uganda or Somalia, for example, a girl may be married to a warlord or another authority figure who can ensure that she and her family remain safe. In the Democratic Republic of Congo and elsewhere, girls have been abducted or recruited by armed groups and made into the ‘bush wives’

¹²⁰ Child Marriage in Fragile States - Council on...www.cfr.org/global/fragile-states-fragile-lives/p33093

¹²¹ Ibid.

¹²² Fragile states, fragile lives: Child marriage amid...www.girlsnotbrides.org/fragile-states-fragile-lives

¹²³ Save the Children, “Unspeakable Crimes Against Children: Sexual Violence in Conflict,” 2013.

of combatants and commanders.¹²⁴ Armed conflict aggravates ECM as parents look to alleviate the economic burden and fear produced by wars' instability. In Niger, Bangladesh, Somalia, and Uganda, ECM has been used as a survival strategy during times of drought and food insecurity. Additionally, families in Liberia and Sierra Leone have reportedly turned to ECM due to economic destitution and violence in refugee camps.¹²⁵

Before the Syrian conflict, 13% of Syrian women aged 20 to 25 were married before their 18th birthday.¹²⁶ That has changed. More than 250,000 Syrians have lost their lives in the armed conflict, which began with anti-government protests before escalating into a full-scale civil war. Millions have been forced from their homes as forces loyal to President Bashar al-Assad and those opposed to his rule battle each other and jihadist militants from ISIS.¹²⁷ ECM has become an ever-growing threat for girls in Syria, and for girls in refugee communities in Jordan, Lebanon, Iraq and Egypt.¹²⁸ A number of reports show that armed groups inside Syria and neighbouring Iraq use ECM as weapons of war to panic intimidate and displace populations.¹²⁹

SYRIA

Syria is an example of how ECM flourishes during war and armed conflicts. In Syria more than half of the estimated 2.8 million Syrian refugees are under the

¹²⁴ UNICEF. 2005. The State of the World's Children 2005. UNICEF: New York, NY.

http://www.unicef.org/sowc05/english/sowc05_chapters.pdf

¹²⁵ Ibid.

¹²⁶ UNICEF, State of the World's Children: Adolescence: An Age of Opportunity, 2011 as cited in Care, To Protect Her Honour: Child Marriage in Emergencies – The Fatal Confusion Between Protecting Girls and Sexual Violence, 2015

¹²⁷ Syria: The story of the conflict [www.bbc.co.uk/news/world-middle-east- 11 March 2016](http://www.bbc.co.uk/news/world-middle-east-11-March-2016)

¹²⁸ Child marriage and the Syrian conflict: 7 things...www.girlsnotbrides.org/child-marriage-and-the-syrian..

¹²⁹ Care, To Protect Her Honour: Child Marriage in Emergencies – The Fatal Confusion Between Protecting Girls and Sexual Violence, 2015

age of eighteen. Rape has also resulted in what is seen to be an increase in ECM in Syria.¹³⁰ Sexual violence in Syria has been documented as a weapon of war used “to intimidate parties to the conflict destroying identity, dignity and the social fabrics of families and communities.”¹³¹ As voiced by women and girls refugees, the fear of rape is cited as one of the main reasons for fleeing Syria.¹³² But sexual violence has gone largely undocumented given social stigma and barriers to appropriate psychosocial and medical resources.¹³³

ECM now has a new sense of urgency and desperation. The Syrian crisis has exacerbated pressure on children and their parents to arrange for their daughters to marry under the age of eighteen.¹³⁴ Due to the conflict there are strong indications that ECM has increased alarmingly, and in some cases has doubled. ¹³⁵In Syria, interviews with refugees point to ECM that may have been arranged to “save the honour” of girls who have survived rape or who may be perceived to have been raped.¹³⁶

A growing number of Syrian girls are reportedly married off in order to generate income for their poor refugee families.¹³⁷ ECM has become an economic coping mechanism. A report from the UN noted that although ECM occurred in Syria’s rural communities prior to the 2011 start of the war, the lack of employment

¹³⁰ Ibid.

¹³¹ Lisa Davis, “Seeking Accountability and Effective Response for Gender-Based Violence Against Syrian Women: Women’s Inclusion in Peace Processes,” MADRE, March 21, 2013, <http://www.peacewomen.org>

¹³² Ibid., p. 10

¹³³ Ibid., p. 8

¹³⁴ Too Young to Wed | Save the Children UK www.savethechildren.org.uk/.../too-young-wed

¹³⁵ Too Young to Wed | Save the Children UK, www.savethechildren.org.uk/.../too-young-wed

¹³⁶ UN Women, “Gender-Based Violence and Child Protection Among Syrian Refugees in Jordan, With a Focus on Early Marriage,”

2013, as quoted and cited in Lisa Davis, “Seeking Accountability,” p. 12

¹³⁷ Sheera Frenkel, “Teenage Syrian Girls Are Being Sold Into Forced Marriages To Save Their Families,” BuzzFeed, May 20, 2014, <http://www.buzzfeed.com>

opportunities and family resources has led to even more families turning to ECM for their girls.¹³⁸ The charity *Mercy Corps* reported anecdotal stories from refugee families about their sparse resources and the rising pressure to marry children given the continuing instability and the families' diminished prospects. Twenty per cent of registered marriages of Syrian refugee women in Jordan involve a girl less than eighteen years of age. Though ECM rates are difficult to document in an on going conflict, such estimates point to an increase from Syria's 11 per cent ECM figures provided by the Population Reference Bureau in 2001.¹³⁹ In addition many refugees caught up in the on-going Syrian conflict have been unable to acquire the means or documents to officially register their marriages and instead look to religious leaders, elders, or sheikhs to conduct marriage ceremonies. The resulting marriage contracts are not recognized by any state authority and therefore leave women and young girls vulnerable, especially in times of divorce or separation.¹⁴⁰

IRAQ

ECM rather than protecting girls often has far-reaching negative consequences. This can be seen in the number of births. Valeria Cetorelli's study in demography at the London School of Economics is the first detailed assessment of the 8-year Iraq War's effect on childbearing.¹⁴¹ The study found that before the war, from 1997 to 2003, adolescent fertility in Iraq was stable at just below 70 births per 1,000 girls aged 15-19. However, soon after the beginning of the war, adolescent fertility rose by more than 30 per cent, reaching over 95 births per 1,000 girls in

¹³⁸ UN Women, "Gender-Based Violence and Child Protection Among Syrian Refugees in Jordan, with a Focus on Early Marriage," 2013, <http://www.unwomen.org>

¹³⁹ Hoda Rashad et al., "Marriage in the Arab World," Population Reference Bureau, 2005, http://www.prb.org/pdf05/marriageinarabworld_eng.pdf

¹⁴⁰ Fragile States, Fragile Lives Child Marriage Amid Disaster and Conflict

¹⁴¹ Study provides rare evidence on effect of Iraq War...www.news-medical.net/news/20141216/.

2010. According to the findings of Cetorelli's research, the reason behind this rise in fertility is the increase of ECM amongst less-educated adolescents. The World Bank has also noted that “rates of early marriage and teen pregnancy tend to be particularly high in insecure environments.¹⁴² After the start of the war in 2003, many women and girls were prevented from participating in public life or even from leaving their homes without a male escort, likely in response to the actual and perceived dangers of harassment and physical harm, as well as a resurgence of conservative social mores. In this context, families may consider ECM as the best way to protect their daughters and family honour.¹⁴³

LEBANON

Since the start of the Syrian civil, several organisations and agencies have attempted to draw attention to the increased number of ECM amongst Syrian refugees in Lebanon. In 2014 a UN survey warned that ECM marriage has become prevalent with higher rates than the averages in Syria before the humanitarian crisis erupted, resulting in an 18 per cent of surveyed female youths aged 15-18 years being married.¹⁴⁴ As historically there is a close relationship between Lebanon and Syria, Syrian families tend to marry their daughters to Syrian or Lebanese boys.¹⁴⁵

REFUGEE CAMPS

Child marriage has also reportedly increased in camps of Syrian refugees in Erbil, Iraq and amongst Syrian refugees in Lebanon. Incidences of ECM amongst Syrian girls have also been reported in Egypt and in Turkey.

¹⁴² The World Bank, “Girls’ Education in the 21st Century,” 2008, <http://siteresources.worldbank.org>.

¹⁴³ *Supra* at 22

¹⁴⁴ Many child marriages among Syrian refugees driven...www.middleeasteye.net/in-depth/features/early-marriage.

¹⁴⁵ *Ibid.*

The reports from the refugee camps in Jordan highlight the increased likelihood of young girls marrying much older men, in the belief that these men can provide financial “protection and stability.”¹⁴⁶ Naturally one can plausibly assume that many of the girls are unwilling brides. In Syrian refugee communities in Jordan, ECM has dramatically risen over the years. In 2011, 12% of registered marriages involved a girl under the age of 18. This figure increased to 18% in 2012, 25% in 2013 and just 32% in the first quarter of 2014.¹⁴⁷ Given that many marriages are simply unregistered, it is quite plausible that these figures are much higher.

Cruelly, ECM has a refugee advantage. Many young girls in an ECM to Jordanian husbands now may have an opportunity to secure sponsorship allowing them and their family to relocate and or move out of the camp.¹⁴⁸ Marriage of Syrian refugee women in Za’atari refugee camps to Jordanian husbands who live outside the camp is viewed as a way of securing a sponsorship and live in a host community. Additionally some Syrian girls were forced into an ECM before they left Syria as an individual is more likely to be able to enter some neighbouring countries if he/she is married or considered as part of a family.¹⁴⁹

YEZIDI KURDISH WOMEN AND GIRLS

Yezidis are an ethnically Kurdish religious community indigenous to northern Mesopotamia. Even though they are ethnically Kurdish, Yazidis are a distinct and independent religious community with their own unique culture.¹⁵⁰ They live

¹⁴⁶ Lisa Davis, “Seeking Accountability,” p. 12

¹⁴⁷ UNICEF, A Study on Early Marriage in Jordan, 2014

¹⁴⁸ Save the Children, Too Young To Wed: The growing problem of child marriage among Syrian girls in Jordan, 2014

¹⁴⁹ Too Young to Wed | Save the Children UK, www.savethechildren.org.uk/.../too-young-wed

¹⁵⁰ “Background: the Yezidi”. The Guardian. 2007-08-15. Retrieved 2014-08-09. See also

“Who, What, Why: Who are the Yazidis? » BBC World News. Retrieved 2014-08-08.

primarily in the Nineveh Province of Iraq but also in other communities in Armenia, Georgia, Turkey, Iran, and Syria exist as well.

In 2014, the brutish territorial gains of ISIS resulted in upheaval to the Iraqi Yazidi population. The town of Sinjar was nearly deserted as the Kurdish Peshmerga forces were no longer able to keep ISIS forces from advancing.¹⁵¹ ISIS' litany of horrific crimes against the Yezidis in Iraq carried on as stories of forced religious conversions and ECM emerged.¹⁵² The precise number of people affected is unknown as the vast majority of Yezidis, (as well Christians, Shiita Shabaks and Turkmen) fled to various areas across Iraq and neighbouring countries. Since the captured of Mosul in June 10, ISIS has systematically targeted Iraq's minority communities of Yezidis. The vast majority of ISIS prisoners were Yezidis men, women, and children held captive in formal and makeshift detention facilities in Iraq and Syria.

Initially the Yezidis captives were held together but eventually ISIS systematically separated young women and teenage girls from their families. ECM quickly took place as many of the girls were forced to marry ISIS fighters.¹⁵³ Typical in war and conflict these captured women were viewed as sex slaves or spoils of war. Women and girls who "converted" to Islam were sold as brides; those who refused to convert were tortured, raped, and eventually murdered.¹⁵⁴ Interviews with women who managed to escaped revealed that ISIS corralled the women and children, some who were not more than five years old, into halls and

¹⁵¹ Loveday Morris. "Islamic State seizes town of Sinjar, pushing out Kurds and sending Yazidis fleeing". The Washington Post. Retrieved 3 July 2015.

¹⁵² www.hrw.org iraq-forced-marriage-conversion- yezidi

¹⁵³ Iraq Forced Marriage, Conversion for Yezidis forced-marriage-conversion- October 2014. WWW;hrw.org

¹⁵⁴ Islamic State crisis: Yazidi anger at Iraq's forgotten people". BBC News. Retrieved 23 December 2014.

other detention centres and gradually sold them off to fighters as spoils of war.¹⁵⁵ Girls as young as ten¹⁵⁶ were married off to fighters. The ECM is often temporary marriage as once the fighters had sex with the young girls, they were passed on to other fighters.¹⁵⁷ Some had been exposed in markets in Mosul and in Raqqa, Syria carrying price tags.¹⁵⁸

Human Rights Watch has stated the precise number of women and girls being enslaved and forced into marriage is unknown.¹⁵⁹ *Amnesty international's* report, based on interviews with over 40 former captives who were amongst the hundreds of Yazidi women and girls captured by ISIS fighters when the militants overran their hometown of Sinjar, stated that girls aged 10-12 were victims of rape and ECM.¹⁶⁰

War and armed conflict increase young girls' chances of ECM. In such circumstances, young unmarried girls face ECM as it becomes a more palatable option for parents and families looking to protect their girls. The most vulnerable in society and the most likely to suffer, these young girls and women now find themselves in an even more precarious no win situation as they are further vulnerable to exploitation.

¹⁵⁵ Humiliation replaces fear for the women kidnapped... www.theguardian.com 19 October 2014

¹⁵⁶ *Ibid.*

¹⁵⁷ Brekke, Kira (8 September 2014). "ISIS Is Attacking Women, And Nobody Is Talking About It". The Huffington Post. Retrieved 11 September 2014.

¹⁵⁸ Ivan Watson, "'Treated like cattle': Yazidi women sold, raped, enslaved by ISIS", CNN, 30 October 2014.

¹⁵⁹ *Supra* at 35

¹⁶⁰ Iraq: Yezidi women and girls face harrowing sexual...www.amnesty.org/en/latest/news/2014/12/iraq.

MINIMUM AGE IN EUROPE

The American colonies followed the English tradition, and the law was more of a guide. In the 16th century, a small number of Italian and German states set the minimum age for sexual intercourse for girls at 12 years old. Towards the end of the 18th century, other European countries also began to enact similar laws. The first French Constitution of 1791 established the minimum age at 11 years. Portugal, Spain, Denmark and the Swiss cantons initially set the minimum age at 10–12 years.¹⁶¹ The English common law had traditionally set the age of consent within the range of 10 to 12, but in 1875 the age was raised to 13. In the following decade, France, Portugal, Denmark and the Swiss cantons and other countries, the minimum age was raised to between 13 and 16 years.¹⁶²

In France, under the Napoleonic Code the age of consent was set in 1832 at 11¹⁶³, and was raised to 13 in 1863.¹⁶⁴ It was increased to 15 in 1945¹⁶⁵. In Spain, it was set in 1822 at "puberty age", and changed to 12 in 1870¹⁶⁶, until 1999, when it was raised to the age of 13. ^{167,168} In in 2015 it was raised to 16¹⁶⁹. By reviewing the history of evolutions and changes in the age of consent in the world what is noted is the age augmentation.

¹⁶¹ Robertson, Stephen. "[Children and Youth in History - Age of Consent Laws](#)". *George Mason University*. Retrieved 29 June 2015.

¹⁶² Stephen Robertson, *University of Sydney, Australia*. "[Children and Youth in History | Age of Consent Laws](#)". *Chnm.gmu.edu*. Archived from the original on 27 June 2010. Retrieved 2010-06-30.

¹⁶³ "[Loi du 28 avril 1832 CONTENANT DES MODIFICATIONS AU CODE PENAL ET AU CODE D'INSTRUCTION CRIMINELLE - Legifrance](#)". Retrieved 29 June 2015.

¹⁶⁴ "[Loi du 13 mai 1863 PORTANT MODIFICATION DE PLUSIEURS ARTICLES DU CODE PENAL - Legifrance](#)". Retrieved 29 June 2015.

¹⁶⁵ "[Ordonnance n°45-1456 du 2 juillet 1945 ABROGE ET REMPLACE L'ART. 331 \(AL. 1 ET 2\) DU CODE PENAL, MODIFIE PAR LA LOI DU 13-05-1863 \(ATTENTAT A LA PUDEUR CONTRE UN ENFANT DE MOINS DE 15 ANS OU NON EMANCIPE PAR LE MARIAGE POUR LES PLUS DE 15 ANS,PUNI DE RECLUSION\) - Legifrance](#)". Retrieved 29 June 2015.

¹⁶⁶ "[Código penal reformado](#)". *sirio.ua.es*. 17 June 1870. Retrieved 29 June 2015.

¹⁶⁷ "[BOE.es - Documento BOE-A-1973-1715](#)". *boe.es*. Retrieved 23 August 2015.

¹⁶⁸ "[Ley Orgánica 11/1999, de 30 de abril, de modificación del Título VIII del Libro II del Código Penal, aprobado por Ley Orgánica 10/1995, de 23 de noviembre](#)". *Noticias Jurídicas*. Retrieved 29 June 2015.

¹⁶⁹ "[Disposición 3439 del BOE núm](#)" (PDF). 31 March 2015. Retrieved 25 August 2015.

Recently several Western countries have raised their age of consent. These include Canada (in 2008 - from 14 to 16); and in Europe, Iceland (in 2007 - from 14 to 15), Lithuania (in 2010 - from 14 to 16), Croatia (in 2013 - from 14 to 15), and Spain (in 2015 - from 13 to 16). We have also observed a trend in which the age of consent for sexual relationships and followed by that, the marriage age have increased under canon laws. At the moment the age in most North American states, Canada, and European countries are above 18 years of age.

In the second half of the 18th century in large parts in Western Europe the population witnessed a substantial rise in growth. This can be attributed to a fall in the average age at marriage with the decrease mortality in the last decades of the 18th century. This can also be attributed to the fact that ECM provides a longer period of sexual activity which gives a cushion for couples to have large numbers of children. Women often encounter lack of access to contraceptives which ultimately increases population growth. During that period, general ages at marriage were not constant at all in the period under consideration.¹⁷⁰ A UNESCO report noted the relationship between ECM and early childbearing is very strong in countries where ECM is very common; such as Asia and the Pacific region alone, where annually nearly six million babies born to adolescents mothers¹⁷¹.

¹⁷⁰ Paping Richard, 2007- Explaining individual ages at first marriage in a 18th century rural market Economy- <https://www.rug.nl/staff/r.f.j.paping/ageatfirstmarriage.pdf>

¹⁷¹ UNESCO, "Early Marriage and Early Childbearing: Old for Toys, too Young for Marriage and Childbearing". <http://www.unesco.org/education/www.air-dc.org/pubs/PD8.pdf>-Accessed 20-08-2016

In Italy and Albania, the age of consent to engage in sexual intercourse is 14, 4 years younger than the legal minimum age of marriage, which had been set at 18. Also, there are numerous states that have no minimum age of marriage¹⁷².

In the United Kingdom it is legal for a man and woman to marry if they are both 16 years old or over, single, widowed, or divorced or if they were in a civil partnership that has been dissolved. Young people who are 16 or 17 must obtain parental consent.¹⁷³ The legal minimum age of marriage in most countries in the West is between 16 and 18, although it is often legal to engage in consensual sexual acts at a lower age¹⁷⁴.

In the West, it is primarily age that is seen as a barrier placing a restriction on sexual relationships, with a legal minimum age for sexual consent being common in most countries in Western Europe, even if the precise age differs from country to country. After this minimum age has been reached, sexual relations are allowed. Ethiopia's Revised Family Code of 2000 established the legal minimum age at marriage (LMAM) at 18 years and required that both spouses give free and full consent. The New Criminal Code of 2005 imposed a maximum prison sentence of 3 years for marrying a girl aged 13 to 17 years and a minimum of 7 years if she is younger than 13.¹⁷⁵

¹⁷² Melchiorre, A. (2010). *At what age? ... are school children employed, married and taken to court* (2nd ed.). UNESCO: Right to Education Project. Retrieved from http://www.right-to-education.org/sites/right-to-education.org/files/resource-attachments/RTE_IBE_UNESCO_At%20What%20Age_Report_2004.pdf (Accessed February 11, 2014).

¹⁷³ Advice guide.(2013). *Getting married*. Retrieved from http://www.adviceguide.org.uk/england/relationships_e/relationships_living_together_marriage_and_civil_partnership_e/getting_married.htm (Accessed January 16, 2013).

¹⁷⁴ Husain Al-Hakami and Kenneth McLaughlin, *Debatable Marriages: Marriage and Child Marriage in Saudi Arabia*, MARRIAGE & FAMILY REVIEW <http://dx.doi.org/10.1080/01494929.2016.1157119>

¹⁷⁵ A.J. Gage, *Child marriage prevention in Amhara Region, Ethiopia: Association of communication exposure and social influence with parents, guardians' knowledge and attitudes* *Social Science & Medicine* 97 (2013) 124e133

MINIMUM AGE IN MIDDLE EAST

In Kuwait and Libya, the age at which women get married has increased significantly. Whereas nearly 40 per cent of women aged 15 to 19 were married in Libya and Kuwait in the early 1970s, by the mid-1990s the available figures suggest that this had fallen to 1 and 5 per cent %, respectively¹⁷⁶.

Many Muslim societies such as Algeria, Oman, and Tunisia have set the age of 18 as the legal minimum age of marriage.¹⁷⁷ Saudi Arabia is one of the 74 states that have not set a minimum legal age for marriage, as physical puberty is regarded as the marker that distinguishes childhood from adulthood¹⁷⁸.

Within Saudi Arabia, some human rights organisations and activists have called on government intervention to halt cases of child marriage by setting a legal minimum age for marriage in order to protect children from abuse. Such legal restrictions on the age at which someone can marry are common in many countries (even if the specific age differs from country to country)¹⁷⁹. As there is no legal minimum age for marriage in Saudi Arabia, puberty becomes the determinative factor in deciding whether or not an adolescent female is ready for marriage. In general, if a girl has reached puberty, she is considered mature

¹⁷⁶ Rashad, H., Osman, M., & Roudi-Fahimi, F. (2005). *Marriage in the Arab world*. Washington, DC: Population Reference Bureau. Rich, A. (1986). *Blood, bread and poetry*

¹⁷⁷ Hermanssem, M. (2012). Muslim youth and religious identity: Classical perspectives and contemporary challenges. In M. J. Bunge (Ed.), *Children, adults, and shared responsibilities: Jewish, Christian and Muslim perspectives* (pp. 119–134). Cambridge, UK: Cambridge University Press

¹⁷⁸ Husain Al-Hakami and Kenneth McLaughlin, *Debatable Marriages: Marriage and Child Marriage in Saudi Arabia*, MARRIAGE & FAMILY REVIEW, page9. <http://dx.doi.org/10.1080/01494929.2016.1157119>.

¹⁷⁹ Husain Al-Hakami and Kenneth McLaughlin, *Debatable Marriages: Marriage and Child Marriage in Saudi Arabia*, MARRIAGE & FAMILY REVIEW <http://dx.doi.org/10.1080/01494929.2016.1157119>

enough to get married.¹⁸⁰ However, it is rare that a boy gets married before finishing school and securing a job.

In contrast to the Western world where age is a restrictive barrier to sexual relations, in Islamic and Arab societies, there is no restriction on sexual relationships provided they are married to each other. Therefore, sex could be legal and culturally approved in Islamic societies but considered illegal and immoral in Western societies¹⁸¹.

"From today, July 6th, child marriage is illegal and is banned in The Gambia. The adult spouse will spend 20 years in jail, the parents will spend 21 years in jail, and those who know about child marriage but fail to do anything about it will spend 10 years in jail.

[Yahya Jemmah](#), [Gambian President](#)

LEGAL SETTING OF MINIMUM MARRIAGE AGE

It is feasible that Saudi Arabia will follow the example of Yemen, which is at the southern border of Saudi Arabia and where ECM is a frequent occurrence and no legal minimum age of marriage. The cases of child and forced marriage led to a media and public debate on the issue, which led the Yemen Parliament to approve setting a legal minimum age of marriage of 18 years for both girls and boys¹⁸².

International initiatives and worldwide concerns about ECM caused some authorities to revise the marriage age laws, implement criminal penalty offences and to inflict severe punishments for those who disobey. In recent years, the

¹⁸⁰ Husain Al-Hakami and Kenneth McLaughlin, Debatable Marriages: Marriage and Child Marriage in Saudi Arabia, MARRIAGE & FAMILY REVIEW, page 5. <http://dx.doi.org/10.1080/01494929.2016.1157119>.

¹⁸¹ Husain Al-Hakami and Kenneth McLaughlin, Debatable Marriages: Marriage and Child Marriage in Saudi Arabia, MARRIAGE & FAMILY REVIEW <http://dx.doi.org/10.1080/01494929.2016.1157119>

¹⁸² Abu-Dayyeh, S. (2014). "Yemen law on child brides and FGM offers hope of wider progress." The Guardian, 12/5/14. Retrieved from <http://www.theguardian.com/global-development/poverty-matters/2014/may/06/yemen-child-brides-fgm-rights-act-law> (Accessed November 10, 2014).

practice of ECM marriage has faced a rising chorus of criticism in many areas of the world. For example, in November 2016, The Guatemalan Congress approved legislation to rise the legal age for marriage to 18¹⁸³. In 2015 Malawi raised the minimum marriage age to 18 for both boys and girls¹⁸⁴. In 2014, Bangladeshi officials approved the Child Marriage Prevention Act of 2014, requiring a two-year jail term for any person who marries a girl under the age of 18¹⁸⁵. In June 2016 both Gambia and Tanzania announced the end of ECM with prison sentences for those who continue to practice it.

Afghanistan is considered the world's most dangerous country in which to be born a woman. ¹⁸⁶ In this country 60-80 per cent of the total marriages in Afghanistan are forced and/or underage marriage. In Afghanistan, a court in the Ghor province sentenced a 42 year old man to 7 years in prison for marrying six year old Gharib Gol. Based on an elementary investigation, the six year old was given to a 42 year old man in exchange for a goat and some food supplies. He stated that her parents gave him the girl as a religious offering.¹⁸⁷ The judge sentenced her father to 4 years in prison as well. The man confessed to his crime and mentioned he had married the girl in front of many people. The punishment for early marriages according to Afghanistan's jurisdiction is incarceration. These changes represent emerging awakening trends and the use of the criminal legal system to tackle head on this practice.

¹⁸³ <http://www.jurist.org/paperchase/2015/11/guatemala-raises-marriage-age-to-18.php>

¹⁸⁴ <http://www.jurist.org/paperchase/2015/04/hrw-welcomes-malawi-marriage-act.php>

¹⁸⁵ <http://www.jurist.org/paperchase/2014/09/bangladesh-officials-approve-child-marriage-prevention-law.php>

¹⁸⁶ Afghanistan worst place in the world for women,... www.theguardian.com 15 June 2011

¹⁸⁷ Agence France-Presse Arrested Afghan cleric defends marriage to six-year-old girl, saying she was a 'religious offering 30 July 2016

Alongside the awakening and promising trends in establishing common laws as mentioned above, contradictions of acting against these manners are also problematic. In Iran's neighboring country Turkey, the constitutional court removed a legal provision that all sexual acts against children under the age of 15 are "sexual abuse". Children aged 12, 13 and 14 will no longer receive automatic protection as a minor, according to the ruling, but will be expected to offer or decline consent in sexual activity.¹⁸⁸

THE ROLE OF RELIGION

Most religions influence the marriageable age. Religion with its dominant power on controlling norms and shaping cultural is an influential and significant factor for people to base their most essential decisions on. In some religions, all the fundamental needs and the ways for acquiring them are determined by religious laws and its leaders that leave no further discussion or doubt on the subject. The main goal of some religions is to give religious nurturing for children that sometimes discard individual rights and autonomy. So powerful and entrenched is the gripping role of religion that parenthood gives way to religious adherence leading to the ownership of the child. For instance according to Islamic laws even an infant girl can be married to any man with her father's approval¹⁸⁹.

In Christian societies, sex outside marriage was forbidden. Until the late 18th century, there was little understanding of childhood as a concept, and children were seen as "little adults". Indeed, prior to the 12th century, there was virtually no notion of childhood at all. Christianity also deemed that children were born into the original sin, and, as such, were perceived as inherently immoral. Children

¹⁸⁸ <http://www.express.co.uk>

¹⁸⁹ Rouhollah Khomeini, *Tahrir Al-vasile*, Translated by Seyed Muhammed Baqer Hamedani, Vol 4, book of questioning nekah 12 .

had very few rights and were considered the chattel of the father. From the late 18th century, and especially in the 19th century, attitudes started to change. By the mid-19th century there was increased concern over child sexual abuse¹⁹⁰

"God and His prophet say that marriage should be in ages from 10 to 15. Girls have been unlucky from the prophet's time.

Female Respondent, 18
Mazandaran province

A controversial policy of the Roman Catholic Church, and later various Protestant churches, was the validation of clandestine marriages or marriages made without parental consent. In the 16th century both the French monarchy and the Lutheran Church sought to end these practices, with limited success¹⁹¹. In most of North-western Europe, marriage at very early ages was rare. The Church dictated that both the bride and groom must be at least 21 years of age to marry without the consent of their families.

ISLAM RELIGION

In comparison to Islam, even when one takes into account the different geographical locations and time, stable rules of life are set for all Muslims around the world and for the men and women who follow it. These include ages of maturity and marriage. One of the most virulent basic issues of child's rights in Islamic Republic of Iran is the definition of childhood and its consequences.

In the Holy Quran, it mentions attaining adulthood or attaining puberty *al-bulugh*¹⁹². The word "teenage" does not exist in Islamic literature, and in Islamic

¹⁹⁰ Boxall, Hayley; Tomison, Adam M.; Hulme, Shann (2014). ["Historical review of sexual offence and child sexual abuse legislation in Australia: 1788–2013"](#) (PDF). Australian Institute of Criminology. Retrieved 25 August 2015.

¹⁹¹ ["Ordonnance n°45-1456 du 2 juillet 1945 ABROGE ET REMPLACE L'ART. 331 \(AL. 1 ET 2\) DU CODE PENAL, MODIFIE PAR LA LOI DU 13-05-1863 \(ATTENTAT A LA PUDEUR CONTRE UN ENFANT DE MOINS DE 15 ANS OU NON EMANCIPE PAR LE MARIAGE POUR LES PLUS DE 15 ANS. PUNI DE RECLUSION\) - Legifrance"](#). Retrieved 29 June 2015.

¹⁹² Esak, F. (2012). Islam, children, and modernity: A Qur'anic perspective. In M. J. Bunge (Ed.), *Children, adults, and shared responsibilities: Jewish, Christian and Muslim perspectives* (pp. 99–118). Cambridge, UK: Cambridge University Press.

law the term “youth” is not included as a specific category.¹⁹³ From this perspective the onset of puberty, as previously mentioned, marks the end of childhood. However, this bodily-focused view has been criticized by those who prefer a more chronological approach to mark the journey from child to an adult.



Figure 5 Praying at Imam Reza shrine in Mashhad-
Photo by: Kameel Ahmady

With all the complexities about age and types of maturity, different social activities necessitate a special starting age. In today’s society where social activities are widespread and involve people’s participation, a special hallmark or criteria for defining childhood and adolescence is missing. Instead it is certain events that earmark adulthood. Although 18 is considered to be suitable starting age for such activities, such as marriage, opening saving bank accounts, alcohol consumption, smoking, and voting in elections, this can be reduced or increased depending on laws. In secular societies where the right to be free from religious rule and teachings, or when a state declares to be neutral from the imposition of religion or religious practices, social and political identities grew out of a different set of norms. Rules are set and launched according to what is considered beneficial to society. In contrast in some Islamic societies religion is the basis for prescribed laws and the main source for established policies.

¹⁹³ Hermanssem, M. (2012). Muslim youth and religious identity: Classical perspectives and contemporary challenges. In M. J. Bunge (Ed.), *Children, adults, and shared responsibilities: Jewish, Christian and Muslim perspectives* (pp. 119–134). Cambridge, UK: Cambridge University Press

Bearing in mind that there is a tremendous variance in the interpretation and implementation of Islamic law in Muslim societies today, in many Islamic societies Sharia law prohibits men and women from meeting each other without a chaperon. There is a fear that unmediated interaction between males and females could lead to the forming of sexual relationships, something that is forbidden outside of marriage¹⁹⁴.

According to the Hanbali school of Sharia law, the father has the right to accept a proposal of a man who wants to marry his daughter even if she has not yet reached puberty. However, the girl lives with her parents until she reaches puberty; by that time she has the right to accept that marriage or reject it. If the girl refuses the marriage, they divorce, although it must be acknowledged that in practice this rarely, if ever, happens. The implied familial and social pressure to accept the marriage and obey one's parents in all respects would of course be very hard for a girl in this position to refuse.

When the marriageable age under a law of a religious community is lower than that under the law of the state, state law prevails. The 123 parties to the 1956 Supplementary Convention on the Abolition of Slavery have agreed to adopt a minimum age for marriage. However, some religious communities do not accept the supremacy of state law in this respect, which may lead to child marriage or forced marriage.

¹⁹⁴ Husain Al-Hakami and Kenneth McLaughlin, *Debatable Marriages: Marriage and Child Marriage in Saudi Arabia*, MARRIAGE & FAMILY REVIEW, page 3. <http://dx.doi.org/10.1080/01494929.2016.1157119>.

SOCIAL VARIABLES

The views of childhood have changed throughout history and according to different societies' views as there are vast differences between contemporary and historical childhoods. Societies have demonstrated different concepts of what it means to be a child often hinged to various socio-economic and cultural realities. It was only in the 17th century that the concept of childhood emerged in Western countries.

Pre-modern societies and non-Western cultures had, and continue to have a multitude of understandings of childhood. Childhood is not the same everywhere and that whilst all societies do acknowledge that children are different from adults, how they are different and what expectations are placed on them, change according to the society in which they live.¹⁹⁵ In many practising ECM societies, the autonomy and independence that naturally emerges from childhood into adolescence is seen as an undesirable attribute in young girls whom are expected to be subservient. ECM conveniently squashed out the normal childhood adolescent period, quenching the sparks of autonomy and strangling the developing sense of self.¹⁹⁶

Strong cultural and societal acceptability of early marriage might have played a buffering role in this regard. For instance, early married children may genuinely believe that their experience is simply an unquestioned social repetition of what their mothers and elder sisters experienced for generations and is therefore an acceptable culture practice.

¹⁹⁵ Different cultures, different childhoods -www.open.edu/.../different-cultures-different-childhood

¹⁹⁶ Early marriage - Unicef www.unicef.org/sowc06/profiles/marriage.php

As reiterated earlier, poverty is a main cause and consequence of the ECM in poor and highly traditional countries. Childhood is extinguished due to this poverty. There is ample evidence that poverty is a social as well as an economic element which by definition affects men and women differently due to differences



Figure 6 Kurdish village near the Iraqi border in West Azerbaijan-Photo by: Kameel Ahmady

in disparities level. This is quite evident from the fact that countries/regions where girls have equitable access to education, capacity building and employment opportunities, early marriages are rare¹⁹⁷. Sweet man (2003) states in her book that “In the USA, only 4% of girls marry before the age 19, in Canada this is 1%, while in the UK this is 2% only¹⁹⁸.”

In some districts, children running away from home was frequent as seen in the *Kurdish areas of West Azerbaijan province also known as Mokrian*. This occurred in district where familial power, hierarchy plus unquestioned obedience were absolute. Couples were not allowed to make their own decisions. Although the practice of running away from home (known in Kurdish as *Redo kavten*) is deemed inherently unacceptable, the way families deal with this unacceptable act differs from one place to another. In some places (mostly in East Azerbaijan

¹⁹⁷ Caroline Sweetman, 2003-Gender, Development and Marriage Oxfam focus on gender

¹⁹⁸ Caroline Sweetman, 2003-Gender, Development and Marriage Oxfam focus on gender

province) the girl's father would try to re accept her in exchange for money paid by the groom and/or his family that could eventually be used to buy furniture for the couples. In other area such as North East of Razavi Khorasan province, both families would re accept them and also provide them with a house and furniture to help them start their lives together. The frequency of this act in Babol Abad near town of Khoy in West Azerbaijan province has now function as a social norm and tradition that perpetuates of escaping an ECM.

ARRANGED MARRIAGE, FORCED MARRIAGE, EXCHANGING WOMEN

Since the colonial period the exchange of women as a selling and buying commodity has been a common practice amongst traditional families¹⁹⁹. In contemporary era, the notion of arranged/forced marriages has become popular and because most child marriages are family-arranged²⁰⁰, many programs target people in position of power over children and adolescents, especially parents, guardians, and community members.

EXCHANGE OF WOMAN

Other forms of marriage which were also commonplace were the exchange women. This was seen principally in Pakistan. In this social custom, two girls are exchanged between two families as part of a bargaining and or trade agreement. Traditionally exchanging women was a conflict resolution strategy. The practice of arranged marriage is common and acceptable to seal a peace agreement by exchanging women between two opposing tribes, usually without the approval of

¹⁹⁹Annie Bunting, Benjamin N. Lawrance, Richard L. Roberts- Marriage by Force?: Contestation over Consent and Coercion in Africa- Ohio University Press, 2016

²⁰⁰ Erulkar, A. S., & Muthengi, E. (2009). Evaluation of Berhane Hewan: a program to delay child marriage in rural Ethiopia. *International Perspectives on Sexual and Reproductive Health*, 35, 6e14.

"In Karou all the marriages are held between relatives. Zeinab had to get married too soon so that she wouldn't be forced to marry her retarded cousin. Zeinab's mother didn't let her talk during the interview. She said: "We have to follow our traditions and costumes; it should be in our blood. The mother in law of my daughter is my sister. True that she's just a child but she has to have at least 3 kids to understand the life.

Don't say I have to! Say it's my duty!"

Atife, Zeinab's Mother, 42

Karoun, Khuzestan province

culture, but it usually involved the legal transfer of dependency of the woman from her father to the groom. The emancipation of women in the 19th and 20th centuries changed marriage laws dramatically, especially in regard to property and economic status.

the men and women.²⁰¹ There are very limited cases in which the involved parties refused. In these types of marriages, the girls who are promised are usually "very young and find it hard to refuse unless they elope or unless there is some resistance to the marriage within the family."²⁰²

ARRANGED AND FORCED MARRIAGE

Marriages throughout history were arranged between families, especially before the 18th century.

The practices varied according to

"I was chosen by force.

In my husband's custom (in Maraghe) they would kidnap the girl. But in our custom in Gogan it was not good at all! So in case of saving my family's face I had to accept the marriage and get over with it.

Female Respondent, 30 Gogan, East Azerbaijan province

²⁰¹ Gardner, Judith and Judy El Bushra. 2004. "Women and Peace-Making in Somaliland." In *Somalia - The Untold Story: The War Through the Eyes of Somali Women*. Edited by Judith Gardner and Judy El Bushra. London: Pluto Press.

²⁰² Musse Ahmed, Sadia. 2004. "Traditions of Marriage and the Household." In *Somalia - The Untold Story: The War Through the Eyes of Somali Women*. Edited by Judith Gardner and Judy El Bushra. London: Pluto Press.

By the mid-20th century, many Western countries had enacted legislation establishing legal equality between spouses in family law. A forced marriage is where one or both people do not (or in cases of people with learning disabilities,

"I was forced by my parents to engage to my cousin at 13 and I was not allowed to go to school anymore. I went to consultants and psychiatrists after my marriage. I always felt stressed and afraid when I talked to them. I was afraid the way they looked at me. They told me that you have chosen the wrong way and shouldn't have got married till you were 18.

Fateme, 14

Ali Abad Qeshlaq Village, Malekan, East Azerbaijan province

cannot) consent to the marriage and pressure or abuse is used, in other words without their free consent. It is an appalling and indefensible practice and is recognised in the UK as a form of violence against women and men, domestic/child abuse and a serious abuse of human rights.

Adedokun, et. al., (2012) observed that child marriages are often arranged in two distinct ways, within a context of force and coercion, either by parents or other persons in positions of authority in the family arranging their young daughter's marriage to an adult, often to a much older man or arranging the future marriage of two children.²⁰³ It is not uncommon to find girls of

7 -14 years already married off and sent to live with the families of the husbands. Generally, prospective husbands are selected based on social, religious and

²⁰³ Adedokun, G. N., Tochukwu, H. E. and Adedeji, O. O. (2012): "Early Childhood Marriage and Early Pregnancy as a Risk to Safe Motherhood", A Report on the Regional Conference on Traditional Practices Affecting the Health of Women and Children in Africa, 19-20 Nov. ICA

monetary factors whilst age is not considered as an important factor in this regard.

The pressure placed on girls to marry against their will can be physical (including threats and physical and sexual violence) or emotional and psychological (for example, when someone is made to feel they are bringing shame on their family). Financial abuse (taking wages or not giving the girl any money) can also be a factor. They may also be emotional blackmailed. On the day of the ceremony, it is extremely difficult for anyone to say no when everything has been organised.

Some young people, especially of South Asian origin, have been taken on visits to the subcontinent by their families, unaware of plans to marry them off. Passports have been confiscated to prevent them returning home. Those who either have been or fear being forced into marriage can become depressed and frightened and develop mental and physical health problems. A number of those trying to escape unwanted unions have even committed suicide.

There are some who view arranged marriages as a form of forced marriage. In forced marriage, one or both parties are under duress and forced into a marriage against their will, but in an arranged marriage both parties give their full and free will to the marriage²⁰⁴. An arranged marriage is not the same as a forced marriage, in the former the spouse does have the possibility to reject the offer, and in the latter they do not. Forced marriages differ from arranged ones, which may have been set up by a relative or friend, but are willingly agreed to by the couple.

²⁰⁴ Foreign and Commonwealth Office & Home Office. (2005). *Forced marriage: A wrong not a right*. London, UK: Home Office. Gangoli, G., & Chantler, K. (2009).

However, the line between arranged and forced marriage is often difficult to distinction. Arranged marriage cannot be separated from forced marriage and in reality they are much closer. The consent of a girl in arranged marriage is not absolutely her will or choice as it usually developed through social and emotional pressure by her parents and brothers. If a woman or young girl tries to resist an arranged/forced marriage often encounters severe criticism and honour killing in some parts of the world. Similarly, women who refuse to stay in a forced marriage and demand a divorce, faces extreme kind of obstacles. This is why the religious laws and social customs make the process of divorce very complex and difficult, especially for women.

Early marriage leads to less egalitarian relationships and lower marriage quality. In early marriages women do not have the right to participate in the decision making process, have no access to and control over resources, and do not have the ability to leave, particularly if there is the threat of violence in the marriage.

“I was 8 when they

forced me to marry. After 2 months I got my first period in my husband's house.

In the wedlock ceremony I was afraid and I didn't know anything. When my husband reached to me I pulled back till he lost his temper and told her mother: she won't let me do it, what should I do?

His mom came and shutted my mouth, put her legs between mine and opened my legs and told her son to do what you want. That night I got transferred to hospital after what happened. From that night I cursed them for what they did to me.

I've been wishing for death since then.

I wish Imam Hussein comes and take me with him, just as some night he came in my dreams and told me I'm here with you.

Etesam, 40 Karoon, Khuzestan province

However, it would be naive not to believe there will be times when one party agrees to enter into an arranged marriage due to familial and cultural pressure. The adherence to traditional customs and beliefs of families, clans, and tribes can pressure people to conform. In this respect, distinguishing between arranged marriage and forced marriage is not always easy, although the latter is considered a type of domestic violence that can involve both children and adults²⁰⁵. In normal times, the exchange of bride price may promote early marriage practices, as an economic survival strategy for girls' parents.²⁰⁶ In the Arab and Middle Eastern societies, it is far more common for people to marry within their own family in comparison to traditional Western societies. Although not unknown in the West, it was, after all, practiced within some members of Royal families through out of history (Queen Victoria and her husband Prince Albert were cousins). Its occurrence now a day is increasingly rare.

MENTAL HEALTH

The negligible data available on this topic indicates that most girls who are unhappy in an imposed marriage are also very isolated. Peer bonding is absent. They have no one to talk to as they are surrounded by people who have endorsed their situation. Their problems remain unknown or ignored by the community, and they become invisible victims. Inadequate socialization, discontinuation of education, devastating physiological and emotional damage due to repeated

²⁰⁵ Gangoli, G., & Chantler, K. (2009). Protecting victims of forced marriage: Is age a protective factor? *Feminist Legal Studies*, 17, 267–288.

²⁰⁶ . Mathur S, Greene M, Malhotra A. Too young to wed: the lives, rights and health of young married girls. Washington, DC: ICRW; 2003. See also International Planned Parenthood Federation and the Forum on Marriage and Rights for Women and Girls. Ending Child Marriage: A Guide for Global Policy Action. 2006.

pregnancies obviously is traumatic. Their traumas are often callously regarded as an unavoidable part of life.²⁰⁷

The odds of suicide attempts were twice as high amongst girls with marriage requests as among those with none. However, few studies have examined the psychological effects of ECM.²⁰⁸ A reported 3-month prevalence rates of suicidal ideation and suicide attempts were comparable to 12-month rates established in urban youth aged 15 to 24 years in Asia (8.4% and 2.5%, respectively), but lower than rates in adolescents in Southwest Nigeria.^{209, 210} The study's findings are compatible with findings in the United States that adult women married as children were 1.41 times more likely to have had a lifetime history of psychiatric disorders compared to women married in adulthood²¹¹. As there is relatively little research on the issue on the mental health implications of child marriage more empirical studies are warranted.

EDUCATION

The correlation between the number of years of a girl's schooling and the postponement of marriage has been firmly established by demographic and fertility studies. The inter-relationship between ECM child marriage and

" I have a baby daughter, and I like her to study at school, because my own fiancé didn't let me do that. I was at 9th grade when they engaged me and told me to stop studying.

*Zahra, 28
Heris Village, East Azarbaijan province*

²⁰⁷ Berhane-Selassie, Tsehai (1993), 'Early Marriage in Ethiopia', Report to the Inter-African Committee on Traditional Practices Affecting the Health of Women and Children, Addis Abeba

²⁰⁸ Anastasia Gage, Association of Child Marriage With Suicidal Thoughts and Attempts Among Adolescent Girls in Ethiopia, *Journal of Adolescent Health* 52 (2013) 654e656. www.jahonline.org

²⁰⁹ Blum R, Sudhinaraset M, Emerson MR. Youth at risk: Suicidal thought and attempts in Vietnam, China, and Taiwan. *J Adolesc Health* 2012;50: s37e44.

²¹⁰ Omigbodun O, Dogra N, Esan O, et al. Prevalence and correlates of suicidal behaviour among adolescents in Southwest Nigeria. *Int J Soc Psychiatry* 2008; 54:34e46.

²¹¹ Le Strat Y, Dubertret C, Le Foll B. Child marriage in the United States and its association with mental health in women. *Pediatrics* 2011; 128:524e30.

lack of education and or educational opportunities is by definition the underlying cause that promotes poor health, low self-esteem and encourages isolation. ECM often ends a girl's education, particularly in impoverished countries where child marriages are commonplace.²¹² As a most phenomenal form of age based gender inequality, ECM disempowers women to take their own decisions. Once married, young girls find it difficult to stay in school; instead they live an isolated life at home to bear and raise another cadre of children to repeat the intergenerational cycle of early marriages.²¹³ ECM impedes a young girls' ability to continue with her education as most young girls drop out of school following marriage²¹⁴ focusing their attention on their newly imposed domestic duties and their own children.

Under the Convention on the Rights of the Child²¹⁵, education and dropout rates are addressed in parts 77 and 78 of the Convention. The Committee welcomes the progress in the area of education, including the high rate of enrolment of children in primary and secondary schools. However, the Committee has voiced concerned about:

- The high dropout rates of girls in rural schools and of indigenous Arab children upon reaching puberty,
- The restrictions on the right of girls to education, by court ruling, if the husband finds the wife's education to be "incompatible with the interests of the family or with his or his wife's dignity"

²¹² International Center for Research in Women (2005), *Too young to wed: education & action toward ending child marriage*. Washington DC

²¹³ Tan Micheal, 2004-Child Brides

²¹⁴ Lee-Rife, Susan; Malhotra, Anju; Warner, Ann; McGonagle Glinski, Allison (2012). "What Works to Prevent Child Marriage: A Review of the Evidence". *Studies In Family Planning*. 43: 287–303

²¹⁵ <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G16/049/70/PDF/G1604970.pdf?OpenElement>

The Committee recommends that the State party: Ensure that girls, including married girls, have access to primary and secondary education without any barriers, including those established by husbands, parents and communities, and raise the awareness of the public about the importance of education, in particular amongst indigenous Arab communities.

Many international conventions and resolution echo this concern of ECM's effects on education. Some of the main treaties are the following:

- In December 2011 a resolution adopted by the United Nations General Assembly (A/RES/66/170) designated October 11 as the International Day of the Girl Child
- On October 11, 2012 the first International Day of the Girl Child was held, the theme of which was ending child marriage.
- In 2013 the first United Nations Human Rights Council resolution against child, early, and forced marriages was adopted; it recognizes child marriage as a human rights violation and pledges to eliminate the practice as part of the U.N.'s post-2015 global development agenda²¹⁶
- In 2014 the UN's Commission on the Status of Women issued a document in which they agreed, amongst other things, to eliminate child marriage²¹⁷
- The WHO recommends increased educational attainment among girls, increased enforcement structures for existing minimum marriage age

²¹⁶ Girls Not Brides (2013-09-27). "States adopt first-ever resolution on child, early and forced marriage at Human Rights Council". Girls Not Brides.

²¹⁷ Liz Ford. "Campaigners welcome 'milestone' agreement at UN gender equality talks | Global development". The Guardian.

laws, and informing parents in practicing communities of the risks associated as primary methods to prevent child marriages²¹⁸

While the Islamic Republic of Iran is party to the vast majority of relevant international instruments, some of its national codes and laws legalize forced and early marriages with children.²¹⁹

Girls are often hard hit as ECM spells an end to a girls' formal education as they tend to drop out of school in the preparatory festive time before marriage or shortly afterwards. The practice of ECM gives no such cause for celebration. Young girls' access to formal education is severely limited because of domestic burdens, childbearing and social norms that view marriage and schooling as incompatible.²²⁰ It is not only girls that pay the cost of ECM also eventually society pays the burden of female educational restriction as ECM manifests itself in population explosion, health care costs and lost opportunities of human development.

EDUCATION AND SOCIO CULTURE INFRASTURE

Customs and traditions are an integral component of many societies. The curtailing of education is rooted in socio-cultural infrastructures that are deeply embedded and can be difficult to change. ECM lingers on as a culturally and socially sanctioned practice according to some traditional sets of values.

²¹⁸ Chandra- Mouli, Venkatraman; Virginia Camacho, Alma; Michaud, Pierre-Andre (2013). "WHO Guidelines on Preventing Early Pregnancy and Poor Reproductive Outcomes among Adolescents in Developing Countries". *Journal of Adolescent Health*. 52: 517–22

²¹⁹ Iran - Child Marriage Around The World. Girls Not ...www.girlsnotbrides.org/child-marriage/iranViolations of girls' rights: child marriage and FGM in the I.R. Iran

²²⁰ Mathur, S., M. Greene and A. Malhotra (2003). *Too Young to Wed: The Lives, Rights and Health of Young Married Girls*. ICRW: Washington D.C

There is an entire range of socio-economic and cultural perspectives around child marriage that prevails across castes and class and fortifies its existence in society. This structure states that a boy is mature at 15 and a girl is mature at the tender age of 9. As girls are viewed as 'liabilities' since birth, traditionally the attitude of the society has been to get her married as early as possible²²¹. This has caused girls to be married in haste, or rather be the unwilling participation in an ECM whilst very young. The curtailing of education seems to be part of the pattern of traditional socio expectations. A girl will be withdrawn from school if a good marriage prospect arises. From a sociocultural perspective it is so necessary to note that many of these young girls are raised confined to household occupations and are expected to marry very young.²²² In many practising ECM societies, a girl is brought up to show self-control and deference to men that will be expected of her throughout life. In patriarchal societies that practise ECM, specific traditional roles are assigned to women and such societies tend to facilitate these roles through ECM that reinforce prescribed gender roles. Society, therefore, exerts pressure on its members not to abandon ECM practices.

Many families from practising ECM traditional societies, believe that investment in girls education is a waste of financial resources when she is simply going to be married and work in another household. Further the costs of the investment in education reinforce the impetus towards a girl's withdrawal from school.²²³ It should be noted however, that most young women who married at a very early age had never been to school. In Malawi, for instance,

²²¹ Child Marriage - Child Rights and You www.cry.org > Rights To Know

²²² Jones, Gavin (1997), 'Population Dynamics and Their Impact on Adolescents in the ESCAP Region', in Asia-Pacific Population Journal, vol. 12, No. 3

²²³ Report "Early Marriage: Child Spouses" -...www.unicef-irc.org/publications/pdf/digest7e.pdf

nearly two thirds of women with no formal education were child brides compared to 5 per cent of women who attended school or higher levels of education²²⁴ and in Ethiopia where girls who married at a very early age had never been to school. This reflects a lack of opportunities for, and investment in, these girls, rather than issues related to the quality or protectiveness of the schooling environment.²²⁵

According to the decision of the Ministry of Education in Iran, girls are encouraged to marry on one hand and drop out of school. Under Islamic law when a girl plucks her eyebrows (as a sign of getting married) this spells the end of her education as she is expelled from school by the head teacher.²²⁶

Dropping out of school is an issue which prevents girls from attaining education when they get married young. Marriage during school age years is another issue by which they lose the right to educate when they do so. Girls in developing countries often must overcome substantial socio cultural obstacles in accessing educational opportunities.

One of the leading causes of ECM is the over-emphasis on virginity and chastity of women and the perceived need to control their sexuality. The sexuality of female children is linked to the honour and reputation not only of the family but also of the clan, caste, race and ethnic groups. The tradition of ECM that ensures control over a girl's sexuality has persisted across generations as it is handed over from

²²⁴ Ending Child Marriage: Progress and prospects Jul 22, 2014 - <http://data.unicef.org/resources/ending-child-marriage-progress-and-prospects>.

²²⁵ Early Marriage, Marital Relations and Intimate...
www.guttmacher.org/about/journals/ipsrh/2013/04

²²⁶ Pucking, Trimming, Shaping, Shaving and Bleaching...www.central-mosque.com

one patriarchal family to another.²²⁷ Education naturally brings young girls in contact with young boys and thus is often cut in order to prevent girls from interacting and communicating. It seem as of the education system is afraid of potential sexual influence and chit chat that may occur.

In contrast, Eastern countries in Asia such as Taiwan, South Korea and Thailand have eradicated early marriages for girls by economic growth, job creation, education opportunities and decreasing birth and death rates²²⁸

CHILD WIDOWHOOD/DIVORCES

Child Marriage is a complex issue. Poverty, lack of education, cultural practices, and insecurities fuel and sustain the practice. Deeply rooted in gender inequality, child marriages is affecting girls particularly when the male is twice the girl's age. ECM is often linked to wife abandonment, as shown by its association with divorce and separation.²²⁹ Divorce or abandonment often plunges these young girls into poverty, as the girls usually assume sole responsibility for dependent children. As in the vast majority of cases the girl married young whilst under-educated, she has few, if any, income-generating skills thus making her poverty more acute.²³⁰ Given that girls in child marriages are often significantly younger than their husbands, they become widowed earlier in life and may face associated economic and social challenges for a greater portion of their life than

²²⁷ What Causes Early Marriage? - Bell Bajao www.bellbajao.org/what-causes-early-marriage

²²⁸ Lotfi, Razie (1389), side effects of early marriages, female and health FAZLNAME, no.2

²²⁹ Bruce, J., C.B. Lloyd and A. Leonard (1995), Families in Focus: New Perspectives on Mothers, Fathers and Children, The Population Council, New York.

²³⁰ Report "Early Marriage: Child Spouses" - [www.unicef-irc.org/publications/Early marriage child spouse](http://www.unicef-irc.org/publications/Early%20marriage%20child%20spouse)

women who marry later.²³¹ Societies which practices ECM are more inclined have more child and early widows.

Malekshahi, head of jurisdictional commission in Iran's council, stated that "70% of the divorces with agreement are related to early marriage cases. Many of these people head back to the court saying they got married too soon while having no idea about marriage and they demand a divorce case."²³²

The highest frequency of divorce rates amongst young girls and women can be seen between the ages of 10 to 19. This lends itself to the conclusion that divorce is more common in early marriages. The stress is enormous. Huge age differences between spouses, limited social supports due to her limited communication, lack of age appropriate peer bonding, low (or absence) of educational levels, premature death rates and social isolation are the exclusivities of married teenage girls. One of the most recent examples of denial of this tragic phenomenal is the novel decision of not publishing or bringing out the divorce statistics and rates in Iran. The Iranian government is not addressing these above mentioned issues.

It is worth mentioning that the divorce rates in Iran have increased by 74 per cent within the last decade. More notably, ALi Akbar Mahzun, the head of the Information and Population Census Registration Department in March 2016 declared that Census Registration Department's monthly release of statistics will not include the divorce rates as the focus will be more "purpose

²³¹ Gaffney-Rhys, Ruth (2011). "International Law as an Instrument to Combat Child Marriage". *The International Journal of Human Rights*. 15: 359–373

²³² <http://www.scoda.ir>

oriented.” He announced that the monthly 4 vital statistics (birth, death, marriage and divorce) would from now focus on the three vital statistics. Divorce statistics will be omitted.

The research experience of the Iran Initiative on FGM/C in Iran project ²³³showed not only much needs to be done in terms of addressing the obvious facts but also the need to be acted upon them. Usually cultural considerations have always been taken into account when general policies are applied. What is considered to be an overall issue often takes years to be declared and discussed freely with authorities. This is even more urgent and poignant when one considers that high-level decision makers are uniquely positioned to identify and address some of the systemic and underlying factors that ECM poses to reproductive health, human rights and gender equality. Governmental researchers and officials are encouraged to initiate research in this area by raising awareness and promoting ECMs abandonment. Scholars and policymakers' endeavours and efforts must prioritise by proving the existing fact, instead of finding and implementing solutions.

When addressing social child issues such as divorce and the depressing rates of child widows, clear frequencies and statistics must be allocated in order to provide and guide appropriate policies. Instead social trends either normalise and or neglect the issue. ECM is either *de facto* legitimately recognized, and ignored as a means of addressing this silent emergency that continues to wreak havoc on the lives of young innocent girls.

²³³ Kameel Ahmady, 2015-"in the name of tradition" Uncut voices, oxford 2016

From a legal-constitutional, religious and conventional perspectives, marriage is the only acceptable form of concepts of social life such as “family”, and in demographic planning it has always been a key element for governmental policies. The notion of “family” is integrally tied to the social structure, values, and norms of any society²³⁴ and often there can be an assumption of a shared understanding of the term.²³⁵ In traditional societies, marriage is the one and only acceptable form of creating a family.

Policy makers, religious leaders and social experts according to the requirements of the time and changing norms developed policies that cooperate with these principals. The role of the family is perceived as a planning and analytical unit. As a result, acceleration in shaping and forming family is the first necessary step in implementation of policies.

ECM IN IRAN

Child marriage with all of its causal complexities and indications can be evaluated from various competing points of view. Legal and constitutional aspects, religious beliefs, gender aspects and also customs and social norms each provide a considerable role in shaping and comprehending ECM’s complexities within Iran. Thus, this chapter of the study is allocated to variables and indicators that have significantly contributed to the analytical model of this research.

²³⁴ Kağıtçıbaşı, İ. (2007). *Family, self, and human development across cultures: Theories and applications*. Hillsdale, NJ: Lawrence Erlbaum

²³⁵ Walsh, M., Stephens, P., & Moore, S. (2000). *Social policy and welfare*. Cheltenham, UK: Nelson Thornes.

ECM AS GENDER BASED VIOLENCE

Gender based violence and 'violence against women' are terms that are often used interchangeably as most gender-based violence is inflicted by men on women and girls. However, it is important to retain the 'gender-based' aspect of the concept as this highlights the fact that violence against women is an expression of power inequalities between women and men.²³⁶ Child marriage is a manifestation of that violence.

ECM is recognised as gender based violence because it puts women and girls at particular risk of psychological, sexual and physical violence. Although boys are also victims of ECM young girls are disproportionately hard hit and the most victimised. It manifests an unbroken spectrum of subjugation that women face at the hands of patriarchy and pious Iranian society and nowhere is this more explicit when seen in the prisms of ECM. ECM effects on women's social participation. Lack of education and social skills decrease their power in the society and restrict their social relationships and networks. The scale of ECM marriage means that eradication cannot be achieved without addressing a practice that leaves girls vulnerable to many different forms of violence. Girls who marry as children are particularly at risk of violence from their partners or their partners' families. Young girls are consistently more likely to be beaten or threatened by their husbands than girls who marry later. The greater the age difference between girls and their husbands, the more likely they are to experience intimate partner violence. Child brides often suffer emotional pressure from their families, and husbands or in-laws and they are hindered in

²³⁶ eige.europa.eu/fgender-based-violence/2fwhat-is-gender-based-violence

their ability to make decisions about their own lives and bodies Child brides are more likely to describe their first sexual experience as forced.²³⁷

Often the emotional pressure brings devastating results. In 2016, an 11 year old girl from Kurdish town of Kamyaran, in Kermanshah province was forced by her grandmother to enter into an ECM with a 25 year old retarded man. The 11 year old was supposed to start her marital life within a week or two. She hung herself by taking her grandmother's veil and hanging herself from a gas pipe. She never regained consciousness and eventually died in Besat hospital in Sanandaj.

In the years following the Iran revolution and during the Iran and Iraq war, the new governments were not capable of dealing with the ensuing population explosion. Iran's population grew rapidly during the latter half of the 20th century, increasing from 19 million in 1956 to around 75 million by 2009.²³⁸ Consequently the epidemic demographical slogan “the less the number of children, the better the life” became the hallmark policy for families’ reproduction decisions. Assisted by and coordinated with the UN, a vast population control propaganda was diffused on every corner, in every town, on brochures, leaflets and books, on television, radio and in community speeches, so that this slogan became increasingly popular and practical. The beginning of the 1990s was the start of Iran’s comprehensive and effective program of family planning. Whilst Iran’s population grew at a rate of more than 3% per year between 1956 and 1986, the growth rate began to decline in the late 1980s and

²³⁷ www.girlsnotbrides.org Why is child marriage a form of violence against women and girls?

²³⁸ Asia-Pacific Population Journal, United Nations. "A New Direction in Population Policy and Family Planning in the Islamic Republic of Iran". Archived from the original on 2009-02-14. Retrieved 14 April 2006.

early 1990s after the government initiated a major population control program.²³⁹

Corresponding to these decades of government push for reduced birth rates was its corresponding decline in the marriage age. The experience of evaluating married elderly women who were of marriageable age during the revolution years, lead to the conclusion that the slogan of “the less the number of children, the better the life” had a prominent profound effect in reproduction of the families. The marriage age adapted to comply with the new policy.

In the ensuing decades, based on the significant population decrease in the lower age groups in the population pyramid that turned the base of the pyramid into a cylindrical shape, policies shifted from this previous position to compensate for the population decline. Political mechanisms to increase the population took seed and marriage became the only legal way of having children. Iranian President Mahmoud Ahmadinejad inaugurated a new policy to encourage population growth, dismissing Iran's decades of internationally acclaimed family planning as ungodly and of Western ideology.²⁴⁰ Broad persuasive propaganda was made to increase the birth numbers and rates, including birth related lending loans, a six month paid maternity leave with pay for mothers and also a few weeks paternity leave for fathers, and subsidies. Under Mahmoud Ahmadinejad’s government, financial initiatives were promised to the families for every new child. Money was deposited into a newborn's bank account until the child reached 18. In

²³⁹ MSN Encarta Encyclopedia entry on Iran - People and Society, CIA World factbook 2007

²⁴⁰ Iran encourages population growth - International...www.jpost.com/.../Iran-encourages-population-growth

essence, this policy rolled back years of efforts to boost the economy by reducing the country's once runaway population growth.²⁴¹



Figure 7 government sponsored billboard in Iran

Population growth the average marriage age for both girls and boys dropped off respectively. The civil code according to Islamic Sharia set marriage ages as 13 for girls and 15 for boys. From September 24th 2012, Ayatollah Khamenei the Supreme Leader of Iran declared the importance and necessity of establishing new population policies. Religious leaders and Marja clerics pointed to marriage and reproduction in early ages as mandated by the Prophets' and Imams' lifestyle and doctrine. Marriage age and its related conventional beliefs are self-regulated and influence by this religious integrated chain.

AGE OF CONSENT/ MARRIAGE AGE IN IRAN

The term *age of consent* rarely appears in legal statutes.²⁴² Instead laws generally establish the age which is illegal to engage in sexual activity. It has sometimes been used with other meanings, such as the age at which a person becomes

²⁴¹ IBID

²⁴² Waites, Matthew (2005). *The Age of Consent: Young People, Sexuality and Citizenship*. Palgrave Macmillan. [ISBN 1-4039-2173-3](https://doi.org/10.1007/978-1-4039-2173-3). [OCLC 238887395](https://www.worldcat.org/oclc/238887395)

competent to consent to a marriage.²⁴³ Most jurisdictions set the age of consent in the range of 14 to 18. To protect children from sexual abuse, many countries also set a legal age for sexual consent. However, the setting of such measure is not seen as relevant within the Islamic cultures, because all sex outside of marriage is already considered an illegal act.²⁴⁴

However it is interesting to note that an examination at the Islamic Republic laws on marriage points to a significant discrepancy between its national codes and its international obligations. According to the country's first Supreme Leader, Ayatollah Khomeini, sexual experiences, with the exception of intercourse, are permitted with girls of all ages.

Before the 1974 revolution, the Family Protection Law, section 23 stated that "Marriage for women before finishing 18 whole years and for men before finishing 20 whole years is forbidden." The change in age came after the revolution in Iran. One of the first changes during the temporary government was that this section was nullified and replaced by Article 1041. Article 1041 of the Iranian Civil Code states the age of marriage for girls is 13 and boys 15. However, the same Act allows girls below 13 and boys below 15 to be wed but conditioned on the consent of their father and the permission of a court judge.²⁴⁵ In addition, if the child's guardian (father or grandfather)

²⁴³ *Oxford English Dictionary*, entry for "age of consent"

²⁴⁴ Dhami, S., & Sheikh, A. (2000). The Muslim family: Predicament and promise. *Western Journal of Medicine*, 173, 352.

²⁴⁵ Article 1041 of the Civil Code states: "Marriage of girls before the age of 13 and boys before the age of 15 is contingent upon the permission of the guardian and upon the condition of the child's best interests as determined by a competent court."

requests and the court conclude that she/he is adult enough to be married off, the child can be married even at an earlier age.²⁴⁶

According to section 1041 reformation law, in the years of 1981 and 1991 it was stated: “wedlock is forbidden before adolescence.” In Iran, according to its legal validity and legitimate law, under article 1041 of the civil code in 1934, no marriage may be concluded between girls under the age of 15 and boys under the age of 18, unless special conditions are taken into account in which the validity of the marriage is confirmed by The Public Prosecutor. This exception did not hold true for girls under the age of 13 and boys under the age of 15, meaning that they could not get married at all. A new sentence in 1982 established a first marriage age or maturity age as 9 (for girls) and 15 (for boys), by which any marriage practice under these minimum age was considered illegal. The latest changes in the civil code came into force in 2002 emphasizing the legality of marriage between boys and girls under defined maturity ages (15 and 13) with the expediency of a competent court as a condition.

According to the report of the Special Rapporteur Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, the legal age of marriage for girls in Iran is 13, but girls as young as 9 years of age may be married with permission from a court. In 2013, a legislative attempted to declare the marriage of a custodian to his adopted daughter illegal was also voided by the Council. The amended context of the relevant law as an effect recognizes the

²⁴⁶ Iran - Child Marriage Around The World. Girls Not ...www.girlsnotbrides.org/child-marriage/iranViolations of girls' rights: child marriage and FGM in the I.R. Iran

legitimacy of such a marriage provided that a competent court considers it to be in the best interest of the child.²⁴⁷

Child early marriage and divorce in Iran is viewed according to official statistics.²⁴⁸ The total number of ECMs is plausibly far higher as many of these marriages are not officially registered and records of small villages and rural areas are often not systematically collected.²⁴⁹ At least 48,580 girls between 10 and 14 years of age were married in 2011, and 48,567 were reported to have had at least one child before they reached 15 years of age. Some 40,635 marriages of girls less than 15 years of age were also registered between March 2012 and March 2013, of which more than 8,000 cases involved men who were at least 10 years older than the child bride. Furthermore, at least 1,537 marriages of girls less than 10 years of age were registered in 2012, which is a significant increase as compared to the 716 registered marriages between March 2010 and March 2011.

The number of registered divorces for girls under 15 years of age has also consistently increased since 2010. These statistical figures indicate the scope of violence of the rights of the child in this regard.

Article 1034 of the civil code declares that that any girl who is free of marital limits, can be proposition to marry. The third chapter of the civil code from article 1045 to 1061 refers to the limitations and conditions under which a marriage cannot be considered valid, but being a child has not been included as a

²⁴⁷ General Assembly UN GeA/69/356 Sixty ninth session

²⁴⁸ *Supra* at 153

²⁴⁹ *Ibid.*

reason for invalidation. According to Article 1062 the civil code, a marriage is valid when clear words and declaration of the marital purpose. Article 1063 mentions, agreement and acceptance of marriage can be pronounced by the man or the women themselves, or by people on the child's behalf who legally have the right to marry them.²⁵⁰

Although legal marriage age is not and cannot be the reason that triggers this fact, but it can be considered as an important existing factor in encouraging and influencing the decision maker. Although marriage can take place even for children as young as 13 and 15, there are other means in Islamic law in which children even younger than these above cited ages can be married with the consent and approval of the father. The young girls below this age continued to face the risk of ECM at the whim of a legal guardian and the approval by a court judge.

In September 2013, based on the recommendation of the Guardian Council, the Iranian Parliament revised and approved Article 27, the Bill of the Protection of Children and Adolescents with No Guardian or Abusive Guardian. In essence, the Iranian Parliament legalized marriage between adoptive parents and their adopted children over the justifiable objections voiced by the public. Iran's Guardian Council approved Article 27 on 9 October 2013. Adoption of children under state care has also sanctioned the possible marriage of the father to the child in his care. Article 27 reads: "If the head of family wants to marry the adopted child, he should send the young girls details to a court for approval. If the marriage has already taken place, the Welfare State organisation must report

²⁵⁰ Civil code

it to the court, upon which the decision on the continuation of the care by the same family or its cancellation will be decided.”

Horribly the sanction of marriage between a girl child and the man, whom she had considered her father whilst growing up will create instability, destroys the fabrics of the family and contributes to the rise in paedophilia. Moreover it allows the father to consider the child as a possible sexual being and paves the way for the mother to consider the adopted child as a threat to her livelihood whilst growing up. This inadvertently creates a situation with dire consequences.²⁵¹ Clearly changes to this law and addressing this cringing situation that sanctions a marriage between a child and the man whom the child has considered her father, violates many of the international treaties and conventions which Iran is a signatory.

The strong belief in ECM in Iran underscores that social norms are more powerful than laws in Iran and that it contributes to ECM's persistence and prevalence. Laws forbidden marriage under the age of 13 and the legal punishment for parents who marry their children under the legal age does not prevent ECM. The easiest way of avoiding punishment is delay the official registration of the marriage. As a general fact, when social norms and pressures have led people to marry their children at a very early age, legal obligations give way to circumventing the law.

Discussed more in more detail in Chapter Three, a common reaction of parents who want their young child to be married is to circumvent the legal age of

²⁵¹ Iran - Child Marriage Around The World. Girls Not ..www.girlsnotbrides.org/child-marriage/iranViolations of girls' rights: child marriage and FGM in the I.R. Iran

marriage by paying for her age. This has been referred to as the “buying age” seen by the locals in Khuzestan and other provinces. In order to ensure a good price, parents change the girl’s original date of birth in order to officially register the marriage. This demonstrates that even when law states a certain age for marriage, social powers and people find a way out for it. The amount of the money being paid for such acts is from 100 to 500 thousand Tomans (32 to 160 USD).

As previously stated, if a girl is under the official age for marriage, a letter of permission from the court is required to approve her mental and physical health and puberty. In some local Sistan and Baluchistan courts, the marriage of a girl below 13 with her parent's approval is considered legal and the procedure of stating whether the girl is in good health takes only few questions. The judge would ask questions asked in the courtroom to assess the girl's intelligence and maturity. Sometimes two sets of earrings/jewellery are placed in front of her and she is asked which one is real gold or what gold's current price is.

In today's Iranian gold-craving society it seems that purchasing gold is one of the most important issues of a woman. Gold and women have a place in the Islamic religion. The view of Islamic scholars is that women are permitted to wear gold, in the form of rings and otherwise, because of the general meaning of the aayah (interpretation of the meaning) that it is permissible for women to wear gold.²⁵²

Consequently asking these sorts of preposterous questions show that the only measurement that used to gauge a women's mental health is the price of gold or

²⁵² Islamqa info/en r 11886: Ruling on women wearing gold rings

materials which is considered feminine. First of all it seems that the judge is not qualified to determine such things himself and needs an educated team of psychiatrists. Secondly this juvenile and irrational procedure, which only takes few minutes to complete, seems to be more of a simple game of personalization rather than a true professional and legal assessment.

YOUNG BOYS

In the context of boy's early marriages, one of the factors that are a major hallmark in defining boys' maturity and puberty is the act of entering the military service. In Iran, all men must spend an obligatory twenty one month military service in order to be considered as a citizen and to benefit from all the advantages that citizenship provides. For example having driving license, a passport, having a governmental job, or the right to have a job with insurance and numerous other social benefits is dependent on his military service. The military service has formed a cultural characteristic in which men, in both rural and urban areas, are judged and evaluated based on this experience. The hardship of military service makes them

"I was very young and seating at the village's mosque with my father and uncles when the Imam married my 9 year old cousin to me in my father's request with no prier planning. She was so young that she was playing in the alley with no scarf. Her mother said I was a religious student and soon I would be a clergyman and she did not approve this marriage so I divorced the girl right away and I got my first wife. I think her mother simply didn't like me and our family. Now I am the village clergy and aware of most things which happens in this village. I won't let my daughter reach 15 for marriage because we don't know if anyone would want her later or not. My sister was 12 when she got married. My niece is now 13, married and not satisfied and I heard she wants divorce. But we are trying to change her mind. It's because maybe women's brain is not completed at this age. That's why it is written in Quran that women are slow-minded: 1.from mental point; one male witness is equal to 2 women witnesses and 2.from religious point; Women cannot do their religious prayers a week during a month because of their period.

Mulla Alireza

HajiAbad Village, Khaf, Razavi Khorasan province

a man. Before fulfilling this military service boys are deemed too young to get married. This political-militant policy has created changes and effects in the marriage culture. What was observed during the field work of this project was the occurrence of early marriage alongside the obligatory military service. Families would send their sons to military service whilst they were young in order to prepare them for an eventual marriage. In some cases ECM took place just before the boy joined the military. By doing so this allowed the possibility of shortening military service obligation under the status of being a married man. Furthermore there was also the possibility of being stationed at a military centre in the boy's province to have approved leaves to visit his wife and children.

ROLE OF RELIGION IN PROMOTING CHILD MARRIAGES

According to Iran's constitution which obeys Imamieh's jurisdiction, the ages between childhood and adulthood are defined as adolescence²⁵³. Imamieh's jurists believe that it is necessary for girls to be married²⁵⁴, which they cannot annul before puberty. However, some of the latter jurists believe that if the interests of the premature female are neglected, this matrimony can be annulled.²⁵⁵

Nevertheless, a few states such as Saudi Arabia, Yemen, and Iran still follow Sharia law, which specifies that once someone reaches puberty age, this that someone is mature. The statements from religious community leaders often yield clout and influence as exemplified in the quote from a community leader from

²⁵³ Ebadi, Shirin, *Regard for children rights in Iran*, Tehran, Roshangaran Publication, 1990

²⁵⁴ Allameh Helli, 1414 Hijri, Vol 2, p 856

²⁵⁵ Hamedani, Vol 2, P186

the Arab dominating province in south of Iran. Khuzestan province is the third highest province that practises ECM in Iran.

In Sistan and Baluchistan provinces, the inhabitants have the greatest potential of being impressed and influenced by religious leaders especially by the province top clergy Imam Molana Abdolhamid²⁵⁶ who is

not only regarded as the top Imam and religious leader in the province but also respected and somehow regarded as the head of Iran Sunni minorities of south East and West of Iran.



Figure 8 Lobbying with Molana Abdolhamid Ismaeelzahi to preach and support on raising child marriage-Photo by: Molana Abdolhamid office

The influence of religious leader cannot be under estimated. An intervention project, whilst undertaking field working for this study, led to meetings that were arranged with the most influential head leaders in areas. Accordingly, successful meetings were held on August 7, 2016 with Molana Abdolhamid Ismaeelzahi in Sistan and Baluchistan provinces. As further explained in the next chapter, Sistan and Baluchistan holds high rates of ECM in recent decades. Two days after a

²⁵⁶ Molana AbdolHamid Ismaeelzahi or Shaikh-ul-Islam Abdolhamid Ismaeelzahi is a Sunni theologian and the spiritual leader of the Sunni community in Iran. According to a biography published in his website he was born in 1947 (1366 H. Q) in "Galougah" village, an area in the vicinity of Zahedan and educated in Badr-ul-Uloom Hammadiya Islamic seminary Rahimyarkhan, Punjab, Pakistan. Nowadays Makki and its joint institutions are the strongest Sunni religious institutions in Iran with significant political and social influence on Sunnis in Iran. Molana Abdolhamid is well known for his advocacy to Sunni right in Iran. Some of Iranian medias branded him as a moderate Sunni voice in the dominantly [Shi'ites](#) nation.

successful lobbying with Molavi Abdolhamid, he held a Friday sermon in which hundreds of thousands of people from the province's main city Zahedan attended. He successfully argued that marriage should occur around the legal age of 18. He added that parents should allow youth to choose his/her partners and that ECM is not good for the young population as they can have a better chance of an education, finding employment and have a more meaningful healthy mental and physical outlook. During this meeting, week long workshops, with his permission, took place in the province's top religious schools (madrassa). Staff and clerics in charge of teaching in such school received training about the medical, mental, and social disadvantages of ECM so that this information to be transferred to thousands of their male and female students.

IRANIAN GOVERNMENTS ATTITUDE

As tradition is often mechanically practiced, many governments from practising communities do not take into account ECM's stranglehold grip on its populace in to account when implementing new laws and policies. Many have either chosen to ignore ECM, turn a blind eye or give it short shrift. In many practising communities where rampant poverty, chronic civil strife and harsh environmental forces are part of the daily life ECM may not be on the list of urgent social priorities that compete for governmental attention. This is misplaced as an educated female populace is beneficial to society at large. Ending child marriage will help break the intergenerational cycle of poverty by allowing girls and women to participate more fully within their society.

The Islamic Republic of Iran authorities are taking no positive steps to end the practice of ECM. There are only few NGOs, civil rights or international

organizations that highlight this issue. In fact, according to a UNFPA report, Iran is amongst those countries where Sharia law regarding the age of marriage overrides Iran's commitment to the legal age. In addition, in response to efforts made by UNICEF Representative of Iran in October 2012, or other efforts by civil society and the human rights community, several Islamic Republic authorities, including judiciary spokesperson Golem Reza Mohseni, or Tehran Province Population Registry Office Director General, Ahmad Ghesmi, have either denied ECM's existence or justified it in the name of Sharia law. When a semi-official News Agency(ILNA) published detailed statistics on the proliferation of marriages involving girls under 9 years of age, an advisor to the Minister of Justice, Pooran Valavioun, dismissed the matter by saying: "Marriage is a personal matter, and the regime does not interfere with it... I have worked at the Judiciary Ministry for 22 years, and I never heard of this data. The source that gave these numbers should be held accountable for them."²⁵⁷ Considering that ECM is a serious human rights crisis and one of the most pressing development concerns in the world today government and policy makers must act against it.

CONCLUSION

Despite the various conventions and universal condemnation, ECM still thrives. For many families although the practice may appear attractive on its face value, the educational consequences come at a huge price. Education of the girl-child must take a pre-eminent priority in order to stem the tide of ECM and its damming consequences.

²⁵⁷ Iran - Child Marriage Around The World. Girls Not ...www.girlsnotbrides.org/child-marriage/iranViolations of girls' rights: child marriage and FGM in the I.R. Iran

CHAPTER 3

RESEARCH BACKGROUND

The recent study on early marriage prevalence in Iran initially occurred in 2013 when Kameel Ahmady conducted the first large scale survey on Female Genital Mutilation (FGM/C) in Iran²⁵⁸. In most of the areas, ECM was found on par with FGM. (See Chapter 1 for an in depth discussion on the disturbing link between FGM and ECM). This research survey on ECM was conceived when the study on FGM was on going. At that time the international community was unaware of FGM's existence. Even within Iran, Iranians were unaware of FGM's existence.²⁵⁹ In part, due to the study on FGM, it became abundantly clear that a study was warranted to gauge the consequences of ECM.



Figure 9 Field work in rural areas of 6 provinces in Iran-Photo by: Kameel Ahmady

The objective of this study is to present available empirical evidence obtained through household questionnaires in order to estimate the prevalence of ECM and to identify and understand the factors associated with child marriage in Iran.

ECM is one of the most debated and widely discussed issues for scholars and human right activists who have worked tirelessly on the grassroots and NGO levels to draw the world's attention to this chronic baseless trampling on the

²⁵⁸ Ahmady, K. 2016. In the Name of Tradition. Female Genital Mutilation in Iran. Frankfurt am Main: UnCUT/VOICES Press. See also FGM IN IRAN – Kameel Ahmady, kameelahmady.com/fgm-in-iran

²⁵⁹ Ibid.

human rights and dignity of vulnerable oppressed groups such as women and children. Early marriage, its prevalence and popularity, probable rates and frequencies, triggering causes and also its generational and inter-generational repercussions have become an issue of interest for world leaders to invest time, effort and financial support to eradicate it.

In Iran there has been a meagre pool of information on this subject. Very few individuals have conducted studies to try to identify the depth and prevalence of the problem. Government data is lacking. Iran with its considerable high rates of this gender based social norm has never been the recipient of any sort in-depth research methodologies. Whilst some descriptive statistics provide a global picture of ECM they do not provide an analysis of the net effects of the examined variables on a girl's risk of being married as a child. What little has been mentioned is superficial, confined to university thesis, media, internet activism reports and/or in some reports of a non-analytical nature regarding the statistics about the registered rates of ECM. In most cases the study of ECM in Iran and has gone no further than a local micro-level analysis. What was sorely needed was a practical problem-centred and issue-oriented research based specifically on Iran and ECM's prevalence. During the history of ECM research in Iran, what became abundantly clear was the absence of an in-depth approach in order to bring the origins of ECM issues to the surface and go beyond what has been occasionally done in this area of research. These young girls, who are at the brink of womanhood, constitute the most crucial segment of the future generation. It is our hope that the findings will be shared with key stakeholders from various governmental ministries and non-governmental organisations to promote change. These agents of change will include government policies and

programmes designed to promote gender equality, as well as development programmes implemented by nongovernment agencies (NGOs).

In order to accomplish this, much more was needed to ascertain, discover and gather the information, facts and statistical data available for the public. From the onset it was quite difficult to get accurate data on the true extent of early marriages. This is because some marriages are not officially registered, and many parents resort to fabricating girls' ages. In rural areas this lack of official registration is made easier by virtue of the fact that birth certificates are often non-existent or not properly recorded. This means that ECM is not under the legal scrutiny of a court thus denying girls the benefit of a measure designed to safeguard their interests²⁶⁰. Moreover, not registering a marriage can lead to a lack of legal protection for the spouse and future children.²⁶¹

As per the National Organization for Civil Registration, census on geographical statistics provided yearly data on four main demographical information: birth, death, marriage and divorce rates. These data has always been publically available. What was lacking was the hidden statistics on each data that went far beyond the available general data to lead to practical afterthought solutions.

As previously mentioned, either the descriptive statistical studies in university thesis studies have failed to debate possible solutions or individual concerns have not succeed in having governmental nongovernmental organizations (NGO) financial support. The academic efforts were mostly ignored and despite its

²⁶⁰ UNICEF, Child marriage in Jordan, 2014, p 1

²⁶¹ Amani Campaign, Interagency child protection and gender based violence campaign, Jordan 2014 p 12, data.unhcr.org/syrianrefugees/

pervasiveness, failed to attract governmental authorities' concern whom in the recent years were focused more on increasing population growth and offering incentives to youth to marry quickly and procreate.

During the previous study on FGM/C in Iran²⁶², the study unearthed the non-coincidental relation between the association of ECM and FGM. Young girls who have undergone FGM were found to have been married at a tender age in comparison to young girls who had not. This fact was immediately observed during the 10 years of FGM/C study in all the districts selected for sampling. ECM and FGM are not accidental occurrences. These two gender issues became inherently intertwined during the first scanning and screening of ECM study's field work was in progress. As discussed in more detail in Chapter 2, this was particularly glaring in the rural areas in Iranian rural areas where the study was primarily focused.

RESEARCH APPROACH

As a rule of morality and ethics in human science research mechanism, a research must implement an objective approach in all stages except for the first one. In the first step of choosing this topic of ECM in Iran, previous topics of interest in gender based violence studies; empowerment of women and the experience of gathering related information on FGM study were influential.²⁶³ Shifting to the next stage, all judgmental realm presumptions had to be put aside as an objective qualitative approach was needed to assist in understanding the concept of early marriage in rural areas and within its cultural-religious-legal framework. This

²⁶² Kameel Ahmady. *In the Name of Tradition. Female Genital Mutilation in Iran*. pp.49. Frankfurt am Main: UnCUT/VOICES Press 2016 & <http://kameelahmady.com/fgm-in-iran>

²⁶³ Ahmady, K. 2016. *In the Name of Tradition. Female Genital Mutilation in Iran*. Frankfurt am Main: UnCUT/VOICES Press..

was essential to have a neutral and unbiased understanding of the issue. The aim is to grasp the meaning of ECM with all its inherent complexity. What was observed in Iran was that ECM reflected adherence to custom and as a means of survival. ECM is a highly pervasive problem in Iran and the practice is especially prevalent in rural areas. Some see it as a defence mechanism in order to assure a safer or better life for their children, some follow it as bowing to the social pressures for marrying the young and innocent and some see it as a part of their religious duty and thus arrange ECM on their own. Additionally, social stigma and taboos such as premarital relationships and sex contributes to some of the main rationales why ECM is still practiced and even encouraged. By envisaging a research project that encompasses all cultural differences and by being physically within the country a high level of objectivity and realism is assured. The main goal above all, was to have a genuine and fair knowledge of ECM that would influence other branches as previously mentioned.

A qualitative approach, descriptive explanations and independently ascertain facts are discussed. The ethical standards remove any bigotry selection, decision and arrangement of any part of the schedule. In our approach no judgement is valid and the manner of evaluation is not human rights approach but a problem-centred and impartial approach.

As with any method of data collection, our study has its limitations. As qualitative



Figure 10 Questions & discussion with locals in East Azerbaijan province which has high rate of ECM-Photo by: Kameel AHmady

research, subjectivity is an issue and some bias on behalf of the researcher is unavoidable. Time and budget restrictions, also mean that the sample size is small which means the findings may not be representative of the broader population in Iran. However, every effort was made to eliminate bias as far as possible. The rigorous and participatory method in which the questions were designed means that the data collected are rich and informative. The participants were guaranteed confidentiality and provided with a safe space in which to share their intimate experiences and views. Mindful of personal subjectivities, the author, a native speaker, has interpreted and translated the words of the respondents as accurately as possible

Throughout the study report, the findings are based solely on the words of the participants, whose quotes are used throughout the report. The quotations are used to explore the lived realities of child brides, to provide better elaborations on the related subject and to include people's own exact words of thoughts in order to assure validity and genuineness. The quotes encompass a range of topics including girls' understanding of the causes and consequences of child marriage, and their access to information and services. The quotes also yield rich narrative data and can provide crucial insights into how people understand and negotiate behaviour and (hidden) power relationships. They provided a unique opportunity to address sensitive issues. The illustrative quotations were selected to capture the essence of each theme and used extensively throughout this report to exemplify key themes. As well as outlining child brides' understanding of the causes of child marriage, this study provides a rich and detailed account of how ECM affects young girls' day-to-day lives.

ECM is a matter of great concern, as there is far too little concrete information on its prevalence or its impact. Data on child marriage remain limited and uneven. Consequently, the first requirement in addressing ECM is more research and understanding. Comprehensive data as provided in this study are essential for making significant progress in understanding the risks associated with and the dynamics of ECM. Upcoming surveys would significantly increase the amount of information available, and would contribute to the dire need of greater empirical data on ECM.

Field visits and discussions revealed a multitude of factors that help sustain and even endorse the custom of child marriage, despite legal barriers. First, social groups follow traditions from previous eras without questioning its contemporary relevance. Early marriage allows parents to waiver 'responsibility' of settling their children.

Secondly, economically weak and large families encourage the practice as it helps to send off girl children early, whilst marriage of a boy brings an additional hand to assist in household and economic activities.

Third, members of communities practicing child marriage tend to have little or no formal education. Belief in religious scriptures and the idea that these contain prescription for early marriage drive families to fulfil this "obligation." Fourth, early marriage ensures full "utilization" of fertility and childbearing capacity. Last but not least, strong caste ties limit the availability of suitable marital partners.

Technically, this study offers a first time approach that gives a voice to the silence surrounding ECM and to its survivors. This framework was based on the rare opportunity to express their pain that has essentially not been recognised or heard. To do so, the questionnaire was designed to be open ended and the respondents felt free to add whatever they assumed important to express. As the level of trust and confidentiality was necessary, the study's surveyors were trained to ensure this within a comfortable and friendly environment. Qualitative data was collected through a series of key informant, semi-structured interviews. The respondents were free to answer, continue or to stop the interview. Some respondents preferred not to state their names, and some only used their first name. Respecting their choice, the study references their opinions in the exact way they responded meaning that in some cases we have shared their names, and in some, the only allowable information was reported. There are also quotations from previously published or general point of views from presidents, leaders, community figures, religious rulers, and other governmental authorities where the publication of names would not be considered a violation of research's ethics and moralities.

RESEARCH METHODOLOGY

The methodological approach adopted by this research is designed as a qualitative large-scale method. As no previous sort of research was available to refer to, or known methodology had been already implemented in Iran as a comparative analysis, research methodology compatible to the subject matter was absent. This clearly point to a need for a comparative study of different states with high prevalence rates of child marriage within Iran that would help in identifying the similarities and differences in the factors leading to

child marriage. The genuineness of the research and its novelty of scale and purpose determined the steps and forms of each method.

Considering the fact that hardly any research of this dimension of ECM in Iran been undertaken in this field, the task was highly challenging and the methodology evolved was dynamic. Methodological



Figure 11 Arab family in Khuestan province-Photo by: Kameel Ahmady

decisions were completely flexible depending on the different variations that the research faced in each step. Population size, sample size, sampling method, number of interviews in each district and even the time spent in a particular province was a reflection of the prevalence percentage of ECM. Considering all the variations and differences, the methodology of research was adopted to fulfil what is needed in this crucial step. It is worth mentioning that the methodological decisions are unique and tailored for this sort of gender sensitive research, based on the program areas' unique characteristics. These decisions might not be applicable in other contexts.

To explore the program areas, the study narrowed the search to selected designated areas of interest by using the data from the National Organization for Civil Registration.²⁶⁴ Seven provinces with the highest rates of registered child marriages were selected.

²⁶⁴ The National Organization for Civil Registration organisation is considered as a dependent part of the ministry of interior. The National Organization for Civil Registration" is active throughout the country and is the most referred to governmental organization .According to an act in June 1928 the "Birth Certificate and Statistics Administration" was

The provinces were chosen by analysing the recent decade's available data on registered marriage cases. This was based on calculated demographical information of the most recent decade. It is to be noted that the ranking order in this list is not the same as the lists previously published by the government, as the ranking order is was based on choosing the provinces with the highest ranks of ECM's prevalence. Accordingly the seven provinces are as follows: 1. Razavi Khorasan, 2. East Azerbaijan, 3. Khuzestan, 4. Sistan and Baluchestan, 5. West Azerbaijan, 6. Hormozgan and 7. Isfahan.

The context and indicators related to ECM was sorted through the examination of three age groups: less than 10', '10 to 14' and '15 to 19' years of age that were selected and ranked. Though seven ranked lists of marriage events (categorized by age groups, gender and total numbers of each) within the last ten years were drawn upon.

established as part of the ministry of interior and began working. In 1940 according to a new law and after editing a new set of regulations, the name of this organization changed to "The Office of Statistics and Civil Registration». In July 1976 "The National Organization for Civil Registration" was formed.

Table 3-1; Marriage ranks in 2014 sorted by age groups and gender

Girls' marriage Boy's marriage Totals

Up to 10	10-14	15-19
Sistan and Baluchestan 33	Razavi Khorasan 7629	Razavi Khorasan 24362
Khuzestan 31	East Azarbaijan 4244	Khuzestan 15354
Zanjan 11	Khuzestan 2256	East Azarbaijan 12566
Kohgiluyeh and Buyer Ahmad 10	Hamedan 1893	Fars 11475
Kermanshah 9	Sistan and Baluchestan 1841	West Azarbaijan 11277
Fars 8	Fars 1829	Sistan and Baluchestan 10296
-----	West Azarbaijan 1604	Isfahan 10147

The broadness of the program areas, budget and time constraints, and limitation of funding necessitated the use of cluster sampling functional.²⁶⁵ By using cluster sampling, several towns located in the north, south, east and west of Iran were selected for the first cluster. Accordingly some villages of each town were selected as the next cluster.

The number of interviews in each province was based on its rank in the latest rank table. Accordingly all program areas had required different numbers of interviews. Although the questionnaire used in them was a local edition of Demographic and Health Survey (DHS) questionnaires²⁶⁶ a great part of which

²⁶⁵ Cluster sampling is the sampling method where different groups within a population are used as a sample.

²⁶⁶ <http://dhsprogram.com/>

10-14	15-19
East Azabaijan 4257	Razavi Khorasan 31994
Khuzestan 2352	Khuzestan 18310
Hormozgan 1901	East Azarbaijan 14516
Fars 1857	West Azarbaijan 13308
West Azarbaijan 1640	Sistan and Baluchestan 13287
Ardebil 1601	Fars 12717
Zanjan 1420	Isfahan 10905

was researcher-made. The study utilized household survey data from DHS to assess child marriage levels by country and provide further analysis of how ECM correlates with additional indicators. DHS are nationally representative household surveys designed to measure the health and nutrition status of women and children in developing countries.²⁶⁷

Through the history of ECM enquiries around the world DHS questionnaires are considered as flawless arranged sets of questions requiring maximum standards

²⁶⁷ For more information about DHS refer to www.measuredhs.com

10-14	15-19
Khuzestan 65	Razavi Khorasan 4797
Sistan and Baluchestan 36	Khuzestan 2956
West Azarbaijan 31	Sistan and Baluchestan 2991
Zanjan 28	West Azarbaijan 2031
Razavi Khorasan 21	East Azarbaijan 1950
Fars 20	Golestan 1443
Golestan 19	Fars 1242

of reliability and validity. However, in order to use DHS standard questionnaires in this study, it was vital to make some changes and modification in order to translate the questions into local languages and make it user-friendly. Based on the specific cultural differences and variations in each district, adjustments were necessary. Structured questions, as well as observations, were obtained through interviews and used in the categories of Background, Marriage, Marriage Decision, Female Reproduction, Male Reproduction, Gender Attitudes, Female Sexual Violence and Male Domestic Violence questions. The questionnaire focused on the prevalence and causes of child marriage in the surveyed areas.

This above mentioned type of questionnaire was used in interviewing only local people. The study that also contains viewpoints and interviews with authorities, governmental figures and religious and community leaders influenced and changed the types of questions asked. The procedure tends to vary structurally.

During the first part of the scanning and mapping of all districts, interviews with local informants and network of co-workers were conducted to ascertain the general understanding of the province and to provide information. This is mentioned in the next sectors of the reports as observational scanning parts. Throughout the following, information on each province is divided into three main sectors: geographical span of the area which provides general information about the district, the districts' social, demographical, cultural and political status, and its ranking in ECM prevalence. Knowledge about the social norms and customs in each specific geographical point are provided in this part. The third and last parts are the analytical results and descriptive and inferential statistics that are discussed and explained in detail based on the dissection of data from the questionnaires.

PROVINCE WISE RESEARCH

1. RAZAVI KHORASAN



Geographical Span of the Research

The Razavi Khorasan province is located in the northeast of Iran with a population of 6,262,000 people.²⁶⁸ The majority of the populace are from the Fars nationality. The language spoken throughout the province is Persian also known as Farsi. Razavi Khorasan province is the one religious pole of attraction in Iran, and the capital for Shiite Islam. Shiite centrism in the area is due to the Shiite Muslims' Imam Reza, shrine in Mashad. The Imam Reza shrine is a complex which contains the mausoleum of Imam Reza, the eighth Imam of Twelver Shiites. It is the largest mosque in the world by dimension and the second largest by capacity. ²⁶⁹ This religious figure has attributed to the province's strong religious and political power. People of various religions and sects support early marriage, which is practiced within many religious communities²⁷⁰ and Mashad

²⁶⁸ The National Organization for Civil Registrations, 2014.

<https://www.sabteahval.ir/Upload/Modules/Contents/asset99/salnameh93.pdf>

²⁶⁹ The Islamic Seminaries At The Holy Shrine". Imam Reza (A.S.) Network. Retrieved 2009-05-26.

²⁷⁰ CRFsupra

presents the most extreme scenario. It is of no coincident that this region corresponds strikingly with a higher incidence of ECM. This province alone ranks first in ECM for young boys age groups of '10 to 14' and '15 to 19' and also ranks first in ECM for girls in the age group of '15 to 19'. The Razavi Khorasan province was the study's first target. A total of five towns were selected in the cluster sampling method amongst the rural areas. The first cluster included Khaf, Mashad, Sabzevar, Taybad, Torbat-e Heydarieh and Torbat-e Jam. More than 40 interviews with local people were conducted during the field work mission. In acknowledging the cultural and linguistic differences that were taken into consideration the team of four comprised of a previously trained surveyor, a local informant, a supervisor and a driver. All were sent on a one week designated field mission. The second cluster included several villages of each town including Kheyr Abad, Rizeh, Saleh Abad, Haji Abad, Khushab, Rabat-e Jaz, Soltan Abad, Ghasem Abad, Feyz Abad, Nashtifan and Moshkan.

The Razavi Khorasan province is dominated by Shiite Muslims. Natives, immigrants and visitors are part of the variety of cultures in this province. Unlike the polarity of Shiite Islam in most parts of Razavi Khorasan province in the north-eastern regions, parts of the Sunni Muslims live near the border cities of Taybad and Khaf and other areas. We were able to see that customs and norms in almost every unit of the study showed differences. The domination of Shiite Islam in the province and its political power over Sunni sect was the source of friction for some of the conflicts. Despite this friction, ECM prevalence is seen within both provinces, in both religious belief systems, and was escalated in places where poverty and deprivation is seen to be on higher levels, mostly in the border regions where Sunni Muslims live. Cities and villages located by Afghanistan and

Turkmenistan borders show striking influences and similarities with other cities on the other side of the border. For example, domination of Sunni Hanafi people in Turkmenistan and also Afghanistan shared the same characteristic as with the domination of Sunni Muslims in border sites such as Taybad and Khaf. This important factor had been responsible for some marriage norms and rules, emphasized by this research. Nevertheless, as observed by the survey team and discussed in interviews, marriages outside one's own ethnicity are uncommon and mostly not tolerated.

The focus of having their children married to a Shiite Muslim has driven many to the conclusion that early marriage within the family is more beneficial to the girl than a later marriage to a person who is from another cultural belief system or nationality. In this prevalent case, early marriage seemed to be a rational response and standard practice to an unclear future for the girls. Entrenched in tradition and culture, ECM is seen as a highly patriarchal approach and logical solution for parents' and elders' concerns about a girl's future.

It is important to view the phenomenon of child marriage within the context of patriarchy. The collective effect of patriarchy reinforces the subordination of women in the name of care, protection and welfare and makes them dependent on men throughout their lives. ECM for girls, comparative seniority of husbands, and patrilocal residence upon marriage are thus the attributes of the patriarchal institution. Child marriages occur most often in these patriarchal societies where parents and elders have a significant role in selecting spouses for their children and new brides are absorbed into

their new families as domestic help.²⁷¹ Excluded from decisions affecting their own lives, most 'knew nothing' about arrangements being made for their marriage, as it is normally parents or elders of the family who make the decision. This meant that as soon as a marriageable and correct person enters into their lives or in most cases chosen by relatives, a marriage ceremony is the perfect solution to allay these fears about their daughters. Undoubtedly ECM is a means of consolidating powerful relations between families. Many parents genuinely believe that marriage will secure a daughter's future and that it is in her best interest to marry early. Sadly in most border cities and villages, drug usage and dealings were a noticeable epidemic problem. The men were either addicted or dealing with drugs and some men in the areas were facing issues related to drugs smuggling from Afghanistan's border. Considering that ECM leaves young girls at a heightened risk of an inability to effectively negotiate safer sex, vulnerable to sexually transmitted infections, including HIV, with early pregnancy and domestic abuse the probable marriage to a potential drug addicted spouse adds another layer of horror to this already dreadful practice.

ECM is mostly a family affair arranged inside the family and relatives. People tend to arrange more family marriages in which parents already know each other intimately, so some rituals such as the bride price can be lower. In communities where women are generally not considered viable wage earners, families often view daughters as an economic burden. It is important to underscore that ECM is also viewed in the context of limited financial circumstances and or weak economic conditions, sparse resources and few possession. The economic reasons also have contributed to the acceptance and continuance of this practice.

²⁷¹ CRF supra at

Bride price is also a factor into the timing of child marriages. In such cases, youth is seen as enhancing the value of a bride; a younger girl has more time to dedicate to her new family and bear children.²⁷² This financial transaction enables large sums of money to change hands. Many of the young girls are sold into marriage, often into the hands of wealthy, and face a dreadful fate of marital rape, other violence and further subjugation.²⁷³ Bride price can vary depending upon the circumstances. For example, the bride price depends on knowing the groom's family. If the groom to be is a stranger, the bride price is higher than if he were a cousin. Generally, despite the amount of bride price, this expense in the form of money or gold is rarely paid to the bride. In some tribes part of the money is paid beforehand to the girl's family, and the other part of the money, which technically belongs to the bride, is almost never paid to her. According to Islamic law this price is called 'Mahrieh' and must be paid to her upon her own request from her husband. But the cold reality is that she receives her share only when she seeks a divorce and the law makes the husband to pay the bride price.

“ My daughter, Fateme, is 14. She was 13 when she got married. She's a good girl. Her father has been in jail for 10 years because of addiction and drugs. I gave her away so cheap. The boy who wanted her said that I'm just a simple worker and I said alright take her. I wanted her to be expensive. Here the younger the girl, the more expensive she is. 1 million tomans tops. Some of them 100 or 200 thousand tomans. But alas I gave her away for free.

Female Respondent,

Taybad, Razavi Khorasan province

²⁷² Council on Europe

²⁷³ Care Report Vows of Poverty Child Marriage Report | CARE
vowsofpoverity.care.org

Running away from home is also prevalent within some tribes, but the social response to it is harsh. In most places this act is draconically viewed as destroying the family's perceived honour but in other places such as Torbat-e Jam (where divorce rates are also high) running away from home is not viewed this harshly and risking harsh punishments or familial rejection. After coming back to community, couples are welcomed and lured with a furnished house to help them start their marital life and to make them stay together.

The custom of exchanging women is common amongst some specific ethnic communities. The ethnic group Alisho is an example. When two women are exchanged between two families, their lives must mirror one another. This means that if one of the couples has a fight and she is thrown out the house, in spite of not having problem with his wife the other husband must also fight with her and throw her out of his house. Conversely, if one couple is provided with a new house or lodging, the other couple must also try to maintain that lodging in order to mirror the same lifestyle as the other couple.

Depending on the geographical location or region, it can differ from one town to another. For example in villages like Kheyr Abad, Feyz Abad, Torbat-e Jam, Taybad (Karat), Nashtifan, Saleh Abad and Rizeh, the dowry is mostly provided by the groom and his family, unlike Ghasem Abad where the bride's family is in charge of providing household furniture.

The child bride's lack of power is acute as young married girls have little bargaining power in relation to their husbands and in-law. Girls do not have a

final say in their marriage either in terms of the age they marry at or whether they accept the proposal. Young girls serve their husbands and in-laws and do not have a right to make any decisions. Nowhere is this more acute when one looks at divorce. The right to divorce or even a discussion on divorce is generally deprived for women. As in Ghasem Abad women who mostly marry at the age of 12 have no choice of getting divorce, and as the local informants mention, this phenomenon has resulted in dissatisfaction with marital life and high frequencies of marital betrayals. As in Soltan Abad, In Ghasem Abad boys are mostly married at 16 years of age and soon after the marriage entered into military service.

As ECM is often regarded as the only option for economic survival divorce is not a viable option. Alternatives, if any at all, other than marriage are not provided to girls. From childhood girls are socialized to believe that marriage is the sole goal of their life and their own interests are subordinate to those of the family group. Consequently, domestic violence becomes a popular practiced. Young girls are extremely vulnerable to domestic violence, abuse and abandonment. Violence may include physical, sexual or psychological abuse.²⁷⁴ Girls who marry as children are particularly at risk of violence from their partners or their partners' families. They are consistently more likely to be beaten or threatened by their husbands than girls who marry later. The greater the age difference between girls and their husbands, the more likely they are to experience intimate partner violence.²⁷⁵ Other studies have shown this correlation between the age gap difference and its consequences. The younger a

²⁷⁴ Heise, L., J. Pitanguy and A. Germain (1994). Violence Against Women: The Hidden Health Burden. Discussion Paper #255. The World Bank: Washington, D.C

²⁷⁵ www.girlsnotbrides.org, why-is-child-marriage-a-form-of-violence-against-women-and-girls -

female respondent was when she got married, the larger the gap between her age and her partner's age.²⁷⁶ The typically large age gaps between the child and her spouse makes her more vulnerable to domestic violence and marital rape. Those girls with the option of divorcing abusive spouses are vulnerable because they have little earning power, education, and financial support. Human rights groups have reported cases of girls facing abuse after attempting to escape their unions. Brides may also find themselves without support if they are widowed early, leaving them with little means by which to raise their families.²⁷⁷

In contrast, the divorce rates are noticeably high in Torbat-e Jam (Nashtifan) and one of the most effectual reasons can be attributed to girl's higher educational level. High prevalence rates of ECM are correlated with less education for girls. Boys do not have an interest in studying as they are involved in manual labour or in menial jobs and are now responsible for providing financial necessities to their new families. Although girls are allowed to continue their studies, they are still forced to marry young. As a result their educational and mental growth is not on par with their husbands' stable position, resulting in divorce.

Another major contributing element is the ownership of water. In the Razavi Khorasan province the dry wilderness climate prevents agriculture growth and having access to water supplies by ownership of lands with drinkable water aqueducts is a huge privilege. This environmental factor has its own role in shaping and effecting social norms. For example in Kheyr Abad where most people have these aqueducts, early marriage is commonly practiced within the family to maintain the pre-existing hierarchy. The family tie in ECM is a means of

²⁷⁶ Child Marriage | Early Marriage | Plan...plan-international.org/.../child-marriage

²⁷⁷ CRF supra

consolidating powerful relations between families ²⁷⁸ as the continuation of social relationships between families is important. This undoubtedly influences a higher bride price in comparison to other nearby places. This price is assigned on the bride as her price, or the money that the groom's family has to pay in order to get her married. During the field mission and talks with local informants, several different people related the anecdote of a man who bought a young girl for 100 million tomans²⁷⁹ (35,923 USD). This custom of bride price and payment seems nebulous in some places. Many families do not demand the same amount of money in exchange for their daughters. As per the conversations with the inhabitants, the bride price may vary depending on the bride's age. The younger the bride, the higher her price.

Other tribes have their own marriage customs. In the well-known tribe Rajab Ali Zadeh, girls are engaged as young as 9 years of age, and from the onset her family sets aside the amount of gold that must be bought by the groom's family. Later when she is 15 years old and married, she receives a furnished house and food.

Many factors interact to place a girl at risk of ECM including gender social norms. ECM can be attributed to the collective thought process. People follow the

"In here they consider 18

year old girls as old. In Moshkan if a boy really wants a girl he is allowed to kidnap or steal the girl without her will. I was forced to chose and get married when I was 15 by my family. I don't like my husband or my life at all.

Tell this to anyone who crosses your path: Do not get married early even if they threaten to behead you!

Female Respondent, 26

Moshkan, Sabzevar, Razavi Khorasan province

²⁷⁸ Marrying Too Young: End Child Marriage" (PDF). UNFPA.

²⁷⁹ The oman is the unit of the official currency of Iran, the rial.

practice of ECM because this is the way things have been done in their families and they consider it right. As the custom has been followed for centuries, there is an immense social pressure from the society to marry off children especially girls at a young age. Social pressure from within the community is one of the main reasons that pressures parents into marrying off their children young. Child marriage is a traditional practice that in many places happens simply because it has happened for generations. Traditional practices often go unquestioned because they have been part of a community's life and identity for a very long time.²⁸⁰

Often these young girls continue to face highly discriminatory social structures that greatly hinder their capabilities and overall wellbeing. ECM is also seen as acceptance by the families and functions as a social norm. There is a degree of pressure on a girl by her community and family to undergo ECM in order to become like everyone else. Unsurprisingly, expectations around norms and behaviours within the household and beyond start developing quite early in a girl's life. Thus even within the same family, girls and boys are brought up according to different norms and values. These expectations are guided by local norms around what makes an ideal boy/girl/man/woman, which, whilst changing, remain founded on 'good' girls being restricted in their movement outside the house, submissive and not interacting with males outside of the family. Apart from being inculcated at a very early age, these norms are also reinforced when girls are married into another family; an ideal wife is almost exclusively defined in terms of hard work for the husband's house hold, submissiveness to the in laws and husband, no interaction with outsider male,

²⁸⁰ www.girlsnotbrides.org, Why does child marriage happen?

less mobility, being good to neighbors' and being modestly dressed (i.e. wearing traditional clothing).²⁸¹

In addition to the adherence and continuity of intergenerational social norms, bowing to the unwritten social norms and pressure and avoiding stigma, the fear and the lack of safety are other triggering factors of ECM. The benefit of adapting to norms and following traditions is deeply rooted in 'conformity culture', a type of social influence involving a change in belief or behaviour in order to fit in with a group.²⁸² That explains why the marriage ages in one place are within close ranges with no significant standard deviation. Where ECM becomes an accepted norm, people automatically continue to practice and encourage it by indirectly forcing each other to marry off their children at an early age. In Rabat-e Jaz when someone reaches his/her 20s, it is understood that s/he will never be able to marry. In Moshkan (Sabzevar) for example, people view those who are 18 and still single as "spinster." This social pressure for getting married exacerbates the other previously mentioned causes and influence and accelerates ECM's prevalence. The social pressures help sustain and endorse the custom of child marriage.

Survey Results

Diagram 1 shows ECM's prevalence in the last 10 years in the Razavi Khorasan province. As per the diagram, ECM although is still practiced in high ranges there is a tendency to decline in the long term. The percentage of ECM is alarmingly high for girls rather than boys.

²⁸¹ Change and continuity in social norms. www.odi.org/sites/odi.org.uk/files/odi-assets/...

²⁸² What is Conformity? | Simply Psychology www.simplypsychology.org

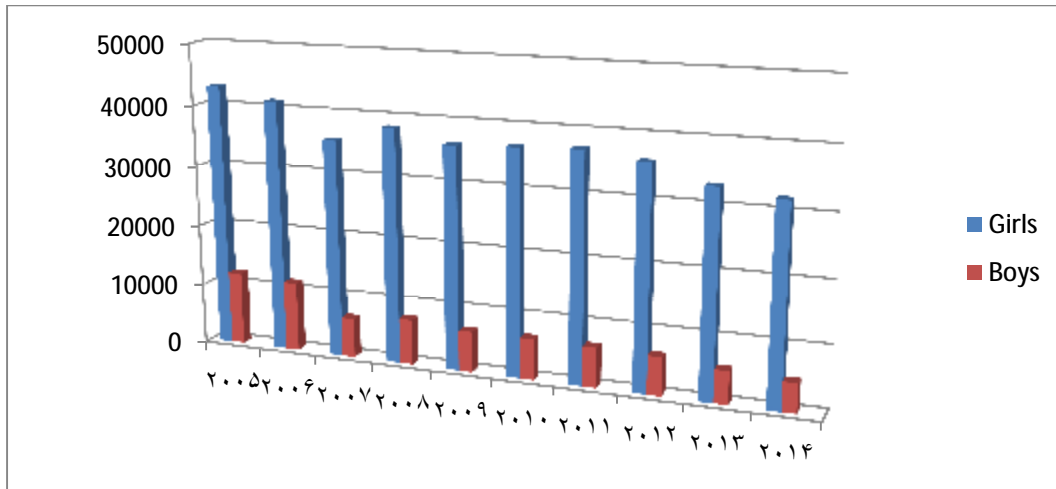


Diagram 12. Marriage under the age of 18 in Razavi Khorasan province

In spite of ECM’s slow decline, conversely there has correspondingly been an increase rate in divorce in comparison to the previous decade.

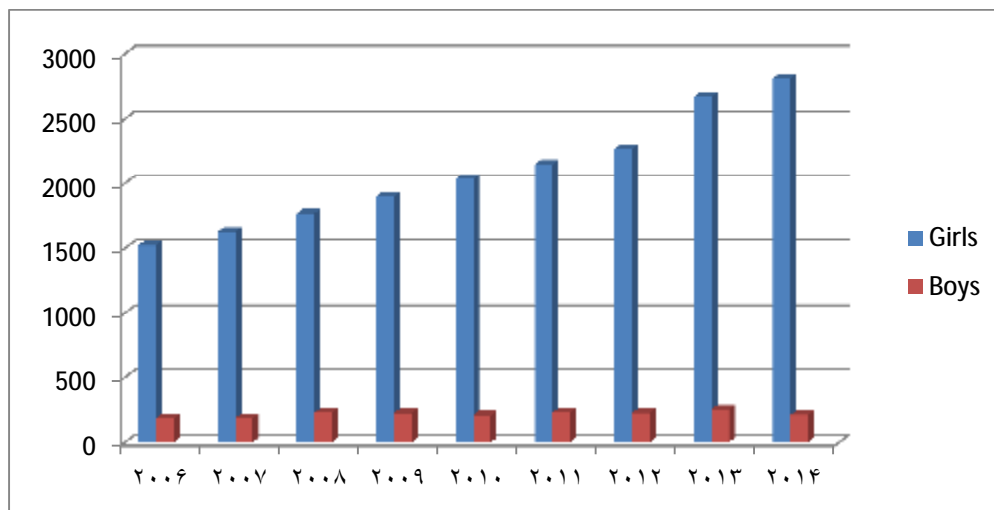


Diagram 13. Divorce under 18 years of age in Razavi Khorasan province

A close analysis of both diagrams reveals that ECM has a dramatic effect on girls than boys. Whilst boys are sometimes subjected to early marriage, girls are disproportionately affected and form the vast majority of the victims of child marriage.²⁸³ For girls the affects go well beyond adolescence.²⁸⁴ Many aspects of their lives are controlled by older men who considered the girls little more than

²⁸³ Girls Not Brides - Official Site www.girlsnotbrides.org

²⁸⁴ Q & A: Child Marriage and Violations of Girls' Rights - Human Rights Watch". hrw.org.

sexual and domestic servants. The greater the age difference, the more likely girls are to be disempowered and at risk of violence, abuse or exploitation. Sometimes the girls' problems began only after making it home with their babies, where they were frequently abandoned by their husbands.²⁸⁵

The main driving forces are patriarchal notions and the desire to subjugate women in order to control her sexuality. The complex issue of ECM is rooted in gender inequality and the belief that girls and women are somehow inferior to boys and men. Poverty, lack of education, cultural practices, and insecurity fuel and sustain ECM's existence as girls are not valued as much as boys. They are seen as a burden on their family. Marrying a young girl at a young age can be viewed as a way to ease economic hardship by transferring this 'burden' to her husband's family.²⁸⁶ ECM is also driven by patriarchal values and the desire to control female sexuality, for instance, how a girl should behave, how she should dress, who she should be allowed to see, to marry, etc.

Similarly, divorce rates are also increased in young girls in comparison to boys due to multiple factors that magnify the increasing number of social issues for girls. There are number of young marriages that come to an early end in the province. Girls who marry young, are more prone to be divorced at an early age. Child brides are often disempowered and dependent on their husbands. The occurrence of divorce is annually increasing leaving girls with more social problems that they as child divorcees or widows are simply not capable of handling. The enormous responsibility for a young girl to go from a life, then

²⁸⁵ International Centre for Research on Women, *New Insights on Preventing Child Marriage: A global analysis of factors and programs*, 2007, p 10; Child Protection and Gender-Based Violence Sub-Working Group Jordan, *Findings from the Inter-Agency Child Protection and Gender-Based Violence Assessment in the Za'atari Refugee Camp*, July 2013, p 2

²⁸⁶ Save the Children UK, *Rights of Passage*, 2003

mother and now a divorcee or widow is catastrophic. These girls are more vulnerable to persistent poverty if their spouses die, abandon, or divorce them.²⁸⁷ Given that girls in ECM are often significantly younger than their husbands, they become widowed earlier in life and may face associated economic and social challenges for a greater portion of their life than women who marry later. This problem threatens to increase with the expanding youth population in the developing world.²⁸⁸ In addition as ECM is considered an interfamilial binding contract, the breaking of it, i.e. divorce can have serious consequences both for the families and for the girl. Even those girls with the option of divorcing an abusive spouse are vulnerable because they have little earning power, education, and financial support.²⁸⁹

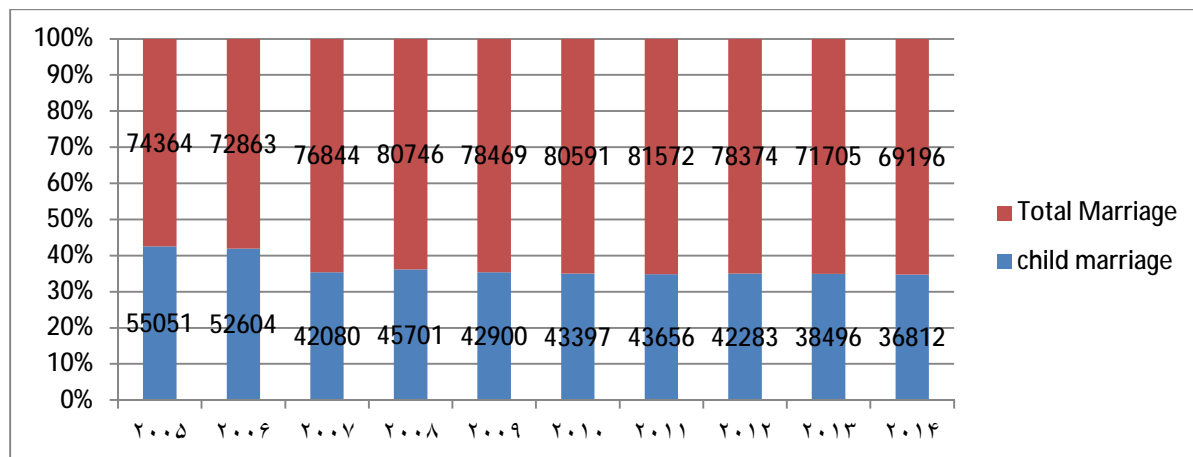


Diagram 14. ECM ratio in Razavi Khorasan province

An analysis of the ECM ratio in the last decades shows that the child marriage quotas in total marriage frequencies have always been more than 35 %. This is a reflection of the cultural norms that flourish within the social system to carry on with the practice of ECM. However, as per the findings of the Diagram 3, the practice is declining.

²⁸⁷ Q & A: Child Marriage and Violations of Girls' Rights, supra at 24.

²⁸⁸ Child Marriages: 39,000 Every Day | Press centre | ...www.unicef.org/media/media

²⁸⁹ www.cfr.org, peace-conflict-and-human-rights / child- marriage

Background

The vast majority of the Respondents were between the ages of 25 to 30. Within this age range 82 % were female and 18 % were men, chosen by a random sampling system. 52.5 % of them were currently married, 42.5 % single and 5 % were either divorced/living with their husband or wife (42 %) or with their partner’s family (40 %). The Respondents were from a variety of nationalities: Fars (55 %), Turk (35 %), Kurd (5 %) and Afghan (5 %). The average starting age of this religious practice for 62.5 % of respondents was 9.

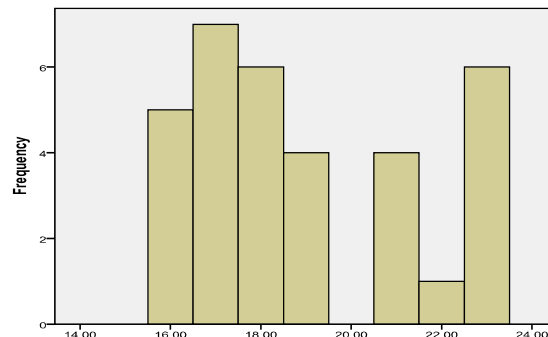


Chart 1. Reason for leaving school in Razavi Khorasan province

with

their husband or wife (42 %) or with their partner’s family (40 %). The Respondents were from a variety of nationalities: Fars (55 %), Turk (35 %), Kurd (5 %) and Afghan (5 %). The average starting age of this religious practice for 62.5 % of respondents was 9.

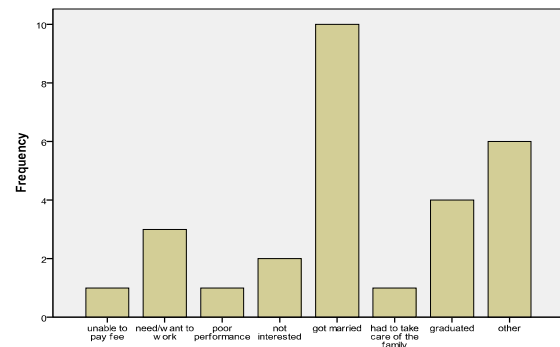


Chart 2. Women's age at first delivery in Razavi Khorasan province

Child marriage is linked to a series of negative consequences for young girls in society and nowhere more can this be seen in terms of education. ECM dramatically limited girls' access to education. This is very well documented. Child marriage denies schooling for girls and their right to education, necessary for their personal development and their effective contribution to the future wellbeing of the society. Usually girls are pulled out of school putting an end to their education and development. This lack of education amongst girls makes them vulnerable and hinders their individual development. Withdrawal from school in order to get her married limits her opportunities

to become an informed and self-reliant individual. Research shows that only 27 % of the victims of ECM were still studying and marriage was the reason for leaving school in most cases (45 %) in order to perform house work and childcare duties. The majority of respondents only finished primary school, and only 10 of them found an opportunity to continue with their education until the 12th grade i.e. the end of high school. In 57.1 % of the cases, the wife used to go to school before getting married, but in 71.4 % of cases, the promise to let her continue her studies never took place.

The negative outcomes associated with early marriage and dropping out of high school potentially have a domino effect not only on the girl bride, her children but also on society at large. Prevalence of ECM is associated with higher rates of population growth, more cases of children left orphaned, and the accelerated spread of disease.²⁹⁰ The lack of education also affects reproductive behaviour, use of contraceptives and health of the new-born. Even if women who married early might be more likely to recognise the disadvantages of early marriage she may not be in the position of preventing it for her child.

● Female reproduction

As a result of child marriage, the girl child's reproductive and sexual healths are affected the most. Young girls' bodies that are not physically mature enough to give birth, places both mothers and their babies at risk. Child marriage not only threatens the mother's health, it also threatens the lives of offspring. The study revealed that 97 % of women, who have had at least one delivery (14 %), were taken care of by their own family and mostly by their mothers. A certain amount

²⁹⁰ Field, Erica; Ambrus, Attila (2008). "Early Marriage, Age of Menarche, and Female Schooling Attainment in Bangladesh" (PDF). *Journal of Political Economy*. 116: 881–930.

of respondents reported no major delivery problems (45%). A considerable number (27 %) claimed to have undergone protracted labour and haemorrhaging. Although 69.7 % of mothers had used contraceptives, 72.7 % of them were not at all interested in using condoms. The knowledge about general delivery problems and gynaecological health issues amongst women was considerably low. A majority of the respondents (36 %) did not have any clear knowledge and 18.2 % of them did not have slightest idea about these problems.

As these girls are young their small pelvis and birth canal are under developed. Teen pregnancy, particularly below age 15, increases the risk of developing obstetric fistula, since their smaller pelvises make them prone to obstructed labour.²⁹¹ Girls who give birth before the age of 15 have an 88% risk of developing fistula leaving them vulnerable to urine or faecal incontinence that causes lifelong complications with infection and pain. Knowledge about obstetric fistula (any vaginal fistula during labour that causes more than 6 stitches) was surprisingly low amongst women. Even when local terms and further explanations were used, the majority of women, even those who have had more than 15 stitches during the labour, did not know that they have actually experienced obstetric fistula.

● Male Reproduction

The survey showed that 42 % of male respondents were 17 years old when their first baby was born and that they have fathered at least two children at the time of survey. The other 14 % were 16 when the first became fathers. Almost 57 % of

²⁹¹ Nour, Nawal M. (2006), "Health Consequences of Child Marriage in Africa", *Emerging Infectious Diseases*, 12 (11): 1644–1649,

them did not have clues about delivery or pregnancy dangers and most of them (42.9 %) viewed at fainting as the most dangerous problem.

● Marriage and marital decision

In regions where ECM is commonly practice, the parents make marital decisions on behalf of the couple. The research survey in Razavi Khorasan province shows that 30 % of the married respondents claimed their marriage was registered in their names as the same time of marriage. There are a specific number of respondents who have had the experience of a matchmaker who arranged their marriage for them when they did not have a formal engagement ceremony planned for them (67.5%).

Almost 76.2 % of married people were aware of their marriage and the other 23 % had no idea who was their spouses. 52.4 % of the marriage decisions were made by parents and other family members rather than the person him/herself. By the time that marriage ceremony was being planned, 42.9 % of them were not willing to marry.

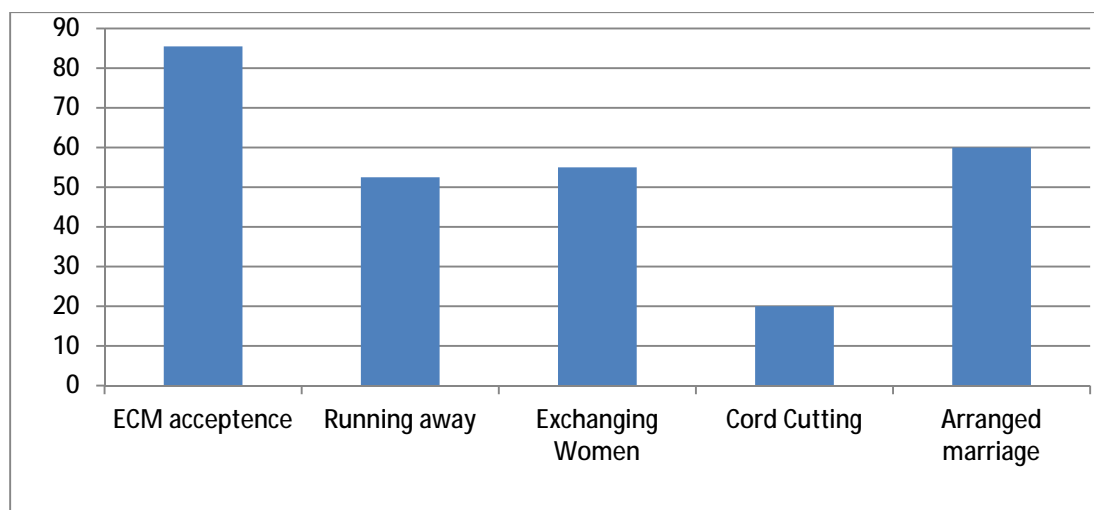


Diagram 4. Prevalence of marriage forms in Razavi Khorasan province

In 24% cases, the age gap between wife and her husband was more than ten years, in 21.2 % cases it was less than ten, as 57.1 % of men had wives who were more than ten years younger than themselves. This common age gap was observed when the couple was mostly living with the man's family. Obviously this leads to gender inequalities and the inability to make one's own decisions. Only 10 % of married people wanted ECM for their own children. In spite of disagreements about the marriage at the time of its occurrence, only 15 % of those who did not want to get married talked about divorce and or annulment with their siblings or friends. The remaining were hypothetically sure that the arranged marriage could not be annulled by their wish.

Survey demonstrated that 57.5 % of marriages included dowry and the bride price. In 37.5 % of the cases it was the bride's family who was in charge for providing the dowry. Most of the female respondents (35 %), never received their bride money. The majority of married respondents (12 %) were 17 at the time of their engagement.

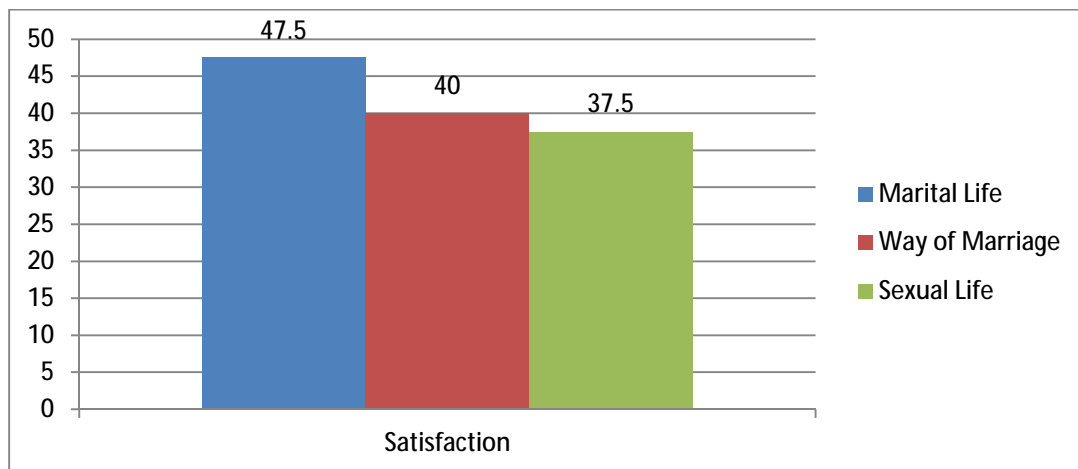


Diagram 5. Satisfaction with marriage in Razavi Khorasan province

● **Exposure to sex education and or ECM messages**

Accurate information about their sexual and reproductive health, as well as support and skills to feel comfortable and confident about their bodies and their sexuality was demonstratively lacking. Sex education in schools is either nonexistent, very minimal or of poor quality. The respondents reported that sex education was given to them mostly by talking to other family adults such as their mother or sisters (20 %), friends and peers (15 %) and family counselors (7.5 %). Most respondents (77 %) found no advantages in marrying early and 30 % of them never have heard any messages about ECM. In general, 60 % of respondents believed ECM must be stopped, and 32.5 % said it depends on the person's characteristics, body size and behavior.

None of respondents were aware of the legal marriage age. When responding to this question they mostly assumed that the legal marriage age as 18 or above. None demonstrated a minimal knowledge of law. The majority considered the ages between 15 and 20 as too early for girls and boys to get married and they assumed that the ideal age to get marry and have their own children was 20. 6 % of women reported they were touched by men against their will and 9 % had experienced forced rape. 21.2 % of married women mentioned they were forced to have sex by their husbands and only few of them talked about the ability to discuss and negotiate their lack of sexual interest as they believed that sex was part of their marital duty. The most common emotional reaction to this was sadness (42.9 %), followed equally by hate (28.6 %) and anger (28.6 %).

● Gender Attitudes

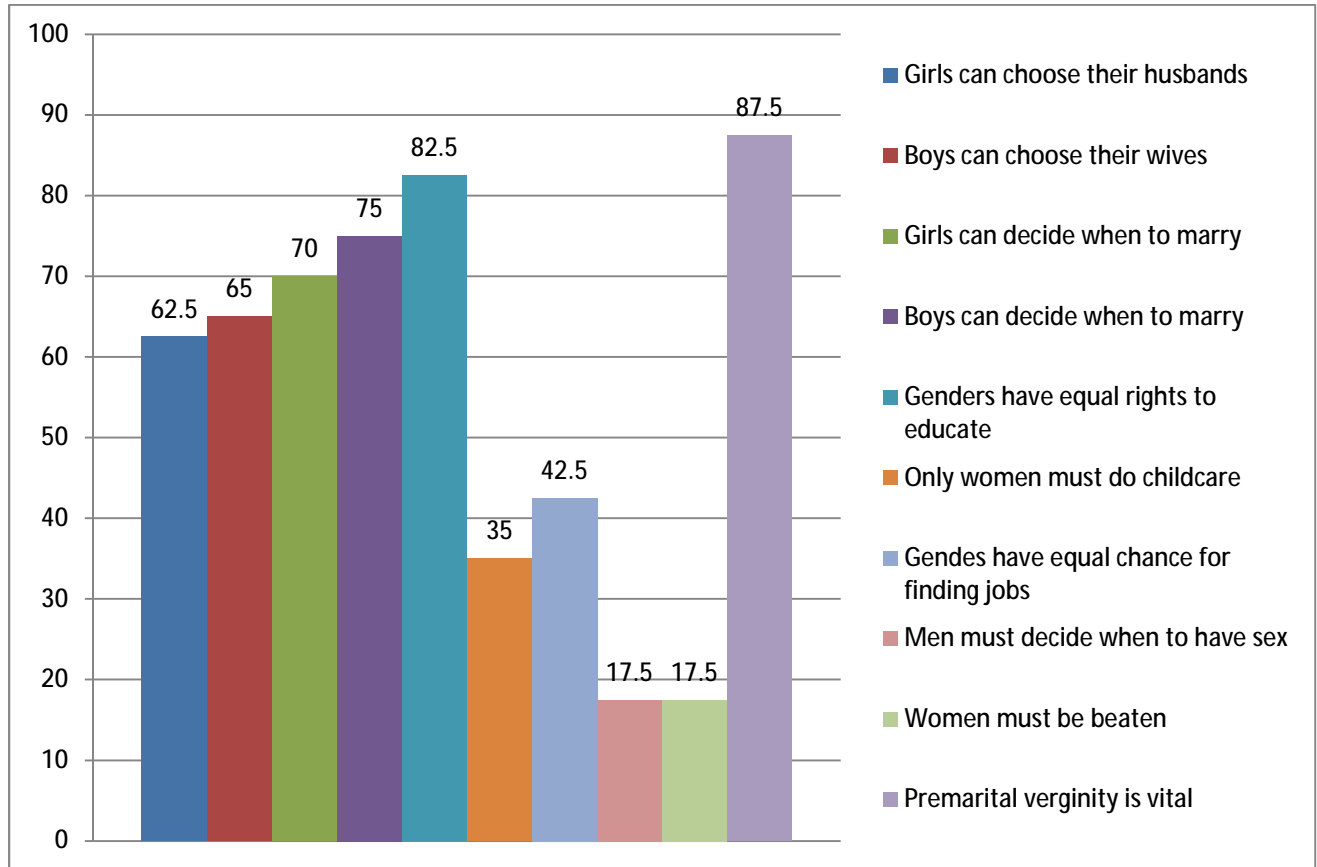


Diagram 6. Agreements on Gender attitudes in Razavi Khorasan province

The diagram 6 shows the percentage of gender attitudes in Razavi Khorasan. A very positive aspect that was witnessed was the equal rights for boys and girls to receive an education with the total ratio of 82.5 %. The highest ratio depicts the societal control over women’s sexuality by virtue of pre-marital virginity which is of prime importance in patriarchal societies.

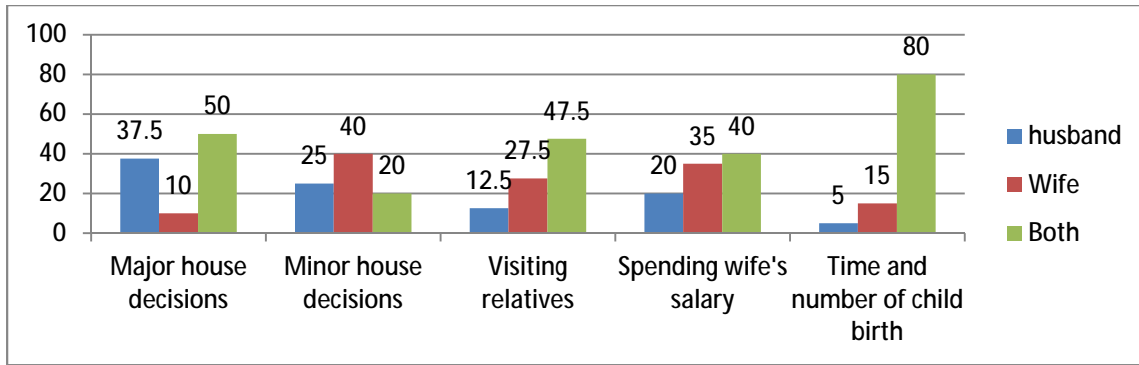


Diagram 7. House decision making in Razavi Khorasan province

Diagram 7 shows the decision making capacity at household levels, which surprisingly presents quite a balance picture. In most cases husband and wife take joint decisions, whilst in some cases the wife is dominant rather than her husband in areas such as the wife’s spending allowances, visiting relatives, and minor house decisions.

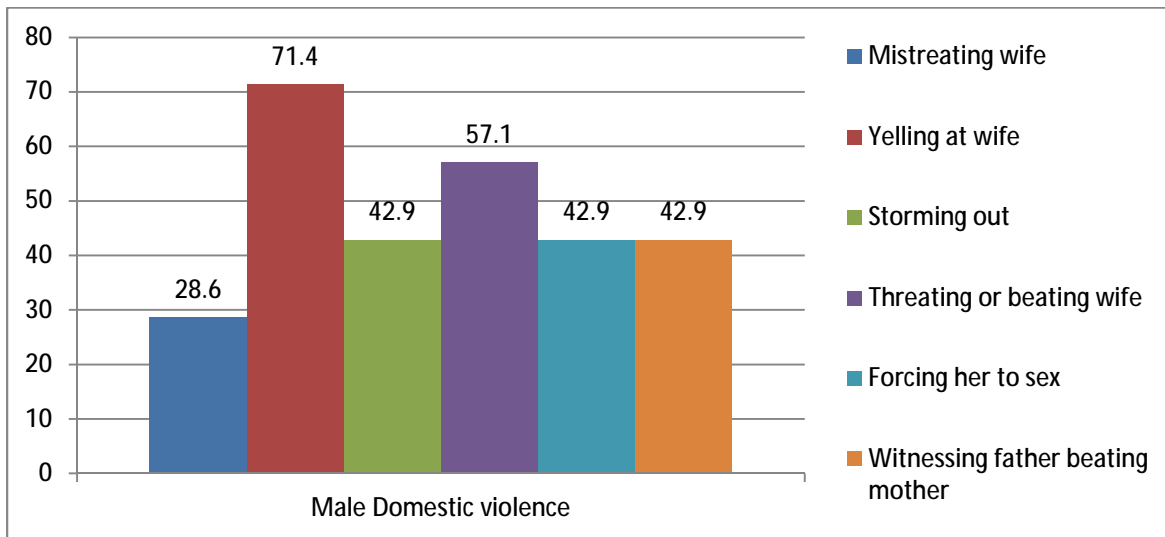


Diagram 8. Male domestic violence in Razavi Khorasan province

Diagram 8 shed some light on gender attitude and ratio of male domestic violence in Razavi Khorasan. The highest percentage recorded was yelling at wife (71%) followed by threatening or beating wife at the ratio of 57%. There were a limited number of respondents in the province who mentioned mistreating their wives.

2. EAST AZERBAIJAN



Geographical Span of the Research

East Azerbaijan province is located in North West of Iran, borders Armenia, Republic of Azerbaijan. The latest census in 2014 shows a population of 3,807,000 people in this province²⁹². Its capital (Tabriz) has been known as the Islamic and Art Capital of Iran for centuries and includes 12 Turkish cities. The populace is composed mainly of Turkish residents and the dominant language is Azeri. Although the province is home for other nationalities and minorities, they are not as visible and significant, making the whole province seemly to be of Turkish majority. In some parts of the province the Armenian people became the minority of immigrants who chose to live in East Azerbaijan province after the historical Nagorno-Karabakh War in 1918. The majority hold Shiite Islam beliefs. East Azerbaijan province holds the third rank in girls' marriage in the ages of 15-

²⁹² The National Organization for Civil Registrations, 2014.
<https://www.sabteahval.ir/Upload/Modules/Contents/asset99/salnameh93.pdf>

19, the fifth in boys' marriage between the ages of 15 to 19, and the first rank in total marriages between the ages of 10 to 14.

The total of 10 towns was selected for the first cluster of sampling. A team of four was sent to the province to conduct the field work within one week, including a previously trained surveyor, a local informant, a supervisor and a



Figure 15 some villages of Sarab town marry their children as young a 10 years of age-Photo by: Kameel Ahmady

driver. The 9 cities including Ahar, Bostan Abad, Heris, Jolfa, Khameneh, Malekan, Maragheh, Sarab, Soufian and Varzaqan were scanned and more than 48 interviews with local people were conducted in rural areas such as Ghalle Ghazi, Aghmiyun, Allah Hag, Gilak Abad, Ali Abad Qeshlagh, Kalb Kandi, Mardagh, Goli Shahr, Mamghutay, Ravasejan, Azeghan, Durigh, Sumae Del, Sardar kandi, Alkhalaj, Kamar Sefid and Ghara Blagh.

Observational scanning

Early marriage was alarmingly prevalent and accepted in rural areas throughout the province, only varying slightly in rate and frequency. ECM was considered functional and was still practiced by families reflecting that practice is most common in rural and impoverished areas, where prospects for girls can be limited. There is clearly a sad significant correlation between economic hardship and acceptability of ECM. In this context ECM is seen as a way to make her future

better.²⁹³ Marrying a young girl to an economically secure man is a priority for families from deprived backgrounds; if an opportunity arises it is not to be missed, regardless of the age or wishes of the girl. Marriage provides a means for ensuring their daughters 'future economic security, an outcome which is critical given her financial dependency and the stigma she will face as an unmarried woman.

Got engaged when I was 2 years old. It's a custom here and all girls are married by the age of 2, 3 and 4. I have three daughters and a son. My daughter was 6 months when she was engaged. And now they are having a good life. There's no good in this custom but if we don't get them married at these ages, people would talk behind us.

*Female respondent
Gilak Abad Village, Sarab, East Azarbaijan
province*

Given that marriage is perceived as both necessary and desirable, for both men and women, it is perhaps unsurprising that participants tend to marry at a relatively early age. Interviews revealed a vast but common social factor: lack of safety and fear of the future. Having girls in the family translates into a warning that if they do not marry her off, she will probably remain single all her life. It is generally considered unacceptable for men and women to remain unmarried too far into adulthood, although the consequences of not being married by an appropriate age appear to be significantly worse for women.

A girl who stays single is always at risk of falling in emotional relationships and ruining the family's honour and respect by engaging in premarital relationships. Therefore, girls and boys are constrained by a strong social control that tries to settle them down whilst they are young in order to avoid what is perceived to be corrupted and depraved behaviour. Social pressure plays a prominent role in

²⁹³ Sanyukta, M.; M. Greene and A. Malhotra (2003), *Too Young to Wed: The Lives, Rights, and Health of Young Married Girls*, ICRW, Washington D.C.

ECM. We can only conclude that younger brides are preferable because they are easier to control, more obedient and respectful of their husbands.

Youth is associated with beauty, virginity and fertility. For a girl of 15, the neighboring community starts to worry and doubt her chastity and health. In such scenario as observed in East Azerbaijan, most marriages were arranged by and

There are no single children over 13 in the village. They all get married under 12 years of age. Our bride was one year old when she got married to my brother. And I myself was 12, it was midnight and I was asleep, when our neighbour knocked in and they gave me a ring.

Fateme, 23

Gilak Abad Village, Sarab, East Azarbaijan province

within family and the child's will and decision was not taken into consideration at any level. Observations in villages such as Gilak Abad revealed that girls were engaged at the age of one or two, and there were almost no single children above the age of 5. The severity of ECM prevalence was manifested in locals' interviews where they reveal local norms and customs. In Gilak Abad, a female baby of 6 months was engaged. Likewise another interview revealed a male respondent who claimed to be engaged to the female fetus inside a mother's uterus.

Survey Results

As per the following diagram, marriages under the age 18 in East Azerbaijan province have shown a vicissitudinous trend throughout the last decade. Again, ECMs seemed to be higher in number and rate, following a declining trend within the last few years.

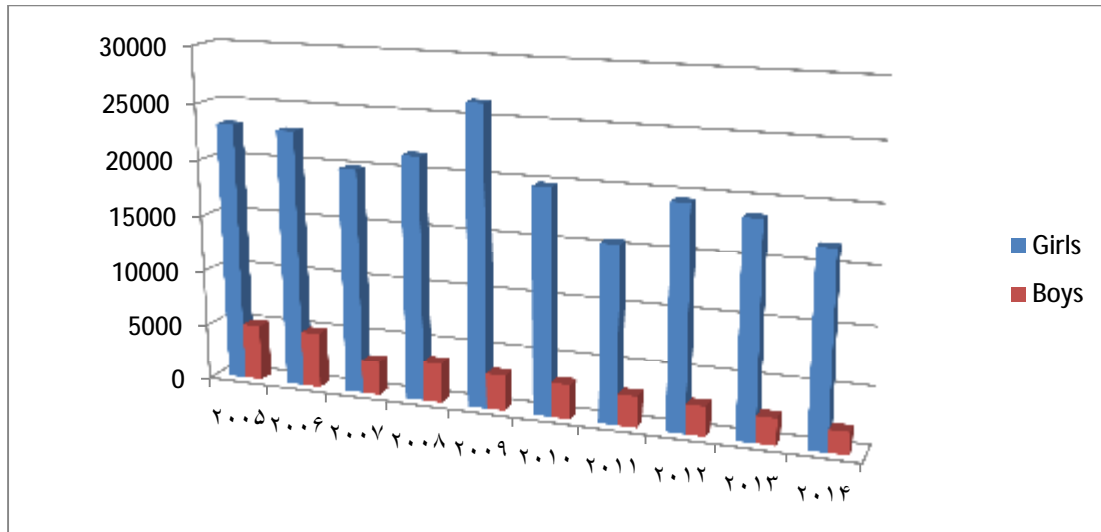


Diagram 9. Marriage under the age of 18 in East Azerbaijan province

Paradoxically, the divorce rates have been increasing. Yearly the young brides and grooms find it unpractical to live together and divorced at very young ages. As shown in the following diagram, the frequency of young widows is also increasing. The next table chart shows the ratio of ECM and total marriage rates in comparison to a decade ago. According to the chart in the last decade the quota of ECM has never been less than 30 % of the total marriages in all age groups.

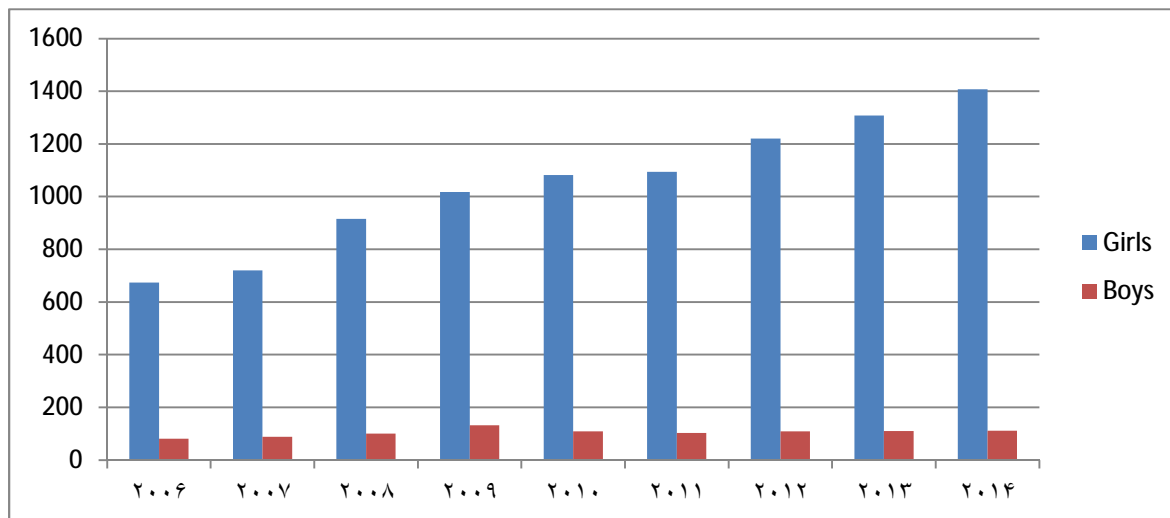


Diagram 10. Divorce frequency less than 18 years of age in East Azerbaijan province

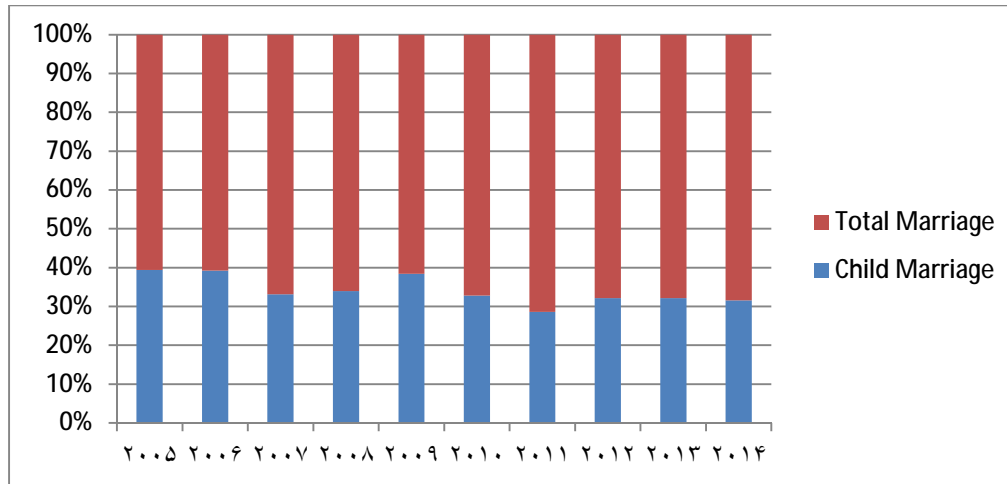


Diagram 11. ECM ratio in East Azerbaijan province

Background

In East Azerbaijan province the sample sizes were randomly divided into 64.6 % females and 35.4 % males. The age range was mainly 22 to 28 (10.4 %). Respondents live with their husbands/wives (52.1 %) or with their husbands/wives' family members (39.6 %). All respondents were Azeri and the spoken language was Azeri. Their parents' ability to read and write was 14.6 % and 43.8 % for the mother and the father respectively. 97.9 % of the respondents were literate and attending school until the fifth grade (31.3 %) and 10.4 % of them were still studying at the time of the interview. In most cases the main reason for

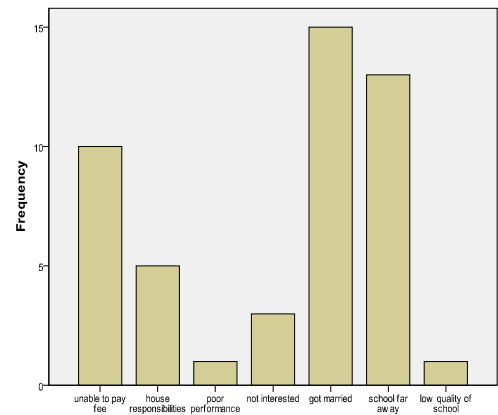


Chart 3. Reason for leaving school in East Azerbaijan province

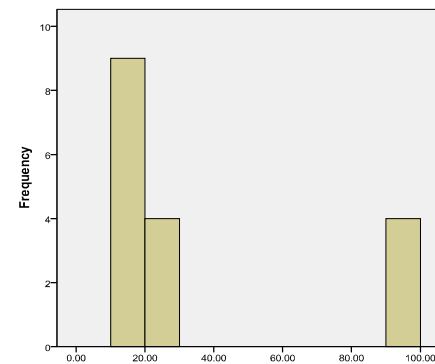


Chart 4. Women's age at first delivery in East Azerbaijan province

leaving school was to get married. The majority of women and girls depend on men for their financial security; first upon their fathers, and later upon their chosen husbands. This dependency is rooted in a gendered division of labour. Accordingly, women are responsible for homemaking, child bearing, and childcare, whilst men are responsible for providing income. No longer permitted to continue studies, respondents' employment skills are principally house work and child care (52.1 %) and farming (14.6 %). Respondents were all Shiite Muslims with 77 % adhering to their religious practices starting from the age 9 (43.9 %).

● **Female reproduction**

67.7 % of interviewed women had delivered babies. Their post-delivery care was provided mostly by their own family (9.4 %). Most of them (29 %) reported no major problem during labour. The stigma associated with female sexuality, and prohibition on sexual relationships outside of marriage, is exacerbated by a lack of availability and access to sexual and reproductive health services particularly for young, unmarried women. Strikingly, the will to use contraceptives were generally low (only 3.2 %) with condoms used in 32.3 % of cases. The general knowledge about child birth and delivery problems was seemingly sparse amongst the women. A trend that was observed across all research sites and chronically observed was girl's lack of knowledge about their own bodies. 77.4 % of them did not have any indicia of female gynaecological health problems and the way to resolve them. 48 % of them never heard about obstetric fistula even though 19.4 % of them had actually experienced it themselves.

● Male reproduction

In East Azerbaijan, most of the male respondents were 16 years old when they had their first baby born (29.4 %) and had fathered 6 children (29.4 %) during the time of survey. Nearly 67 % of them wanted to have baby, while 11.8 % of them wanted to have children later. The majority of 76.5 % of men reported no general knowledge about women's delivery problems and how to solve them.

● Marriage and marital decisions

70.8 % of the respondents were currently married with less than 20% (18.8 %) of them were not present in their own wedlock ceremony. 75 % of cases had a formal engagement planned by their family. A total of 17.6 % of respondents were single and in 70.8 % of cases the marriage was registered straight away.

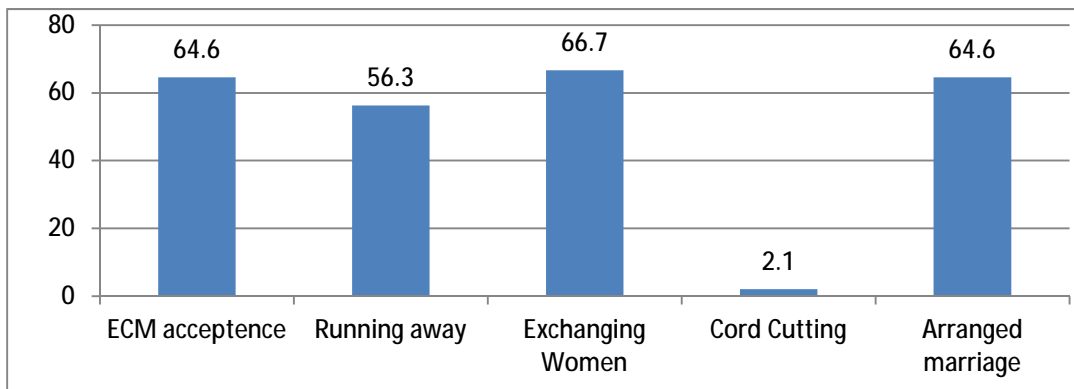


Diagram 12. Prevalence of marriage forms in East Azerbaijan province

18.8% and 41.7% respondents were 18 and 15 years old when they got engaged. Respectively, 35.4 % of respondents did not know to whom they were marrying when their marriage was being planned. A variety of responses were noted: feelings of happiness (37.5 %), indifference (31.3 %), sadness (29.2 %) and anger (2.1 %). In most cases (66.7 %) of the marital partner was chosen by the respondent's family and in 35 % of cases they did not want marriage to take place. Approximately, 18.8 % of respondents talked to their friends or family

about marriage annulment but were unsuccessful. All the marriages that included dowries revealed that in the vast majority of case (95.8 %) it was provided by the bride's family. 72.9 % of marriages did not include paying for Shirbaha, the amount of money, property or gift presented to the bride's mother for having nursed her. In 61.3 % and 22.6 % of cases, women had husbands who were less than 10 years and 10 years older than them respectively, and men were married to wives who were, in most cases (52.9 %) 10 years younger than them.

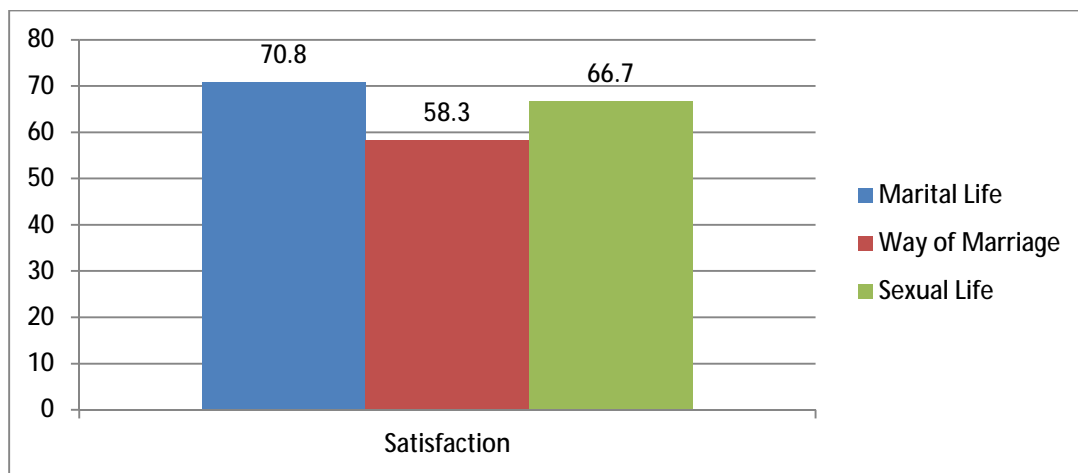


Diagram 13. Satisfaction with marriage in East Azerbaijan province

Diagram 13 shows the rate of satisfaction with respect to marital life, way of marriage, and sexual satisfaction. The graph shows that respondents in East Azerbaijan are highly satisfied with their married life at the ratio of 70.8%. The second high percentage shows their level of sexual contentment. Less than 50 % were found unhappy with the way they were married.

- Exposure to Sexual education 50 % of cases received their sexual education by talking to adult family members and 18.8 % by the help of family consultants. 79.2 % of people voiced that they considered ECM as having no advantages and 72.9 % of them wanted ECM to stop being practiced. A majority (62.5 %) of respondents were not expose to any sort

of education against ECM's prevalence and 95.8 % of them had no knowledge about legal marriage ages for girls and boys. Majority of 20.8 % of respondents considered 18 as too early for girl to marry and 20 % of them thought 20 was ideal for boys. The ideal marriage age that they wanted their children to get married at was 20 (29 %).

● Gender attitudes

The acceptability of ECM is reflected by highly conservative gender attitudes that on one hand strictly prohibit sexual activity outside of marriage, and on the other, hold woman and girls, along with their wider families, responsible for any transgression of this norm, irrespective of consent. Under such conditions an unmarried girl poses a constant threat to the reputation of her family, either because she has a relationship, or is perceived to be having a relationship prior to marriage, or because she is (perceived to be) at risk of becoming victim to sexual harassment or violence, which will be equally devastating to her reputation. Parents are compelled to marry their daughters soon after she reached puberty, because the mere existence of a sexually attractive yet unmarried women/ girl poses a threat to a patriarchal social order that insists and depends on absolute male dominance and control over female sexuality.

Participants consistently explained that a girl who is no longer perceived to be a 'virgin' loses her value on the marriage 'market' and her dowry price falls significantly. In East Azerbaijan, the research on gender attitude shows a high inclination towards controlling women's virginity (100%).

In the vast majority of cases, boys felts they had the right to decide about the appropriate age to get into the wedlock (79.2%). Gender differences are reflected in the sexual division of labour between the productive and reproductive activities. The child care responsibility is completely on women (77.1%). A very limited number of people were convinced of beating women if she argues (16.7%) as plausibly this can be seen as extension of “the rights” of the husband.

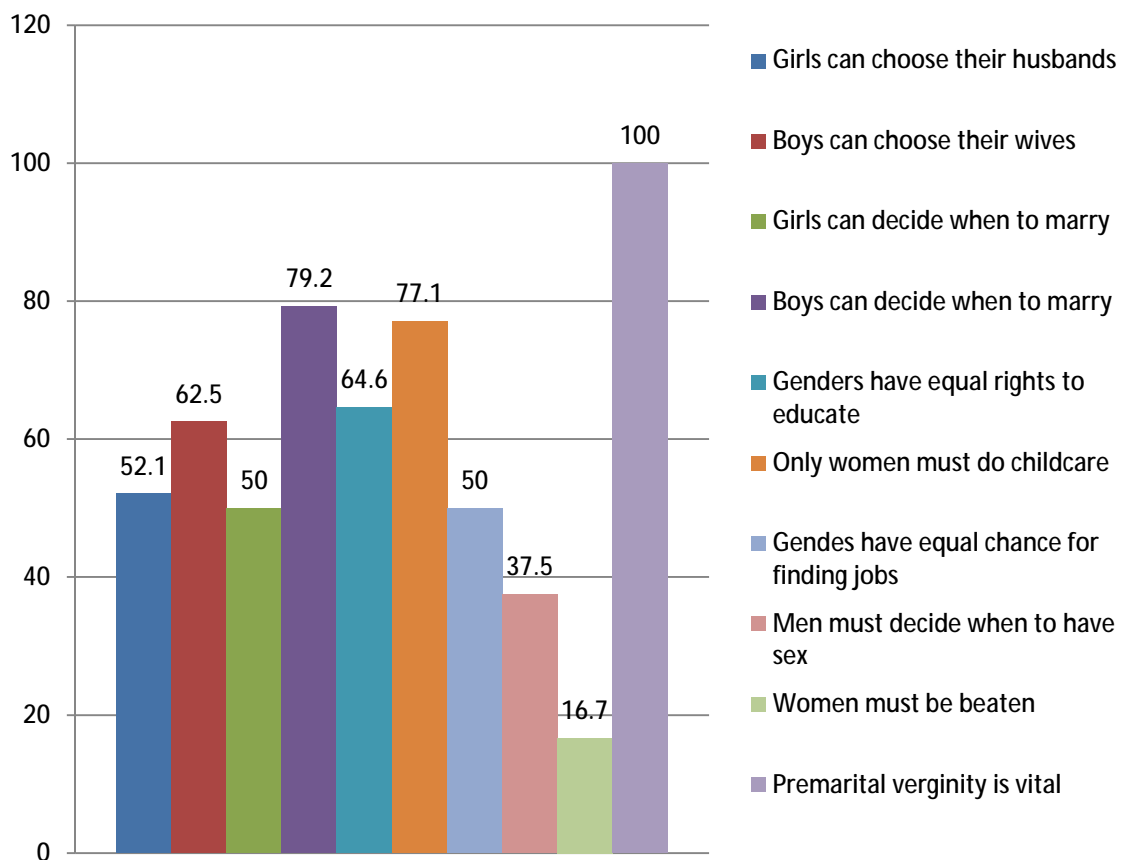


Diagram 14. Agreements on Gender attitudes in East Azerbaijan province

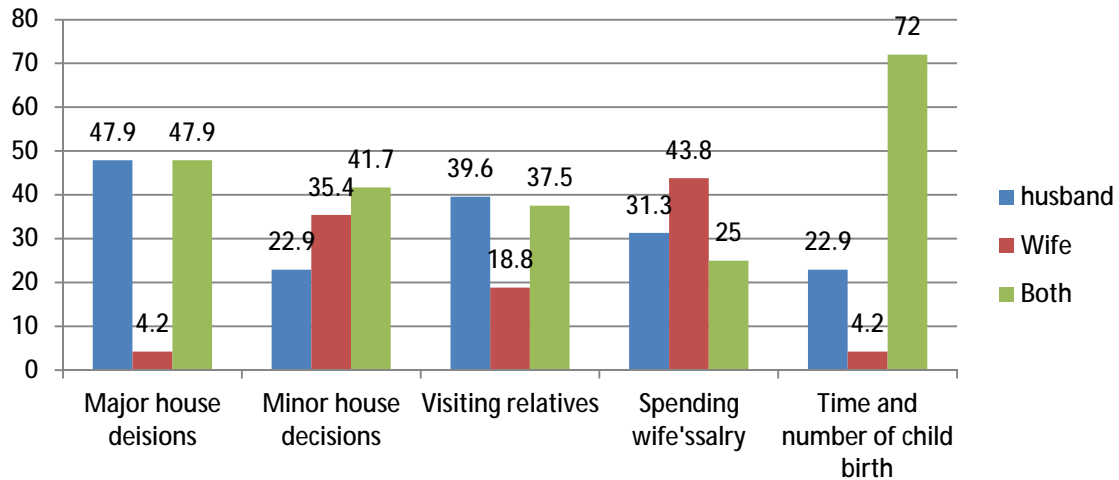


Diagram 15. Household decision making in East Azerbaijan province

● Male Domestic Violence

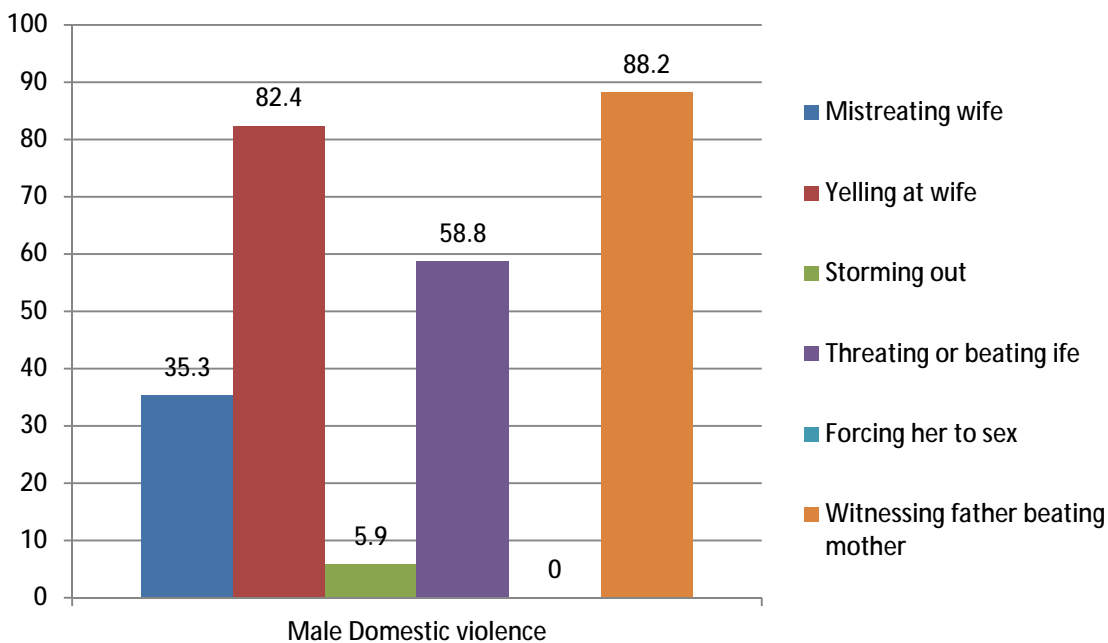


Diagram 16. Male domestic violence in East Azerbaijan province

Bearing in mind that domestic violence is a massive global public health concern affecting approximately 30 per cent of women worldwide ²⁹⁴one serious consequence of ECM is physical abuse in the form of domestic violence. Young

²⁹⁴ WHO, London School of Hygiene and Tropical Medicine, South African Medical Research Council, "Global and regional estimates of violence against women: prevalence and health effects of intimate partner violence and non-partner sexual violence."

women who marry younger are more likely to be physically abused by their spouses and are more likely to experience domestic violence than their peers who marry later.²⁹⁵ Girls with low bargaining power in the household are more likely to experience violence by an intimate partner. ECM can subject the victim to a lifetime of physical violence. Domestic violence is pervasive. Whilst having terrible health and economic consequences for survivors, domestic violence also has serious economic impacts on society more generally. The risk of domestic violence is particularly heightened in cases of child marriage.

Diagram 16 shows the type and occurrence of domestic violence in East Azerbaijan province which has given a firm idea that forced sex does not exist in the province. Similarly, the ratio of yelling at ones wife is as low as 5.9%. The highest ratio has been recorded for those who have seen their parents fight and have witnessed the physical abuse of their mothers by their fathers.

²⁹⁵ UNICEF (2005). *Early Marriage: A Harmful Traditional Practice*. UNICEF: New York.

3. KHUZESTAN



Geographical Span of the Research

Khuzestan province is the third province targeted by the research. Located in the south west of Iran, this province has a population of 4,724,000 people in 2014 census²⁹⁶. There are diverse nationalities live in the district, ranging from Arab, Lur, Bakhtaran to the Fars. Each of the nationalities provided the research with different cultural backgrounds and specifications. The majority of the residents hold Shiite Islamic beliefs and speak in Arabic, Persian, and Lori. Despite their diversity in nationality and language, what was observed was a common and consistent thread of culture similarities throughout the rural areas. Khuzestan province holds the second rank in girls' marriage in the age groups of 'less than 10' and '15 to 19', second in boys' marriage in the age group of '10 to 14' and second in the age group '15 to 19. In order to conduct more than 41 interviews, a total of six cities were chosen from the first cluster: Abadan, Ahwaz, Dezful,

²⁹⁶ The National Organization for Civil Registrations, 2014.
<https://www.sabteahval.ir/Upload/Modules/Contents/asset99/salnameh93.pdf>

Haftkel, Shush and Shushtar among which the second cluster of villages were selected, such as Kuy-e Al-e Safi, Albaji, Kabe Abud, Alvan, Banader, Konar Pir, Eslam Abad, Kule Jaz, Shahrak-e Bahram, Haj Hossein, Ramileh, Shatit, Sawaamer, Tare Bokhakh, Shahle, Chaman Laleh, Dime Darb, Nomre Do, Jarou, Gazin and Naft Sefid.



Figure 16 Children play cards-Photo by Kameel Ahmady

The Khuzestan province borders Iraq from the west and was a major region of war and conflict throughout the Iraqi war in first decade of the Islamic revolution. Throughout the eight year war, the region was inundated in tenure and inhabitanicies issues which had a negative effect that lingered for decades. The balance of population and diversity changed dramatically through these years affecting emigrational policies and priorities. Therefore, a great deal of similarities can be seen amongst the inhabitants living on either sides of the border, particularly amongst Arabs.

“We gave our 13 years

old sister to our cousin who was 19 at the time of marriage. She got married and we got 4 million tomans.

Male Respondent, 21,

Kabe Abut, Ahwaz, Khozestan province

Observational Scanning

As puberty is the hallmark that determines when a child is able to have or father children, it is considered to be of utmost importance. What has been a sociological phenomenon observed worldwide is early puberty. Scientists have brought forth a number of plausible explanations for the rising rates of early puberty. Globally, patterns of early puberty appear to be influenced by everything from economic conditions to genes.

One school of thought that deserves special attention is climate patterns. Environmental signals related to climate and light deserve some attention in the context of variations in pubertal timing around the world. Temperature and light-darkness rhythms that are influenced by geography and seasons might modulate the reproductive axis. However, in the Arctic area, the dark winter months may be associated with reduced pituitary-gonadal function and low conception rates.²⁹⁷ Thus, the influences of light and temperature on the human reproductive axis are uncertain. The effects of light-darkness rhythms can be mediated through the pineal gland hormone, melatonin, which circulates in high concentrations at night.²⁹⁸ Clearly further study of the onset of puberty as a possible sensitive and early marker of the interactions between environmental conditions and genetic susceptibility that can influence physiological and pathological processes is warranted.

The hot climate in this region is believed to be the reason of early puberty amongst girls and boys, meaning that children despite their biological ages may

²⁹⁷ Rojansky N, Brzezinski A, Schenker JG 1992 Seasonality in human reproduction: an update. *Hum Reprod* 7:735–745
Medline

²⁹⁸ The Timing of Normal Puberty and the Age Limits of..press.endocrine.org/doi/full/10.1210/er.2002-0019

“Abortion is

common here. All the girls that get marry in this age face the same problem. Our bride is 13 and has aborted her child 2 times. She had given birth 4 times by the time she reached 13. After getting married everyone should have children within 9 months for people forcing them. That's why we get this abortion problem a lot.

Female Respondent, 32

Alvan, Shoush, Khuzestan province

be considered as adults and ready to be married. This geographical determinism is responsible for many customs and social norms regarding ECM. Because of inclement weather and high temperature during the day, farming and gardening is almost impossible. Though families' work hours are limited to the early mornings and late evenings, when the temperature decreases. This accelerates the need for more work manual labours in the family, abetting the necessity and encouragement of ECM.

At its heart, child marriage is rooted in gender inequality and the belief that girls and women are somehow inferior to boys and men. Girls are not valued as much how and they learn at an early age how to behave, dress, who she should be allowed to see and eventually who she will marry. Girls occupy a lower status in societies as a result of social and cultural traditions, attitudes, beliefs that abrogate rights and stifle independence and autonomy.

What was observable when interviewing young brides was their fear of expressing ideas freely. The gestures and tones of their voice often changed when a family member interrupted the interview to control her answers or just supervise her talks. In order to factor this observable reticence numerous efforts were made to arrange situations in which the respondent was alone and thus

able to respond freely. In most cases not only was a strong family supervision and control present but also in most cases other adults insisted on answering for her. The questions in the last tables on Female Sexual Violence and Male Domestic Violence were mostly frowned upon by the family, and extra care and cautious were considered in field work training to guarantee the study's validity of method.

Early childbearing is deeply ingrained in the Middle Eastern society and is considered being the ultimate purpose in a woman's life. In addition to a lack of freedom of movement and expressing one's own opinion for women, the other prominent issue in the Khuzestan province on the direct effect of ECM is the alarmingly high rate of abortion amongst child mothers. In some tribes such as Bosaak and Zallaghi, girls as young as 11 years of age are married and are expected to soon give birth. Abortion seemed to be highly prevalent and correlated with cases in which the mother is younger than 13.

Marriages, mostly arranged within relatives, is not that much different in terms of the ceremonial rituals seen in Arabic families. In contrast to what has been observed in other nationalities the groom is completely responsible for providing the dowry. Dowry in such cultures is considered as an important symbol of prestige. The bride price is also influenced by the kinship of the groom, meaning that if he is a cousin or another relative, the price tends to be lower than if he were a stranger. A part of this price is paid to the bride's family before marriage, referred to as the prior (Moghadam), and the posterior (Moakhar).

These prior and posterior expenses form the total bride price and the amount can change from one tribe to another. In some tribes if there is a conflict or divorce or if the wife wants to divorce, she must pay the bride price to the groom or his family. Conversely if the husband wants to divorce his wife, it is he who pays. In other tribes, the bride price is always the grooms' responsibility to pay, and if the wife wants a divorce, she must waive her right to receive the bride price.



Figure 17 Tribal leader in his home where he receive people-
Photo by: Kameel Ahmady

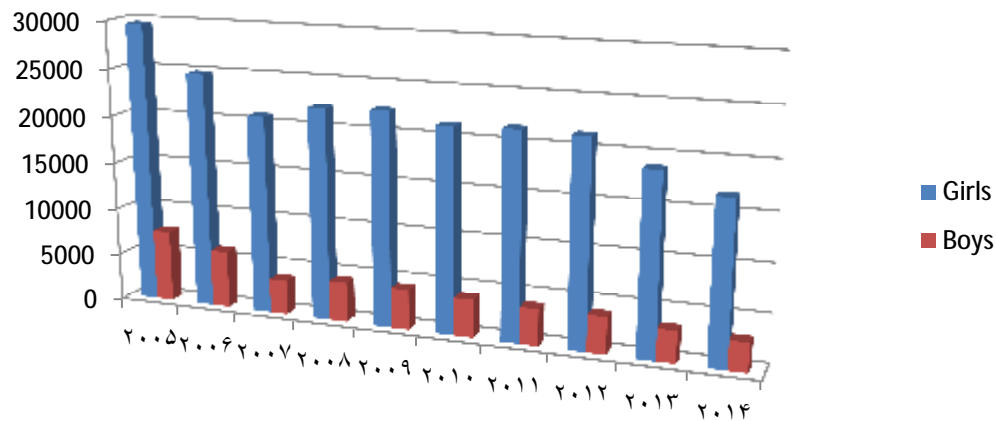
According to the local informants in regions around Abadan there is also a common practice of what's locally called 'buying age'. As often the bride price is a reflection of the amount paid by the groom to the brides 'parents in order to receive consent to marry their daughter, in some countries, the younger the bride, the higher the price she may fetch.²⁹⁹ This demand for a young girl creates an economic incentive where girls are sought and married early by her family to the highest bidder. Thus families of young girls who cannot register the marriage because of the bride's very young age, attend a family court and buy the extra ages that are required for her marriage to be legally registered. The price for

²⁹⁹ Bearak, Barry (July 9, 2006). "The bride price". The New York Times. See also Nour, Nawal M. (2006), "Health Consequences of Child Marriage in Africa", *Emerging Infectious Diseases*, 12 (11): 1644–1649,

each year depends of the number of years lacking and can vary from 100 to 500 thousand Tomans (31 to 159 USD).

Survey Results

As seen in the marriage chart depicting the progress within the last ten years, a comparative analysis of under aged girls and boys reveals several things. Marriages for young girls under the age of 18 are much higher than in the levels of boys’ marriage, but in the long term declines yearly.



Diagam 17. Marriage under the age of 18 in in Khuzestan province

In contrast to marriage ages, divorce ages are increasingly targeting younger children. Each year higher numbers of children in the age groups under 18, are either divorcing or becoming child widows. Again, the issue targets more female than males, meaning that vulnerable divorced or widow girls under 18 are more visible than vulnerable widowed boys.

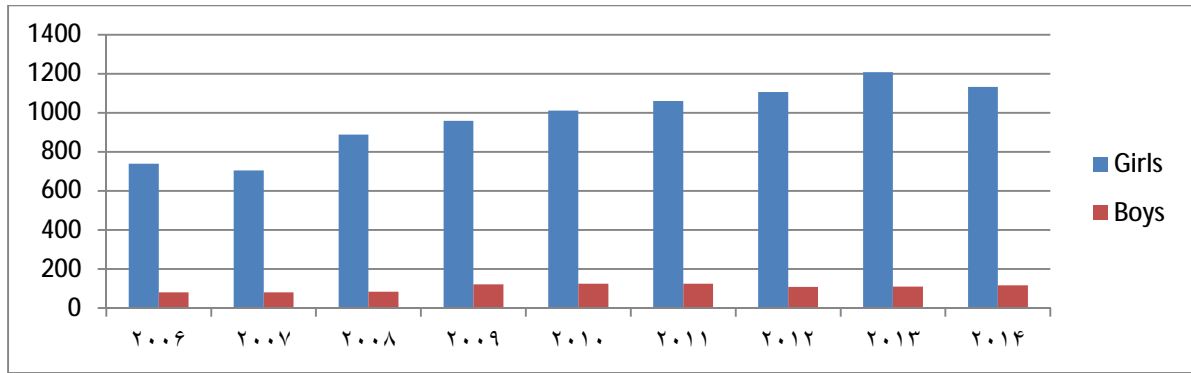


Diagram 18. Divorce frequency under 18 years of age in Khuzestan province

ECM in Khuzestan province shows a yearly decline as the general percentages of ECM's prevalence have always allocated 30 to 40 % of the total marriages in the Khuzestan province.

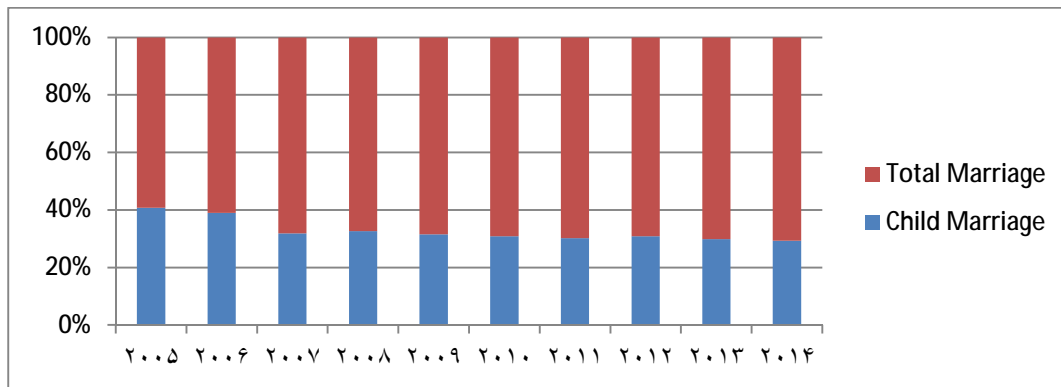


Diagram 19. ECM ratio in Khuzestan province

Background

In Khuzestan province the sample size was randomly divided into 87.8 % females and 12.2 % males. The observable age range was in general 6 to 25 (9.8 %). Most of the respondents (29.3 %) live with their husbands or wives and the others live (14.6 %) with their fathers in law. The majority of 71% of the respondents are Arabs and 14.6 % are Fars and Bakhtiari. Respectively, 58.5 % of them speak in Arabic and 17.1 % speak Bakhtiari. Parents' ability to read and write for mothers

and fathers are 43.9 and 48.8 % each. All respondents were literate but only 4.9 % of them were still studying. Most of them had successfully finished their high school (19.5 %). One of the most common consequences of ECM is the withdrawal of girls from formal education. Husbands of young wives are often older men, who expect their wives to follow tradition, stay home and undertake household and child-care duties. A girl may be unable to attend school as it may be against her husband's wishes. The husband's family may refuse to invest their scarce resources in the wife's continued schooling. When girls drop out of school to get married, there is a knock-on effect for the community as a whole, and for future generations.³⁰⁰

The main reason for dropping out of school was to get married (43.9 %). Evidence shows that girls who marry early often abandon formal education and become pregnant.³⁰¹ Most of the respondents' job was housework and

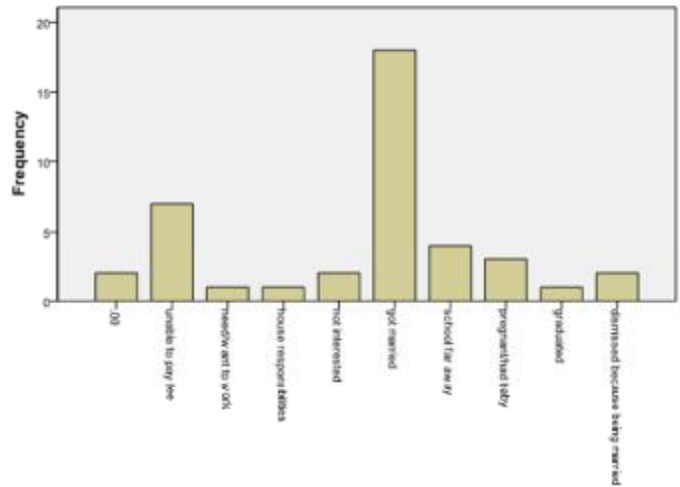


Chart 5. Reason for leaving school in Khuzestan province

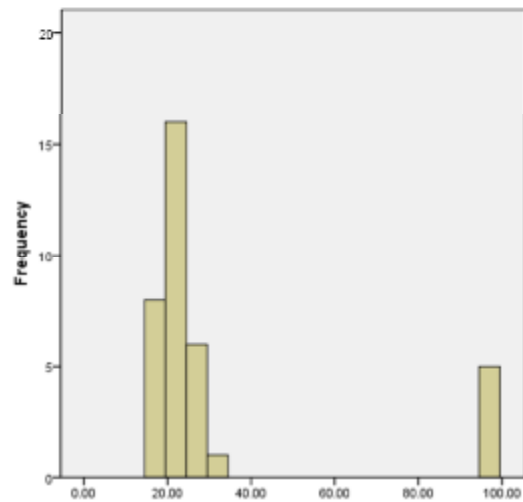


Chart 6. Women's age at first delivery in Khuzestan province

³⁰⁰ Newsletter No 7 Enabling Education Network Title: Early Marriage and Education

Author: Lewis, IPublisher: EENETDate: 2006

³⁰¹ <http://data.unicef.org/child-protection/child-marriage>

child care (68.3 %) and the other 14.6 % of them were self-employed. All of respondents were Shiite Muslims amongst which 82.9 % of them had been practising their religion from the age of 9 (36.6 %).

- **Female reproduction**

The total of 86.1 % of interviewed women had at least one delivery. Most of them had their first baby when they were 19 (11.1 %). Their post-natal care was provided by their husband's family in most cases (38.9%). Most of these women had protracted labour difficulties (27.8 %) and haemorrhaging (22.2 %). The use of contraceptives and condoms amongst women was 44.4% and 33.3% respectively. Their general knowledge about obstetrics and gynaecological issues were also considerably low. However, a slim majority (27.8 %) mentioned haemorrhaging as a problem that may happen. Almost half of the interviewed women were familiar with the concept of obstetric fistula and 25 % of them had experienced it.

- **Male reproduction**

A total of 75 % of men had fathered at least two babies and 25 % became fathers at the age of 16. 75 % of them wanted to have baby then, and 25 % didn't want to have babies at all. All of the men claimed to know about danger signs in pregnant women and in 50 % of cases the men mentioned that fainting was a crucial delivery problem.

● Marriage and marital decisions

Randomly selected, a total of 95.1 % of the respondents were currently married and 4.9 % of them were single. A total of 9.8 % of marriages was not registered in the couple's name. 80.5% of marriages were registered simultaneously at the moment of marriage. In many ECM cases, girls are married to much older men and have little choice in the matter be it in law or in practice. Our observation bore witness to this. In most cases (54.1 %) more than over half (29.5 %) of this group reported that their husbands were at least ten years older than them. It was observed that 95% of the married respondents were physically present at their wedlock ceremony while 51.2 % of their marriage was arranged by an outsider. 48.4 % of them did not have formal engagement planned or arranged by their families.

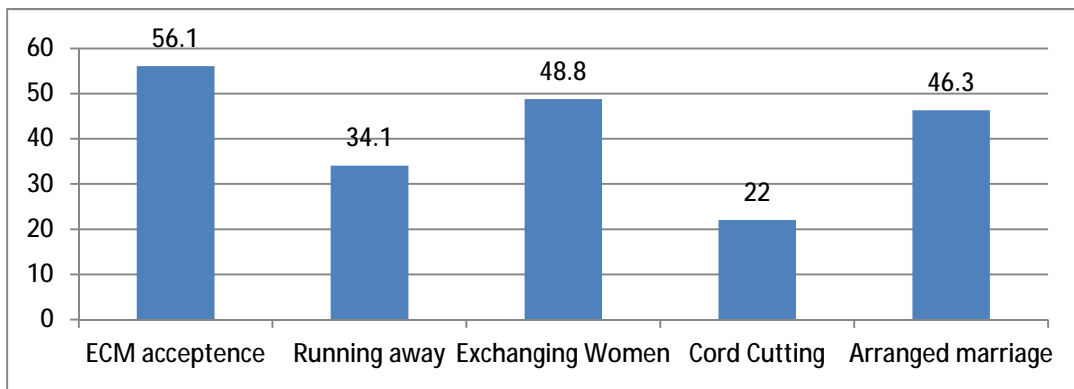


Diagram 20. Prevalence of Marriage Forms in Khuzestan province

The average age at the time of the engagement was age 18 (26.8 %). 24.4 % of respondents did not want to be married when it took place. Nevertheless, 61 % expressed happiness, indifference (22 %) and sadness (12.2 %). In 34.1% of the cases, the respondents claimed not to have known their marital partner at all at the time of marriage while in 41.5 % of cases the respondents themselves chose their husband or wife. 36.6 % of the respondents stated it was their family's choice. As previously mentioned that social groups follow traditions from

previous eras without questioning contemporary relevance, we observed that people adhere to ECM because this is the way things have been done in their families. A whopping 63.4% of respondents wanted their children to get married in the same way as they did.

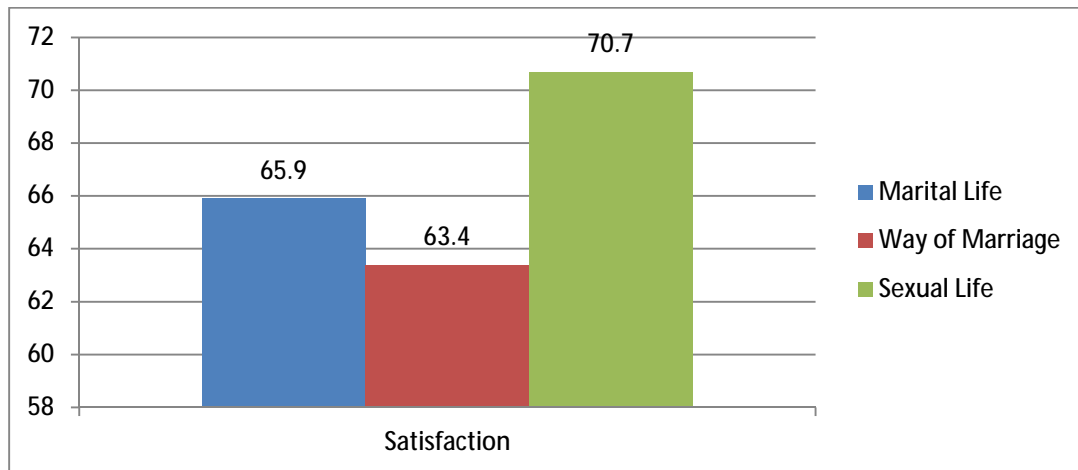


Diagram 21. Satisfaction with marriage in Khuzestan province

Dowry and bride price are payments, monetary or in kind, or both, made for marriage rites purposes. Bride Price is an amount of money or property paid by the man (bridegroom or groom) or his family to the family of the woman (bride) upon the marriage of the woman to the man. Dowry refers to property or money brought by a bride [or her family] to her husband on their marriage.³⁰² In terms of dowry, 75.6 % of marriages included dowry and 63.4 % of them included the bride price. In 65.9 % of cases this bride price had never been paid to the wife. In 50 % of cases men had promised their wife to let her continue her education after marriage.

● Exposure to sex education or ECM messages

Young brides often lack knowledge about sexual relations, their bodies, and reproduction, a problem which is exacerbated by the cultural silence

³⁰² Bride Price And Dowry; the Difference And.. www.nairaland.com/89673

surrounding these subjects.³⁰³ Sexual orientation plays a vital role to shape up the structure of the marital life. The level of sexual education was found to be limited amongst the respondents. The survey in Khuzestan pointed to a total of 51.2 % of respondents who received their sexual education from family counsellors before getting married while 26.8 % of them received it by talking to other adult members of the family. Most of the respondents (39 %) mentioned that there is no advantage in ECM and the other 22 % mentioned that avoiding pre-marital sex as an advantage of ECM. Late marriages were also considered as having no benefit for couples (26.8 %). 43.9 % of the respondents said they have never been exposed or received messages about ECM whereas the other 34.1 % said they have heard about preventing ECM on television. 36.6 % of the respondents believed that ECM must be eradicated and 46.3 % of them said it depends on factors such as body size and special conditions. None of the respondents had slightest knowledge and idea about the legal age of marriage. This lack of awareness about the law and ECM can be viewed as a setback to curb the practice of ECM.

The responses from people regarding the age of marriage reflected that many prefer marriages of boys and girls when they are of the legal age of marriage. But, in reality boys and especially girls are forced into marriage at a very young age when they are given the title of husband and wife. Many mentioned 18 and 25 as the legal ages for marriage. 37.1 % of the respondents opined that 15 years of age as too early for a girl to get married whilst 20 years old was ideal for a boy to get married. The ideal marriage age for their own children was said to be 25 (26.8 %).

³⁰³ Arranged Child Marriage | One Child onechild.ca/.../about-csec/arranged-child-marriage

● Gender attitudes

Traditional beliefs associated with gender attitudes plus prevailing gender biases prevent a girl child from acquiring any other skills except those complementing her biological capacity is the underlying premise in their gender attitude. ECM is a by-product of the subjugation of females as it devalues women and girls and discriminates against them.³⁰⁴ "The discrimination," according to a UNICEF report on "Child Marriage and the Law," "is often manifested by ECM. This premise is the major cause for the continuation of ECM and how these patriarchal societies view women. The marginal social roles assigned to married girls discontinue the privileges of childhood, while precluding access to powers granted to adult members of their communities."³⁰⁵ The research in Khuzestan tells reveals this.

Sexuality and virginity is crucial. Girls' identity and life choices are defined by expectations regarding their sexual roles and behaviour³⁰⁶. In certain cultures, marrying a girl young presumes that the girl's sexuality (therefore the girl's family's honour), will be "protected" by ensuring that the girl marries as a virgin. A girl's virginity is seen as a 'trophy' for the husband.

Female sexuality shapes family honour in the eyes of parents and communities: virginity for the unwed, and faithful, monogamous childbearing for the married. The commodification of girls' sexuality is part of upholding this honour since a girl's virginity and reproductive capacity are exchanged between families.³⁰⁷ The

³⁰⁴ Child Marriage: Facts, Causes and Consequences. Middleeast.about.com

³⁰⁵ THEMATIC REPORT: Unrecognised Sexual Abuse and Exploitation of Children in Child, Early and Forced Marriage

³⁰⁶ Greene, ME, SM Perlson, and Child Marriage Research network. The Centrality of Gender and Sexuality to Understanding Child, early and Forced Marriage.

³⁰⁷ Parikh, S. 2012. "They arrested me for loving a schoolgirl": Ethnography, HIV, and a feminist assessment of the

imposition of the family honour on a girl's individuality, in essence robbing the girl of her honour and dignity, actually undermines the credibility of family honour and instead underscores the presumed protection's actual aim. Amongst all, premarital virginity is of vital importance for 80.5% respondents.

Work opportunities and its link with girls 'reproductive and gender roles shows that a very limited number of respondents believes that equal opportunities should be given to both genders to find jobs. 78% respondents believe that boys should have the right to choose their wives whereas 76.5% were of the opinion that girls can also decide to have their own choice.

In terms of decision making power, the analysis is very interesting. According to the responses received by the people of Khuzestan, 58.5% husband have the privilege of taking all major household decisions, whilst only 14.5% of the women are part of the decision making process. However, in all minor decisions, wives have a greater say than husbands which is 36.6% and 31.7% respectively.

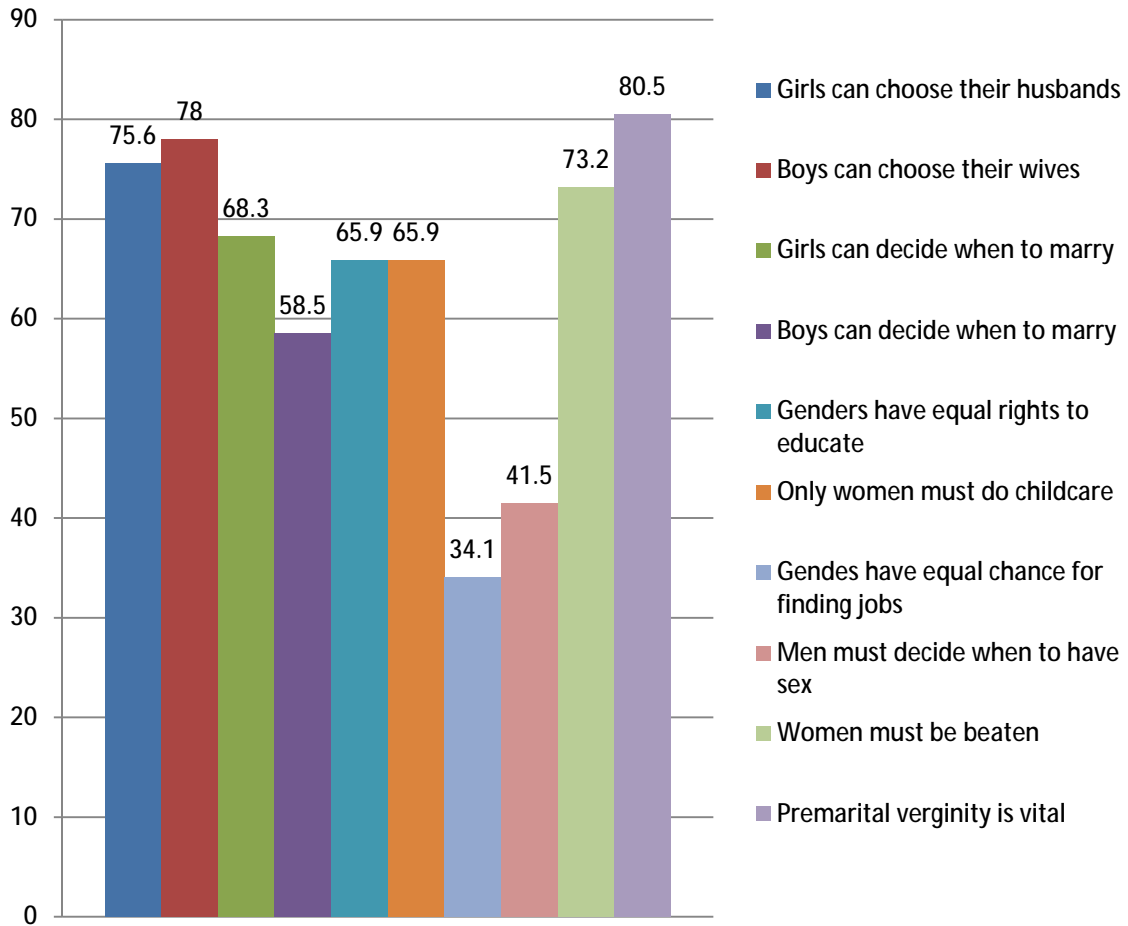


Diagram 22. Agreements on Gender attitudes in Khuzestan province

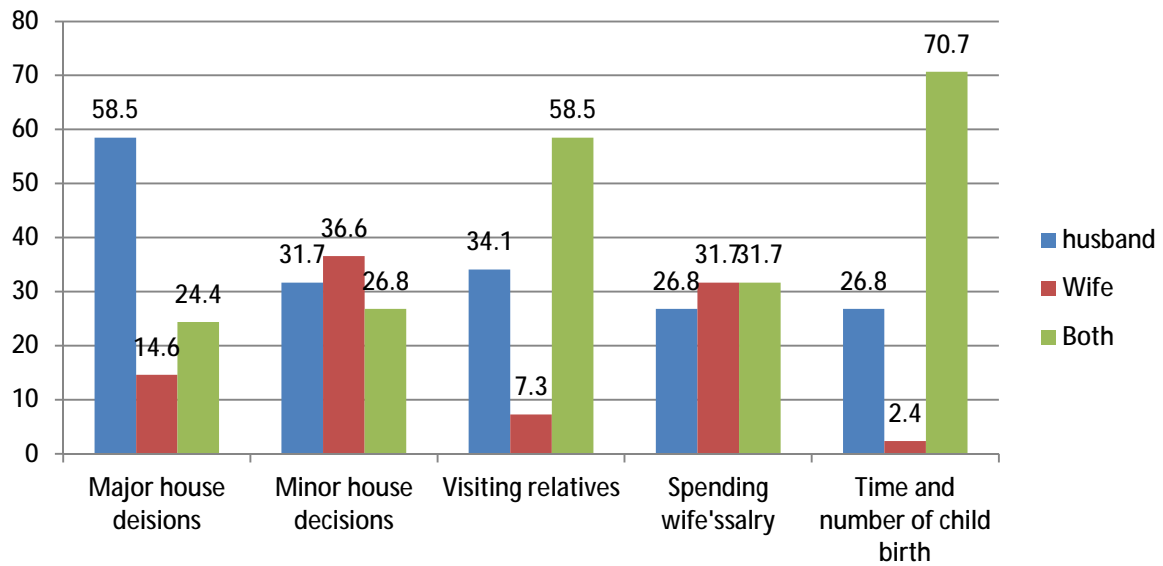


Diagram 23. House decision making in Khuzestan province

● Female sexual violence

As young married girls have little power in relation to their husbands they are therefore extremely vulnerable to sexual abuse and at a high risk of sexual assault. Many of these young girls are entrapped in sexual relationships that deprive them of their basic human rights. Girls who are married before 18 are more likely to report that their first sexual experience was forced.³⁰⁸ As a girl becomes a wife, she is forced all too soon into an adult sexual life. Such a prospect normally finds a young bride, who has had limited access to education and information, unprepared physically, psychologically and emotionally, unequipped with sufficient information and knowledge about her body, and disempowered to seek support and avail of social and health services. From a pre-marital situation in which socialising with the opposite sex and engaging in sex are socially discouraged or even sanctioned, a married girl is plunged into another reality where she is expected to perform the sexual roles of a wife. Non-consensual sex forces girls into intimacy unwillingly.³⁰⁹

Only 2.7 % of the respondents experienced being touched against their will by a man. 40.5% of female respondents were forced to have sex with their husbands and the feelings about this forced sex was in most cases hate (21.6 %) and then sadness (18.9 %). 64.9 % of the female respondents mentioned never mistreating their husbands and 67.6 % of them said they have neither threatened nor thrown things at their husbands.

³⁰⁸ Girls' safety - Girls Not Brides www.girlsnotbrides.org/themes/girls-safety

³⁰⁹ THEMATIC REPORT: Unrecognised Sexual Abuse and Exploitation of Children in Child, Early and Forced Marriage

Feelings about Forced Sex

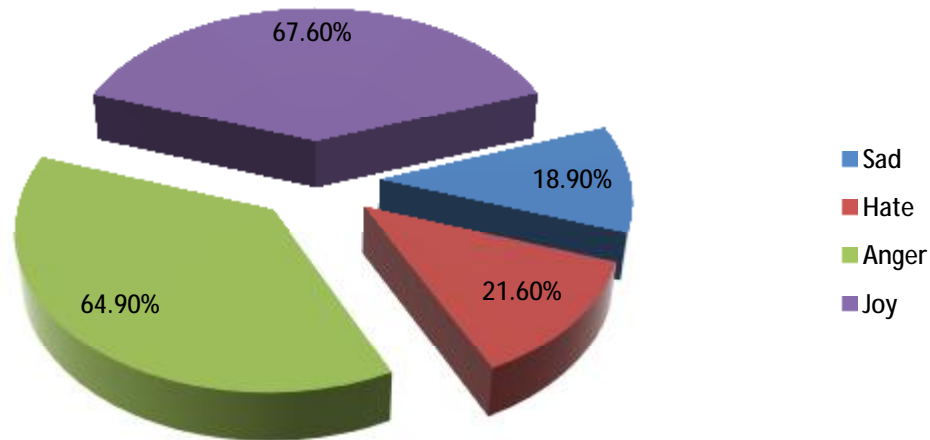


Diagram 24 Shows feeling about forced sex in Khuzestan province

• Male domestic violence

Diagram 25 demonstrates male domestic violence in Khuzestan Province in which the highest percentage shows that wife yelling is common place in the region (75%), whereas storming out received the minimum percentage of 25%.

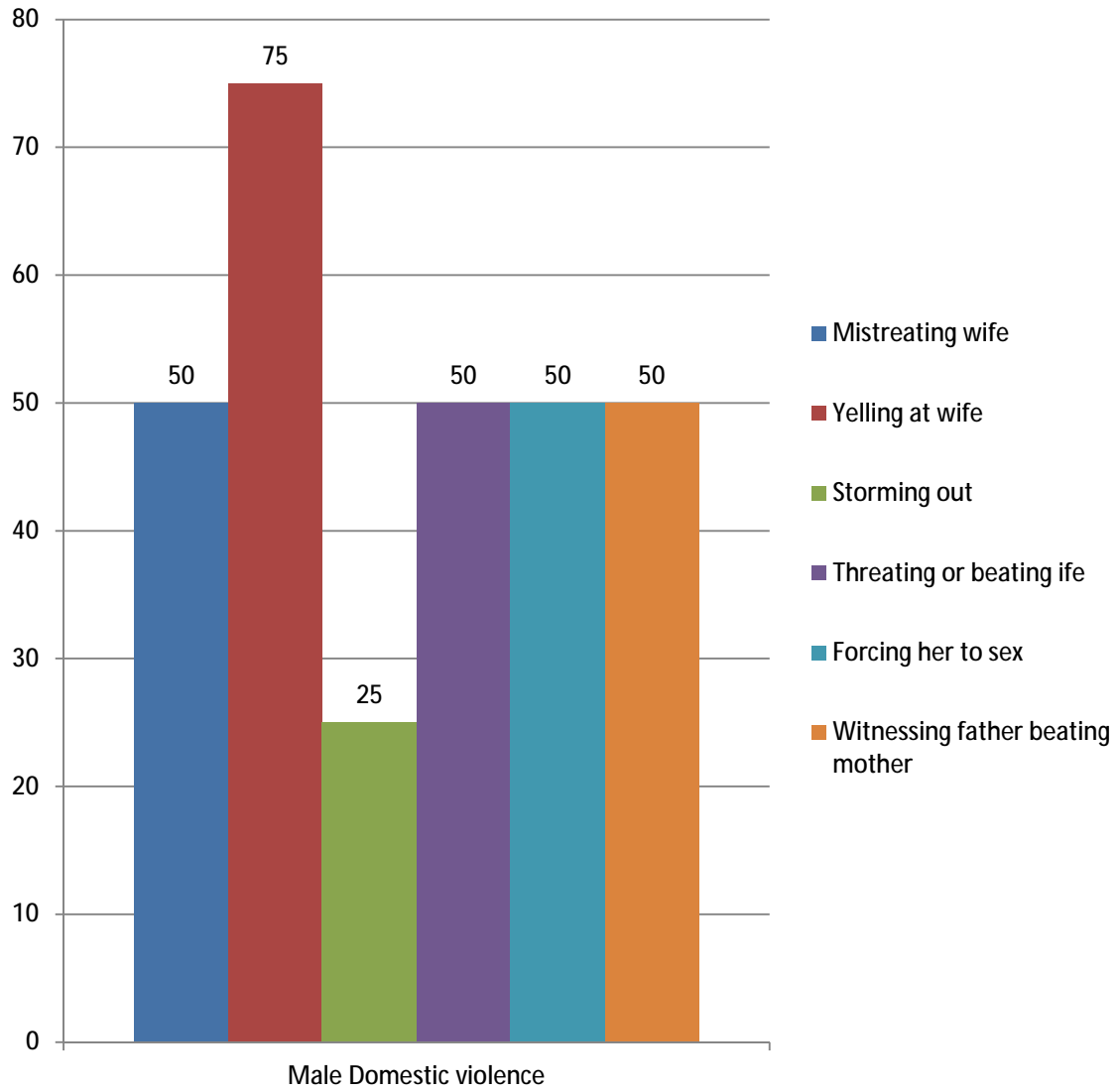


Diagram 25. Male domestic violence in Khuzestan province

4. SISTAN AND BALUCHESTAN



Geographical Span of the Research

Sistan and Baluchistan province situated in the south east of Iran, bordering Pakistan and Afghanistan. The province with its wilderness and desert like climate is one of the poorest and most deprived districts of Iran. The latest census in 2014 shows the population of the province is 2,724,000 people.³¹⁰ The dominant belief system is Sunni Islam but a minority group of Shiite Muslims mostly live in the northern parts of the province.

Sistan and Baluchistan provinces ranked as first in case of girls' marriage in age group of 'less than 10' years of age, fifth and sixth rank in girls' marriage in age groups of '10 to 15' and '15 to 19' respectively. Its ranking in case of boys' marriage is second in the age group of '10 to 14' and third in the age group of '18 to 19'. In the total numbers of marriage occurrences, Sistan and Baluchestan province is ranked fifth with respect to the age group of '15 to 19'. A total of six

³¹⁰ The National Organization for Civil Registrations, 2014.
<https://www.sabteahval.ir/Upload/Modules/Contents/asset99/salnameh93.pdf>

cities in each geographical district was chosen including Khash, Zahedan, Saravan, Zahak, Hirmand and Boghar. Different villages that were selected in the second cluster for conducting 49 interviews, included Durbon, Balal Abad, Mahmoud Abad, Abbas Abad, Kahki, Karim Abad, Nahouk, Dashtouk, Molavi, Ghale kang, Rasoul Gholam, Doust Mohamad and Reza Jur.

Observational scanning

Sistan and Baluchistan province share borders with Pakistan and Afghanistan. The two major poles of conflict and war in the region have been a contributing factor in shaping the province's history. With the lack of a proper educational system and other infrastructure social supports and facilities, the province shows uniformity communality, meaning that the differences between rural and urban areas do not exhibit an egregious difference. The common way of life is living in kindred and tribes, and this gregariousness lifestyle is what shapes customs and ideals about marriage and acceptable marital age.

Both in the urban and rural areas, the same level of poverty co-exists with similar cultural features in terms of religious beliefs, accepted norms and popularity of child marriage. ECM occurrences were in high levels of prevalence in both residential areas and differences were seen to be very slight. The paradoxical issue of late marriages in most capital cities and urban areas did not seem to be significant in this context. What was observed that although the marriage age seemed to be higher in the northern parts of the province such as Sistan which is populated by the majority of Shiite Muslims, in the other southern parts of the province that border Pakistan, the marriage age is lower as seen in Sarbaz, Sarawan and Iranshahr.

The population live in a tribal and feudal system where consent is not part of the culture with respect to marrying children. Hence this practice of ECM has had an enormous influence affecting not only girls their education but also their psychological well-being. As chronically seen, lack of awareness, poverty, and pervasive gender discrimination girls are the prime causes that compelled parents to get their children, girls or boys to marry before the age of 18. Moreover, they also cannot afford to send their children to schools and colleges. As a result they married off their children at an early age.

Another important cause of ECM is the ineffective and non-responsive birth registration system. The birth registration for children, particularly girls has never been prioritized, which potentially provides an opportunity to modify the child ages at the time of



Figure 18 Some local tribes still live in tents, polygamy and ECM is common-Photo by: Kameel Ahmady

marriage. In addition, there are no central, independent and strong child rights bodies that could monitor child rights violations including the issue of child marriages.

Complications of pregnancy and childbirth are the leading cause of death in young women aged 15–19. Child marriage makes girls far more vulnerable to the

profound health risks of early pregnancy and childbirth – just as their babies are more vulnerable to complications associated with premature labour.

Population Health Fund reported that in 2010 in some of the provinces maternal mortality were higher than the new-borns, meaning that in provinces like Sistan and Baluchistan, mothers die from pregnancy and birth. Although this province has a 5.64 % birth rate, it has 12 % maternal mortality in the country. Hence the maternal mortality in Sistan and Baluchistan is far much higher than other provinces. Other provinces such as West Azerbaijan, Khuzestan, Kerman, Lorestan and Isfahan province have a lower percentage of maternal mortality³¹¹. In 2015 Sistan and Baluchistan had the highest rate of deliveries for mothers under the age of 15 (462 cases). Records in girls' marriage showed that one-third of girls younger than 14 were pregnant within a year after their marriage.³¹² Sistan and Baluchistan have 3 % of the country's population, 7 % of birth rates and 7 % of maternal mortality in the country³¹³.



Figure 19 Field work in rural areas of Baluchistan-Photo by: Kameel Ahmady

Compared to other areas, the power of societal pressure for getting children married was noticeably low. There was no strong advocacy for ECM in the province as a whole, as the issue was so commonly prevalent that it had been

³¹¹ Population Health Fund 1389

³¹² Hossein Rayisi, *Children and adolescents' rights: from birth to 18*, Electronic Academy of Tawana for civil society of Iran(2014). P.182

³¹³ Ibid, p.183.

normalised and accepted. Programmes to discourage these sorts of marriages have failed to gain traction as ECM is simply left unchallenged and largely unarticulated. As the phenomenon has not faced any opposition no social reaction has been formed to support ECM. It has always existed before, and is still in existence. ECM is positively seen and believed to be within the context of tribal life, as it prevents premarital relationships and helps decrease corruption in society. In poverty stricken areas or areas with weak infra structures and a paucity of technological advantages, modern day tools of communication such as cell phones and social networks are threats to the traditional lifestyle and traditional ways of communicating, especially for women. ECM is viewed as a rational practice.

As previously mentioned, the manner in which society units are shaped includes living in tribes and belonging to the kindred's lifestyle. Relying on family sources of emotional and financial support, couples who begin their marital life carry on and maintain the familial hierarchical system of kinship and unquestioning patriarchal acceptance by living with the groom's family's parents. As it is a custom in some tribes, until the younger son is engaged, the eldest son who has married cannot leave his parents and has to live with them. This social conformity, rooted in a complex matrix of religious traditions, social practices, economic factors and deeply rooted prejudices, leads to a continued dependency and lack of power in young husbands and wives. As marriages are mostly arranged in family, the very young bride who lives with her husband's family is obviously not part of the decision making process.

Almost all respondents in the study mentioned cord-cutting marriage, either to them, their relatives or someone they knew. This widely practise custom means that the two infants are engaged to each other with the parents' consent and they considered to be marry to one another once they have grown up. The prevalence of this issue was significantly high and practiced in all villages in the program area. Almost every single respondent adhered to this tradition. Although their marital partner was chosen for them whilst they were infants, the young girls and boy can refuse to marry his/her designated partner as s/he grows up. The logic of the practice is protection for the children's future and a guarantee for his/her marriage. But as mentioned by local informants, s/he can reject this unwritten vow and choose to marry another person. Based upon the responses we received, this rejection does happen frequently. The individual intention in breaking this vow is given to them by society but this is generally frowned upon, as these inner tribal familial vows are considered to be very important to keep. In fact when the marriage is arranged inside the family, there is felt no need to even register it. Families simply do not feel the urge to have the marriage legally recognised.

“The proper marriage

age for girls is 13 and for boys, it's from 15 onward. Two of my sisters and niece were married at the age of 13 and lower and now so satisfied with their lives. Marriage in later ages is so likely to end in divorce. There's no problem in a 13 year old girl being married if qualified. If she has grown up in size, then the marriage is better and allowable, but she has to be religious and faithful.

Molavi Abdulsamad Jezinkiclergyman

Sistan and Baluchistan province

Survey Results

ECM has always seen to have an increasing trend in the Sistan and Baluchistan provinces. The diagram shows ECM’s increased prevalence within last ten years with a downward turn in 2010, until 2011. This gradual increase and sudden decrease holds true for both genders from 2011 onward.

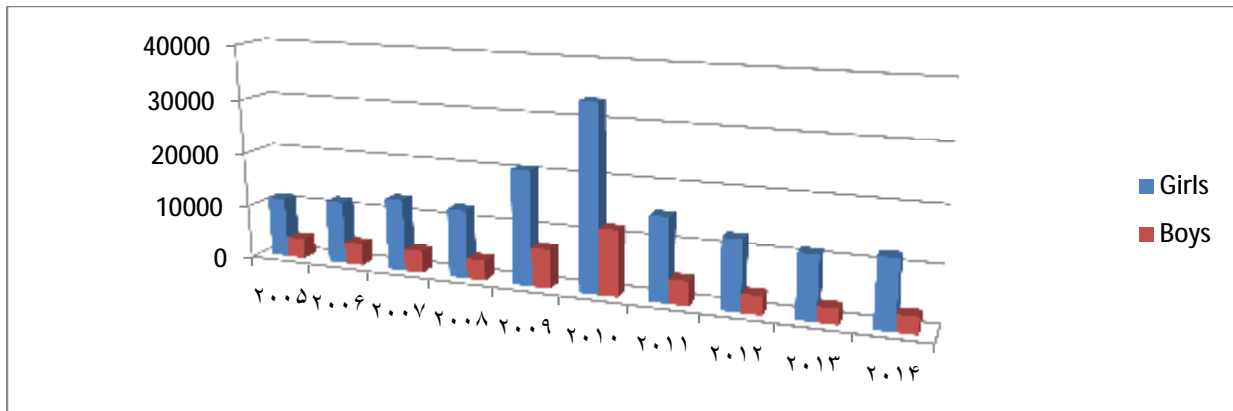


Diagram 26. Marriage under the age of 18 in Sistan and Baluchistan province

The divorce rates in Sistan and Baluchistan provinces in comparison to other provinces, showed lower rates and frequencies. The religious and deprivation context of province exacerbated with the lifestyle has led to a minimum level of divorce prevalence in the area. These rates have been increasing within the last few years.

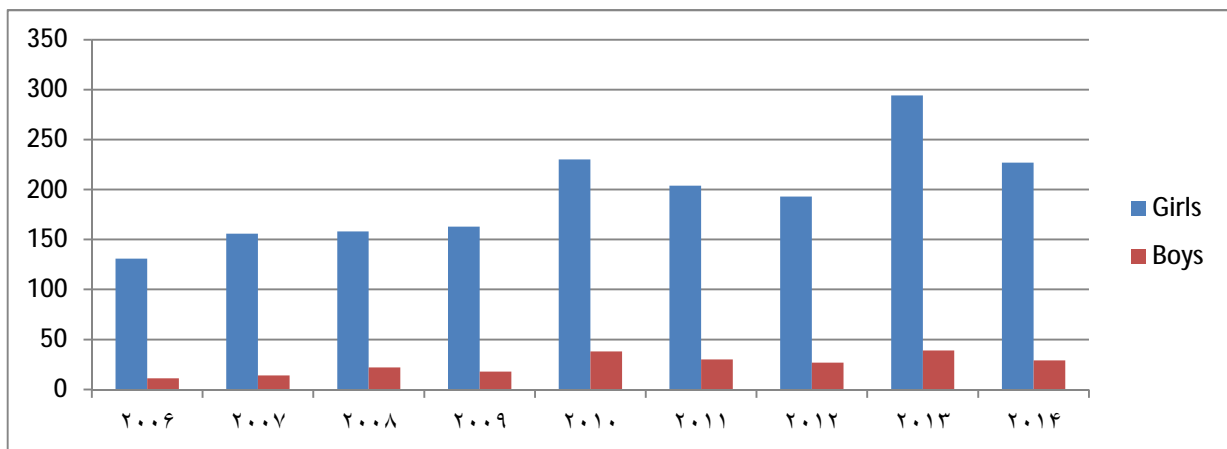


Diagram 27. Divorce frequency less than 18 years of age in Sistan and Baluchistan province

ECM quota in the total marriage rates in Sistan and Baluchistan provinces have never has been lower than 40 %. Marriages under the age of 18 form a considerable part of total marriage as seen in the decade’s diagram.

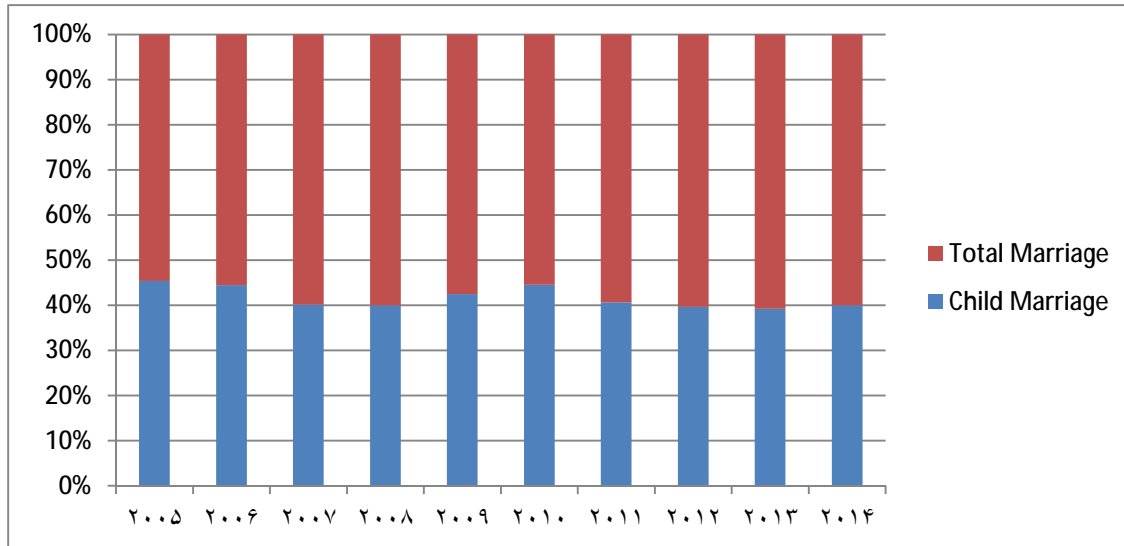


Diagram 28. ECM ratio in Sistan and Baluchistan province

Background

Respondents, 67.3 % female and 32.7 % male, were mostly in the age bracket of 26 to 32 (12.2 and 16.3 %) and either living with their spouses (55.1 %) or with their in laws (18.e 4 %). The majority of respondents were Baluch (77.6%) and Persian (8.2 %). Parental ability to read and write were 30.6 % and 38.8% mothers and fathers respectively. 91.8 % of respondents were literate and had on average 8 years of education (20.4%). None of the respondents happened to be studying at the time of interview, and the main reason for dropping school was getting married.

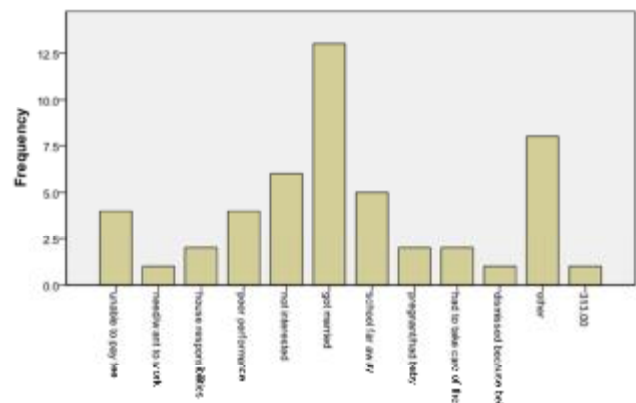


Chart 7. Reason for leaving school in Sistan and Baluchestan province

Most respondents do household chores and child care (40.8 %) or were self-employed (40.8 %). Majority of respondents held Sunni Islam (85.7 %) and the other 7 % were Shiite Muslims. All respondents claimed to adhere and practice their religious acts starting from the age of 9 (59.2 %).

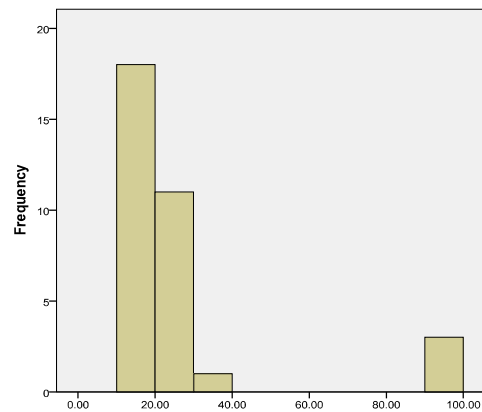


Chart 8. Women's age at first delivery in Sistan and Baluchestan province

● Female Reproduction

93.9 % of the interviewed women had given birth at least twice (48.5 %). Their post maternity care was mostly provided by their own family (72.7 %) or their husband's family (18.2 %). 21.2 % of them mentioned no delivery problem and 18.2 % had experienced protracted labour. 54.5 % were using contraceptives and the majority of 60.6 % of respondents never had used birth control devices such as a condoms. Women's knowledge about general health problems and obstetrical and gynaecological issues were noticeably low; still a majority of respondents (33.3 %) claimed to know everything about these subjects and the ways to solve them. 54.5 % of the respondents said they have never heard about obstetric fistula, but once it was fully explained, 27.3 % of them acknowledged experiencing it. 75.8 % of women wanted to have baby the time they were pregnant, and other 21.2 % wanted to delay childbirth.

● Male Reproduction

The majority of male respondents had 6 children (25 %) and were 21 years old when their first baby was born (18.8 %) in which 75 % of men wanted to have the

baby at that time. 25 % of them knew about danger signs in delivery time and the other 75% were unaware.

● Marriage and Marital Decisions

All the respondents were currently married and their marriages were mostly (63.3 %) registered in their names straight away. The majority of them (20.4 %) were 15 years old when they were first engaged. 77.6 % of them have had a matchmaker who arranged their marriage. 51.1 % said they have a formal engagement planned by their families. 51.5 % of women had husbands who were less than ten years older than them and 37.5 % of men were married to women less than ten years younger than them.

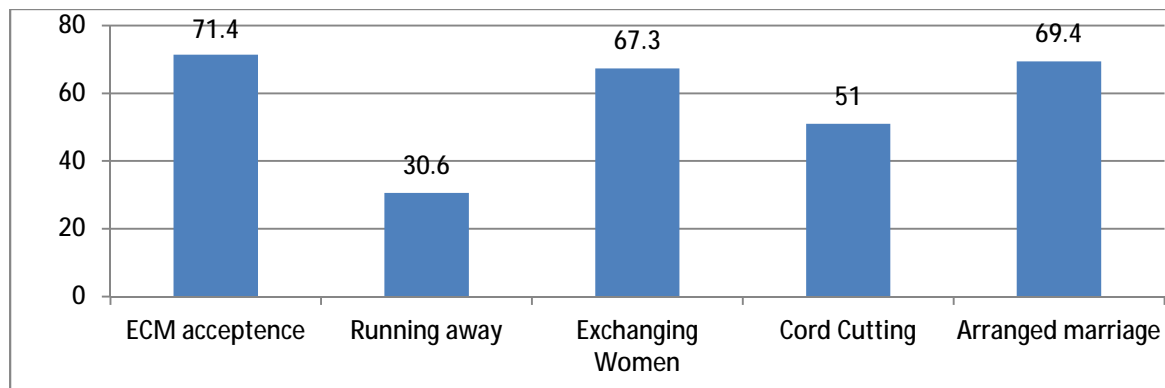


Diagram 29. Prevalence of marriage forms in Sistan and Baluchistan province

81.6 % of respondents knew to whom they were marrying at the time of marriage. Some expressed indifference (42.9 %), happiness (40.8 %) and sadness (16.3 %). 44.9 % of them claimed they did not know their husbands or wives. In the vast majority of cases (63.3 %) marriage was based on the families' collective decision rather than the will of the respondents. Almost 49 % of respondents wanted their children to get married the same way.

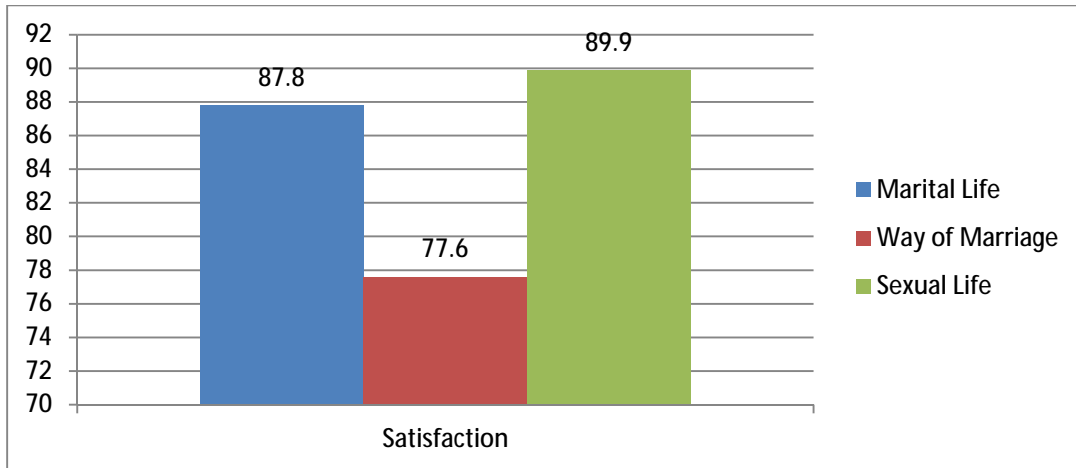


Diagram 30. Satisfaction with marriage in Sistan and Baluchistan province

36.7 % and 65.9 % of the marriages included dowry and bride price respectively. 37.5 % of female respondents were attending school before marriage, and 75 % of them had been promised to be able to continue education after marriage.

● Exposure to Sex Education and or ECM message

In most cases respondents received their sexual education by talking to an adult family member (32.7 %) or through the internet (12.2%). 26.5 % of cases believed there is no advantage in ECM, and the other 24.5 % of them considered avoiding premarital sex and ensuring virginity at marriage (16.3 %) as an advantage of ECM. 63.3 % of people saw a connection between later marriage, higher education and better understanding of the couple.

Most of the respondents (42.9 %) never heard or had exposure to ECM prevention messages and sex education. However 36.7 % of them said they have seen things on television about the disadvantages of ECM. In general 51 % of respondents believed ECM must be eradicated whereas 36.7 % wanted it to continue. All of the respondents were unaware of the legal age for marriage. Both gender's knowledge about law was a 100 % erroneous. The majority of 26.5 % of people considered the age of 15 as too young to get married, and for boys this

age, according to 26.8 % of the respondents were 17 and 20. Boys and girls viewed the ideal marriage age to be 20 (28.6 %).

● Gender attitudes

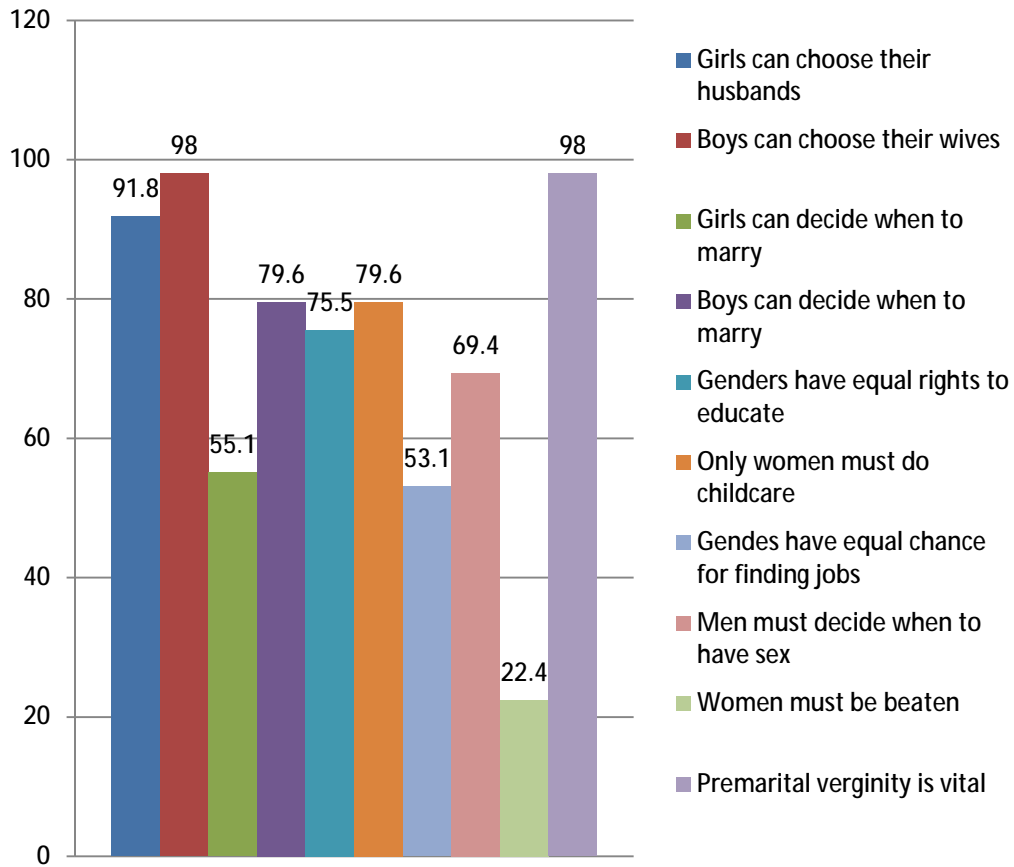


Diagram 31. Agreements on Gender attitudes in Sistan and Baluchistan province

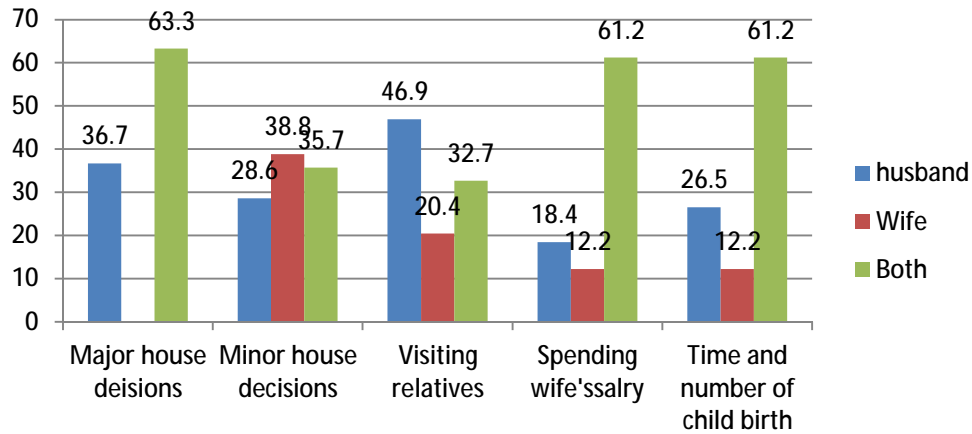


Diagram 32. House decision making in Sistan and Baluchistan province

● Female Sexual Violence

All respondents mentioned no forced rape, harassment or touching against the will. 54.4 % of married women had experienced forced sex with their husbands and the feelings about this were either sadness (36.4 %) or anger (15.2 %). Mistreating the husband, threatening or throwing things at him happened in 69.7% of the cases, whilst the feeling of joy was found in 30.3 % of the cases.

Feelings about Forced Sex

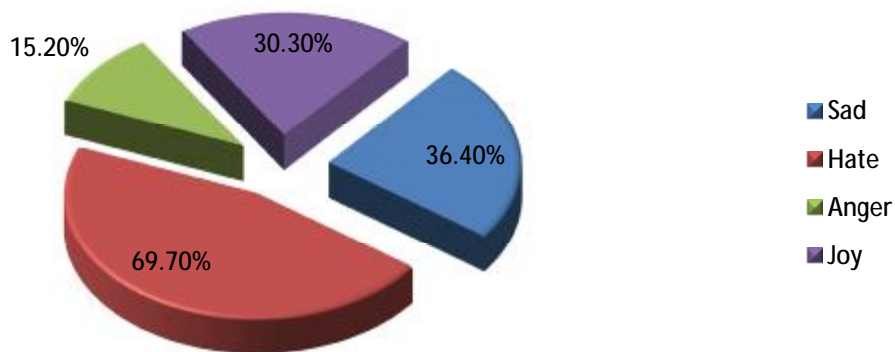


Diagram 33 Shows feeling about forced sex in Khuzestan province

● Male domestic violence

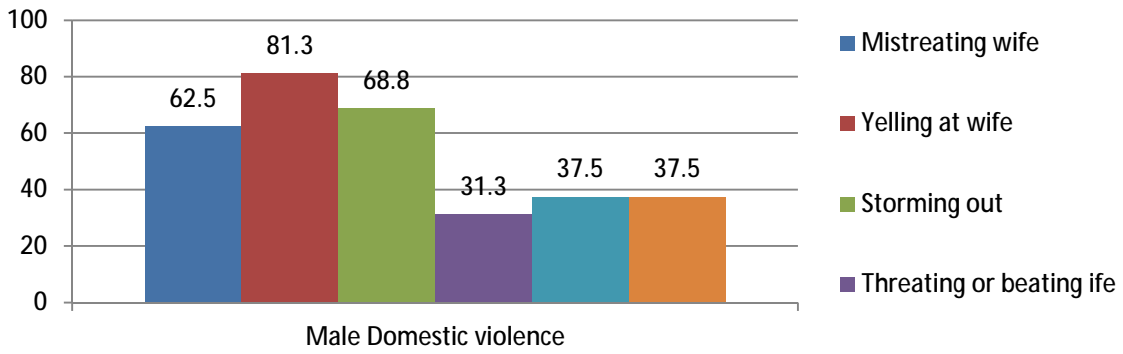


Diagram 34. Male domestic violence in Sistan and Baluchistan province

5. WEST AZERBAIJAN



Geographical Span of the Research

The West Azerbaijan province is located in North West of Iran in a mountainous region bordering Turkey, Iraq and Nakhchivan Autonomous Republic. Despite the province's name which implies Turkish and Azeri domination, the region is mostly populated by the majority of Kurd people living in Kurd cities. As per the latest census, its population is 3,201,000 people³¹⁴. People in Kurdish cities mostly are Sunni Muslims whereas in the Turkish cities are mainly populated by Shiite Muslims. West Azerbaijan province has the seventh rank in girls' marriage in the age group of '10 to 14' and the fifth rank in the age group of '15 to 19'. In ECM of boys' marriage, West Azerbaijan province has the third and fourth ranks in the age groups '10 to 14' and '15 to 19' respectively. The province is ranked fifth and fourth in total marriages of girls and boys in age groups of '10 to 14' and '15 to 19'. A total of six cities was selected in the first cluster including Boukan, Khoy, Mahabad, Miandoab, Salmas, Sardasht and Urumiyeh. More than 48

³¹⁴ The National Organization for Civil Registrations, 2014.
<https://www.sabteahval.ir/Upload/Modules/Contents/asset99/salnameh93.pdf>



interviews were conducted in villages selected amongst the first cluster: Tulkan, Torkan, Pir Ali, Darre Ghasemloo, Gharin Darre, Zangalan, Eyblu, Dazeh, Ziveh, Surkan, Kitke, Rabat, Benavileh-ye Kuchak, Leilan, Zamziran, Kalle Gavi, Pasak, Bilvar, Babol Abad, Mozaffar Abad and Chichak.

Observational Scanning

As the comprehensive survey during the first scanning process showed, marital customs and norms tended to vary throughout the region, providing the study with a spectrum of enormous differences and varied details in each designated district. In some places such as Babol Abad (Khoy) a most popular and accepted way of marriage is running away from home to get marry and then returning to their respective village. This has become so normalized and popular that it has transcended into an acceptable norm. The average level of attained education was fifth grade primary school and in almost all cases the girls ran away from home with their partner.

The custom was prevalent in other villages in other cities too, with slight differences in details. In some regions with the same religious beliefs (Sunni or Shiite Islam) as observed in the Zangaln village (Urumiyeh) marriages were uncommon amongst the people from these two sects.

In contrast others villages such as Torkan village (Urumiyeh) the same religious belief did not seem to be an issue that would thwart marriage. In Torkan what were observed were the high levels of exchanging women and runaways.

In these situations prominent community leaders, religious leaders or clerics will take on the role of an intermediate or an arbitrator to settle the conflicts and in some cases to avoid potential honour killings.



Figure 21 Bilvar (Khoy) village has high rate of ECM in the province-Photo by: Kameel Ahmady

Marriage age in whole program areas was similarly low, ranging from early childhood to teenage years. In Bilvar (Khoy) for example, very young children were hastily married off. ECM was used by parents to block the use of cell phones and technological networks influence on children's previous communications. In Mozaffar Abad village (Miandoab) the average age at the time of marriage was 9 but in 2015 there was the case of a seven year old girl who was married.

Social pressure for early marriages was the most common reason for parents not letting their young children remain single. As consistently observed, ECM remains a deeply rooted tradition in certain Iranian communities, perpetuated by poverty, a lack of education and economic opportunities, and social customs that limit the rights of women and girls. The interviews revealed that social concerns

and community pressures were the driving forces behind ECM's sustainability. With limited autonomy to make decisions and influence sexual relations, ECM flourishes within the context of low value assigned to girls in society.

Child labour is mostly prevalent in farming, carpet waving, and brick making factories. In ECM girls lives – at least their first few years of marriage – are often defined by household chores and tending to their husbands' and in-laws' needs. It is clear that child marriage means the end to a girls' formal education.

Girls tend to drop out of school in the preparatory time before marriage or shortly afterwards. Education is simply not viewed as beneficial to girls because schools are inaccessible or expensive. In reality the predominant reason is that parents do not see the value of education for their daughters as it is not viewed as relevant to their lives. With few alternatives available, parents often see marriage as the best option for their daughter. This creates a dual effect: the decision by a girl's parents to marry early is likely to be itself a function of the girl's education potential. A girl who has a lower education prospects faces smaller expected losses in future earnings and thereby have lower incentives to continue to study as compared to girls who are academically stronger. Their parents may be more inclined to have them marry early.

"My father found me a husband when I was 13 and I had my first child at 14. I have no clue about my dowry! My father never sent me to school. Given that I got married at 13 and I had nothing but sickness during the beginning of my marriage and also I don't see early marriage appropriate, but I still want my daughter to get married at 15, so that she wouldn't get involved in emotional relationships and others wouldn't abuse her.

Shahin, 27

Pir Ali Village, Orumie, West Azerbaijan

After marriage, young girls' access to formal and even informal education is even more severely limited because of domestic burdens, childbearing and social norms that view marriage and education as incompatible.³¹⁵ Learnt household skills overshadow formal education.

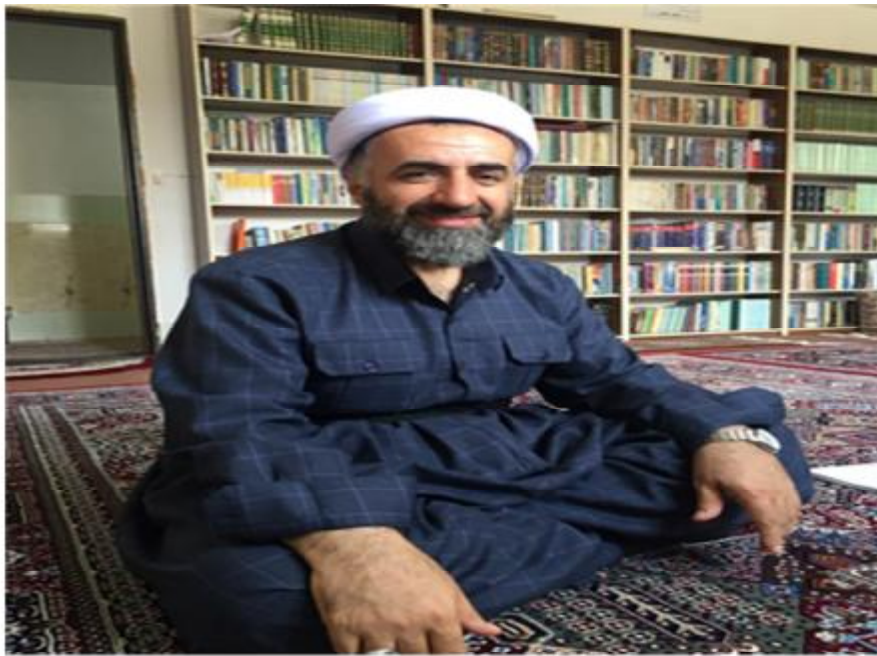


Figure 22 The province has mixture Kurdish and Turkish people-Photo by: Kameel AHmady

In most cases the reason put forth was that it was accepted and adhered to by males but also females. It is usually the father, brother, or other male heads of the family who view education as a social deviation and therefore a threat to a girls' chastity.

Ironically the young mother, herself an ECM survivor perpetuates and carries on the legacy by not allowing her daughter to an education and to make decisions on her own. One major common reason is that women are excluded from decisions affecting their own lives, their sexual health and their well-being. They exist in a society that defines a woman's place as in the home and places limits on their decision making power. Many of these women agree to ECM because of an absence of other viable options. ECM is all they know. Child brides have little say in when or to whom they will marry, have little influence on their husbands and in-laws, have little opportunity to develop awareness of their rights, and are in no position to claim or demand them. Marrying children young is an aspirational

³¹⁵ Mathur, S., M. Greene and A. Malhotra (2003). *Too Young to Wed: The Lives, Rights and Health of Young Married Girls*. ICRW: Washington D.C.



I don't refer to religious books and leanings for this interview. Obvious to see that Islam encourages the youth to marry when young, and emphasises the parents to ease conditions of marriage. My personal opinion is that regarding the harmful consequences of early marriage, according to the situation that now a days the world we live in, early marriages imposes physical, sexual and emotional harms to the child, though personally I believe the right age for marriage is above 18. However marriage at very early ages is inevitable only when it's a case of emergency and seems like the only solution.

I always reiterate to my sons (I don't have a daughter), that go and experience love. Love is beautiful. It's humane. But beware not to misuse it in your relationships, not to cross the boundaries, because it harms the girl mentally and causes cultural and conventional consequences.

Mulla Hasan Vaazhi, Imam of Ashareh and Bashareh mosque
Piranshahr, West Azerbaijan province

social norm.

The role of strong infra structures, programmes and health supports as well as access to health care systems that address ECM can have a positive impact in providing people with basic information on sexual illnesses, infections, gynaecological, obstetrical and maternity related problems. This is of utmost

importance. Some villages such as Darin Ghale (Urumiyeh) did not have access to any health clinics forcing the respondents to travel to nearby cities. In some other villages such as Darre Ghasemloo (Urumiyeh), the presence of the health clinic resulted in an optimistic trends of awareness. For instance, by providing people with free contraceptive tools such as condoms, pills, and also educational leaflets, the women in this village were seen to have a higher level of maternity and overall health knowledge. Consequently there seemed to be higher educational facilities for children, as if they themselves were interested in studying. The number of children and childbirth ratio had been reduced in the village, owing to claims of progress and development in the ensuing years. There is a need for these services to be affordable, assessable, sensitive and appropriate.

Survey Results

Marriages under the age of 18 in West Azerbaijan province, with noticeable differences between genders have been declining. Girls marrying under 18 are in profoundly higher numbers than boys. The following diagram shows that both genders the province has been experiencing a slow decline witnessed throughout the past ten years.

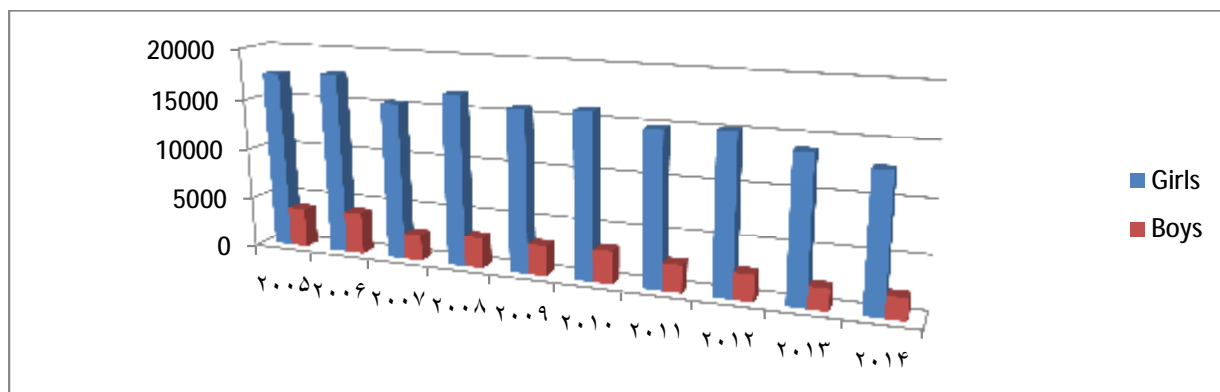


Diagram 35. Marriage under the age of 18 in West Azerbaijan province

As per the following diagram, divorce rates are increasing yearly for both genders but the increasing levels is higher in girls under the 18 in comparison to boys. This means that each year the numbers of child divorcees/widows are augmenting particularly when a very young girls is married to a significantly older man. Because of the stigma associated with divorce, and the position of women in the community, broken marriages leave many girls living alone and raising children with no support.

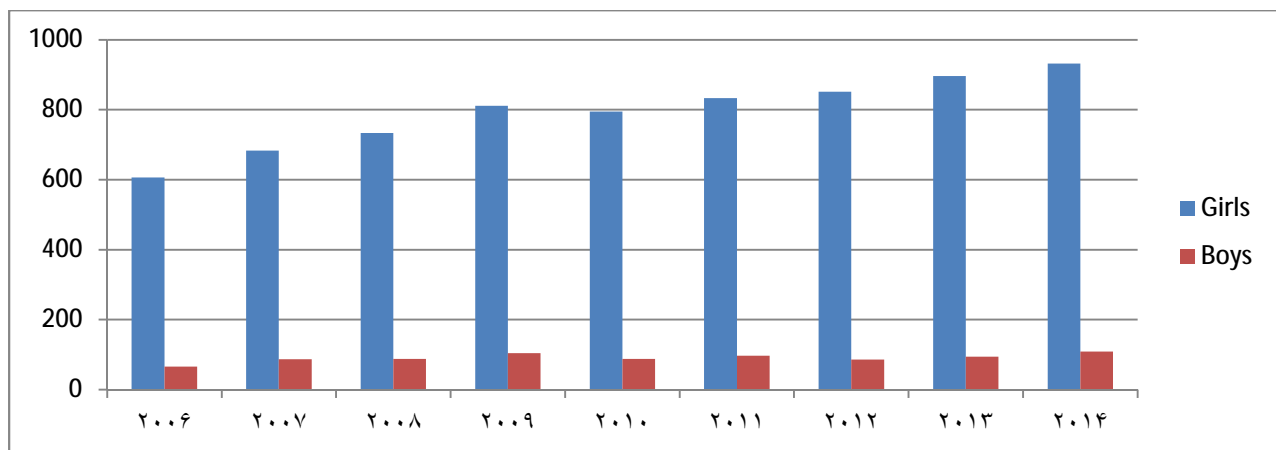


Diagram 36. Divorce frequency less than 18 years of age in West Azerbaijan province

Widowhood is one of the most neglected gender and human rights issues within ECM. These young girls, long invisible in many countries are most vulnerable. This is particularly acute in rural areas, where traditions, customs and discriminatory interpretations of religious codes often dominate and where there is a glaring lack of the modern age of marriage legislation. The consequences of widowhood which include social ostracisation, economic dependency, marginalisation, legal discrimination, political insensitivity and human rights violations. All these consequences are intensified by the fact that

they are being faced by young child widows who are extremely vulnerable.³¹⁶ Child widows are the legacy of ECM.

As per the following diagram, the last decade’s ECM ratio in total marriage rates in West Azerbaijan province marriages of under the age of 18 have always been allocated 30 to 40 % of the total number of marriages.

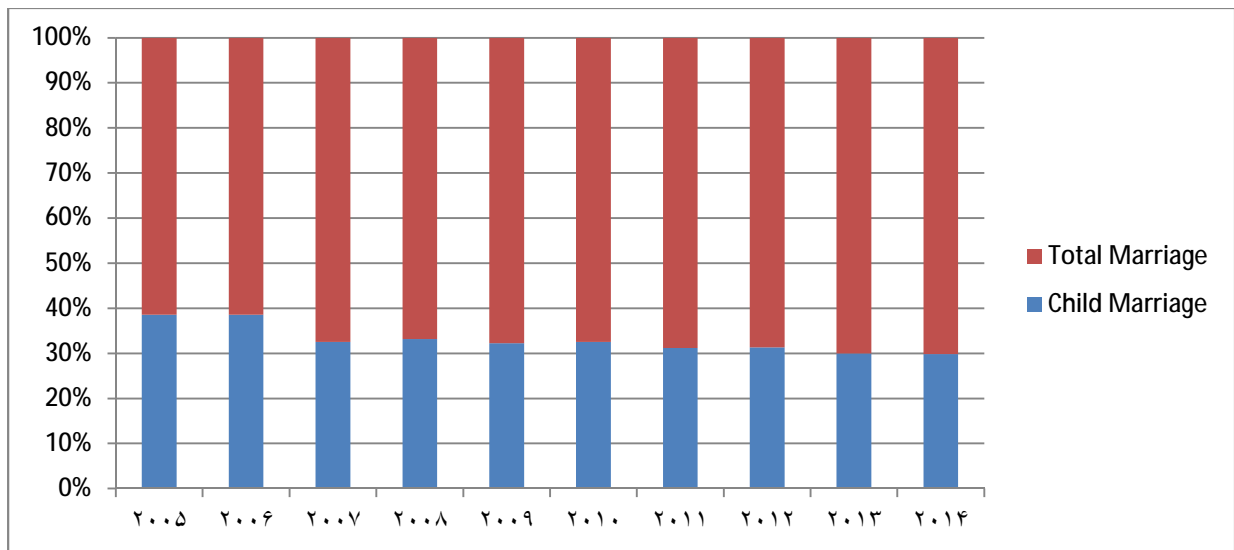


Diagram 37. ECM ratio in West Azerbaijan province

Background

Respondents were mainly in the age bracket of 19 to 25 of which 70 % were females and 30 % were males. 70.8 % of them live with their husband or wife and another 22.9 % live with the family members of his/her partner. Using random sampling method, it was noted that the respondents represented Kurds

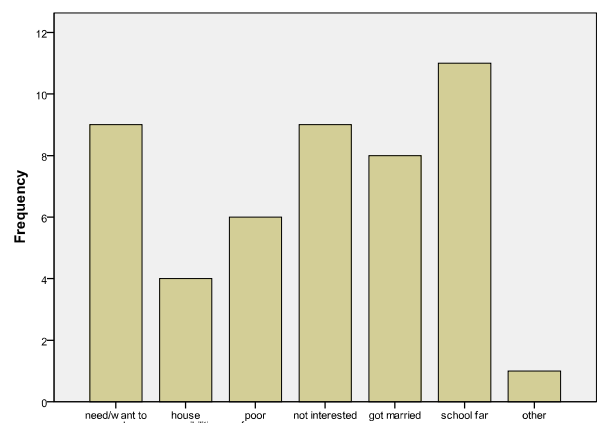


Chart 9. Reason for leaving school in West Azerbaijan

³¹⁶ Speech by Ruby Goddard Young Widows: A neglected Gender and Human Rights Issue www.nawo.org.uk/wp-content

(52.1 %) and Turks (47.9 %). The spoken languages are Kurdish (56.3 %) and Turkish (43.8). The respondents' parental education was both low (only 27.1 % of mothers and 35.4 % of fathers were able to read and write). 62.5 % of respondents did housework and child care and the other 10.4 % of them are self-employed. None of the respondents were still in school. Respondents cited the lack of nearby schools as the reason for leaving school. According to them this lack of proximity contributed to discontinuing their studies. The highest levels of education were grade 2 in primary school (12.5 %) and the fifth grade (12.5 %).

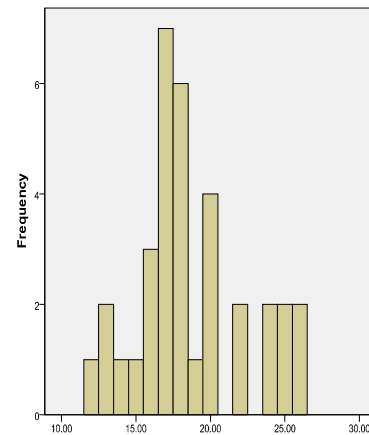


Chart 10. Women's age at first delivery in West Azerbaijan province

Amongst the respondents, those who prayed (62.5 %) and fast (77.1%), started practising their religious acts mostly at the age of 11.

● Female reproduction

61.8 % of women had at least 2 deliveries and the majority of them were provided with post maternity care by their husbands' family. The average age was 17 (20.6 %) amongst the mothers. Protracted labour was the most chronic cited obstetrical and gynaecological problem. Their knowledge about women's health and illnesses such as obstetric fistula was on average and in some villages higher than the average.

● Male Reproduction

Most male respondents (74.4 %) had at least 2 children and many of them were 17 when they had their first baby (35.7 %). The majority of the 71.4 % of men wanted to have their baby at the time but 28.6 % opined they would have preferred a child later. Most of them (71.4 %) did not know anything about danger signs in pregnant women and the other 28.6 % believed the highest health risk would be excessive bleeding in delivery (21.4 %). Some 57.1 % said they were unaware of general obstetrical delivery problems.

● Marriage and Marital Decisions

All respondents reported to be present at the marriage whereas 37.5 % reported they were not present in their wedding ceremony and someone else being there on their behalf. 12.5 % of marriages were never been registered. In 62.5 % of cases a matchmaker had arranged the wedlock and 79.2 % of them have had a formal engagement decided by their family.

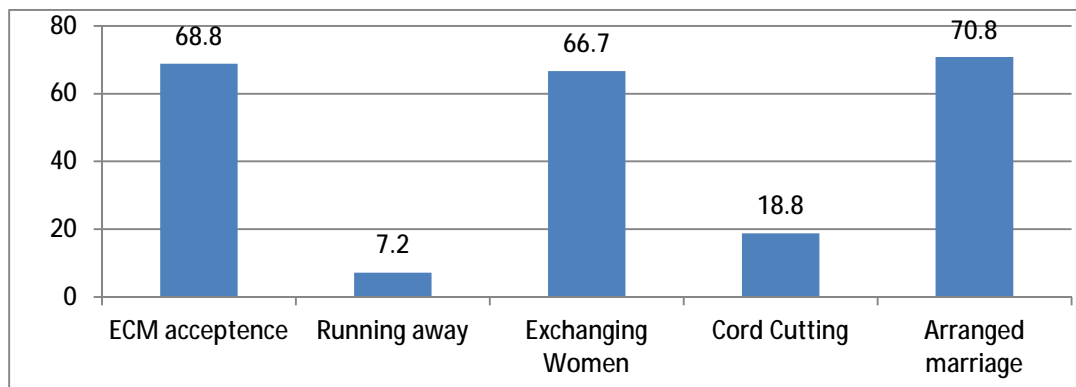


Diagram 38. Prevalence of marriage forms in West Azerbaijan province

It was revealed that in 75 % of cases, the respondents knew that their marriage was being planned whilst the other 25 % were not informed about the person they were to marry. 41.7 % of the respondents were happy about their marriage when it was planned whereas 52.1 % were indifferent, 4.2 % were sad and 2.1 %

felt angry as their desire to continue their school had been abandoned. Only 35.4 % of people wanted their children to get married the same way as they did.

18.8 % of the cases wanted to annul their marriage with the family's consent but were unable to do so. A total of 87.5 % of the marriages included dowry and only 8.3 included "Shirbaha". For women the age at the engagement was mostly 15 years (27.1 %) and 13 and 14 (both 12.5 %). Most of them were married to men who were

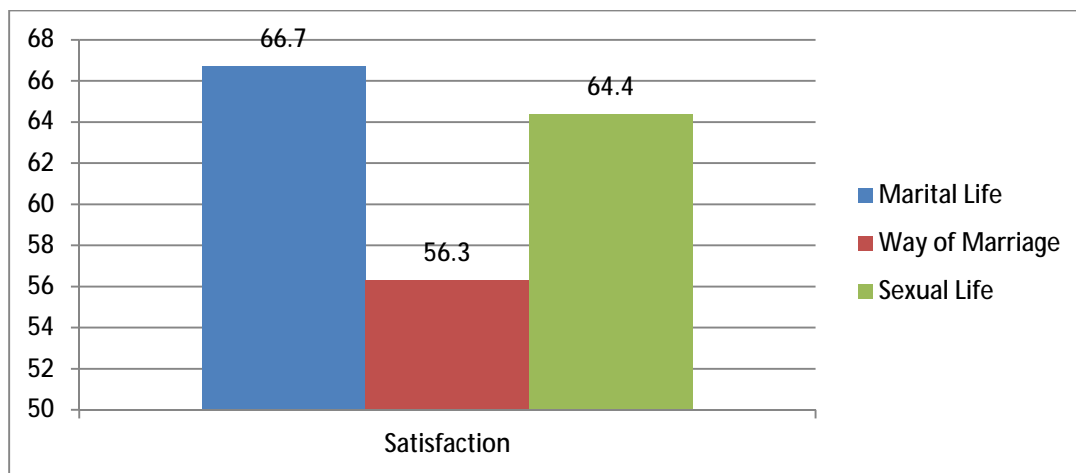


Diagram 39. Satisfaction with marriage in West Azerbaijan province

more than 10 years older than themselves (29.4 %). None of the women were in school before the marriage and almost none were promised to be allowed to carry on with their education after the marriage.

● Exposure to sex education and preventive ECM messages

In most cases, sexual education was received by other adult members of family (62.5 %), by satellite channels (16.7 %) and by cinema (8.3 %). The majority of respondents believed that there is no advantage in marrying young. As previously observed in the other provinces, 31.3 % of the respondents had never heard about any preventive ECM messages. 64.6 % of people wanted ECM to stop

while 22.9 % believed in its continuum and that ECM depends on factors such as body size and family culture. 91.7 % of them did not know the legal marriage age for girls and boys marriage. 16.7 % thought it was 15 years of age for girls and 20 years for boys are ages too early for marriage. Most voiced that the ideal age of marriage for most people was 20 (25 %).

● Gender attitudes

Researching gender attitudes regarding women and her role in decision making revealed some striking differences. The disadvantage and vulnerability of women frequently has roots during adolescence. Low educational attainment, with its long-term consequences for employment possibilities, is consolidated by ECM. As preserving the family honour by marrying girls as virgins is central to the tradition of ECM, our findings showed that people in west Azerbaijan strongly prefer a girl to be a virgin at the time of wedding. We can see this attitude in diagram 38 where 85.4% believed in premarital virginity. The respondents gave very limited affirmation on the right of girls to choose her life partner (7%) while 75% believes that boys have every right to choose their spouse. Gender assigned roles were evident. As ECM defines a women's place as in the home, and limits their decision making power, women shoulder the burden of all domestic work. 81.3 % respondents were of the opinion that child care is wholly and solely the wife's responsibility.

Similarly, diagram 40 reflects that women alone cannot decide that when they want be pregnant or how many children they want. This has a negative impact on their decision-making ability. It is the joint decision of both or only men can

decide. Minor household decisions are mostly taken by the wife (47.9%) whereas men have the loudest say in major decisions (47.9%).

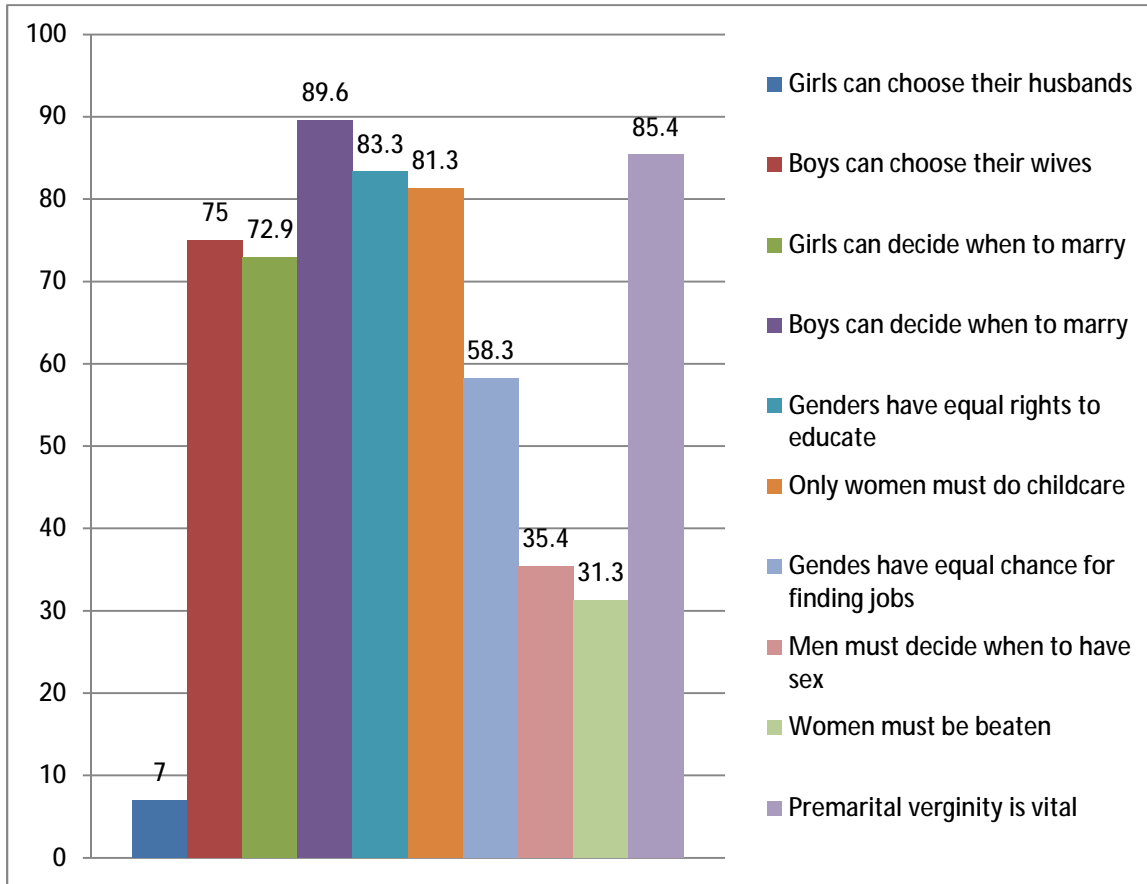


Diagram 40. Agreements on Gender attitudes in West Azerbaijan

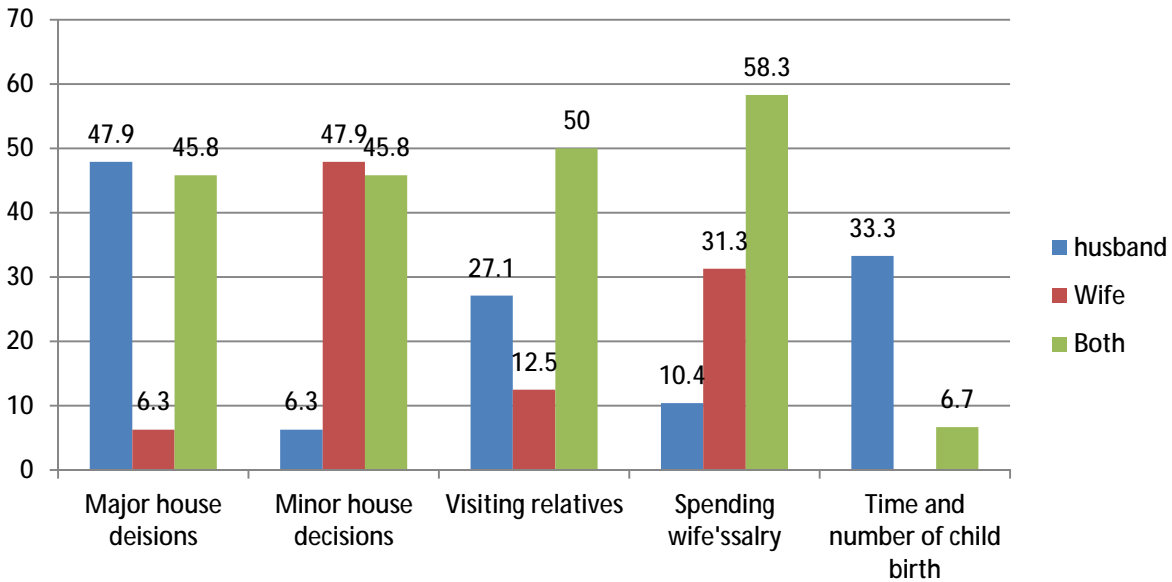


Diagram 41. House decision making in West Azerbaijan province

● **Female Sexual violence**

All of the female respondents claimed they have never been touched against their will, and 5.9 % of them said they have been forced to touch a man. 52.9 % of women were forced to have sex with their husbands with no power of negotiating their feelings. The feelings about this unwanted forced sex were sadness (26.5 %), hate (20.6 %), anger (5.9 %), and joy (2.9 %). The percentages of women who said they mistreated their husbands and threaten or threw things at them were 64.7 and 44.1 % respectively.

Feeling about Forced Sex



Diagram 42. Feeling about forced sex in West Azerbaijan province

● Male Domestic Violence

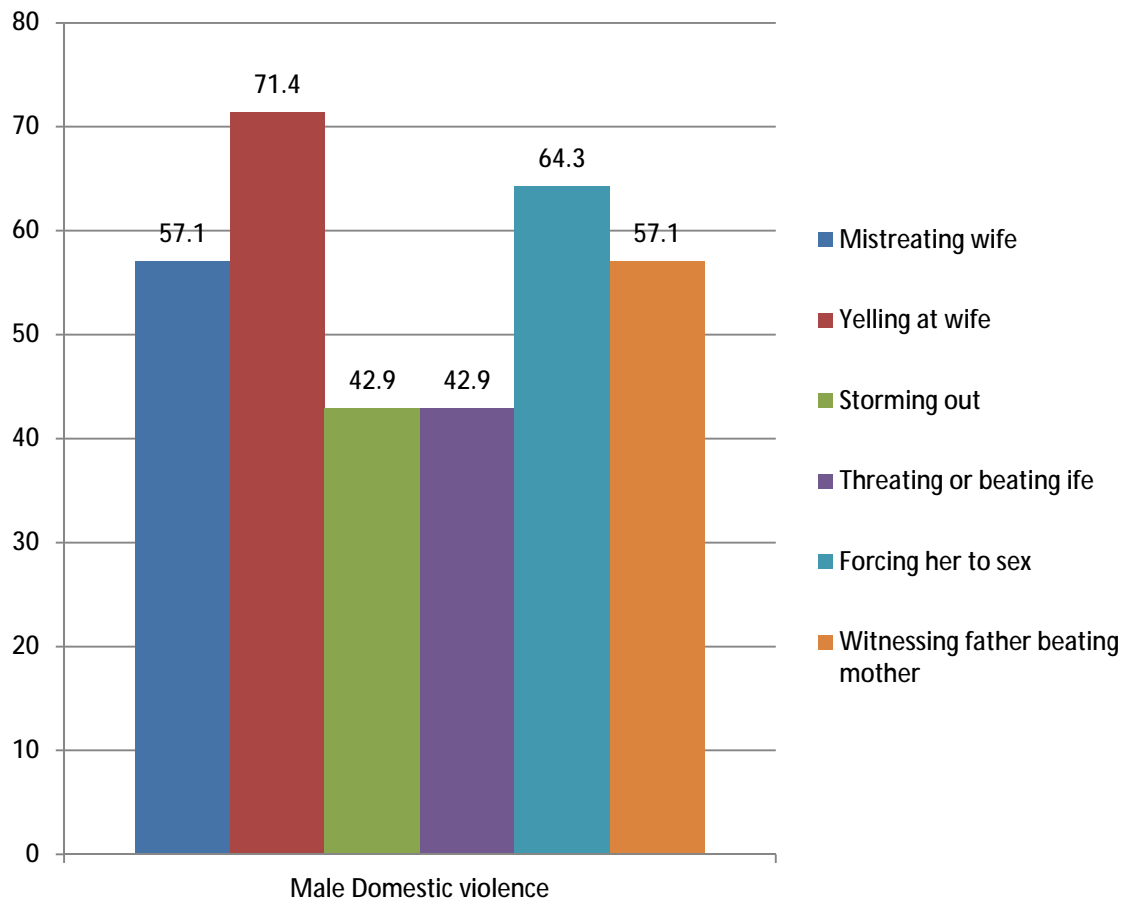


Diagram 43. Male domestic violence in West Azerbaijan province

As per the findings, yelling at women occurs in abundance in west Azerbaijan with the ratio of 71.4%. Forced sex is another category where husband by force subjugate women for sex which has found with the ratio of 64.3%. The percentages of other variables in the diagram also show the social conditions of women living in the province.

6. HORMOZGAN



Geographical Span of the Research

Hormozgan province, located in the south of Iran borders the Fars, Kerman, Oman and UAE provinces. The population of 1,676,000 people³¹⁷ of Fars, Arab and Baluch nationalities are residents of this province. Its geographical proximity to Qatar, Dubai, Oman and Yemen has had a cultural and economic effect on the province. The southern parts of the province and its islands are composed of mostly Sunni Muslims and the northern parts are majority of Shiite Muslims. Hormozgan province holds the third rank in total marriage rates in the age group of '10 to 14' and is one of the most deprived and poorest provinces of Iran in which correspondingly have high rates of maternal mortality.

³¹⁷ The National Organization for Civil Registrations, 2014.
<https://www.sabteahval.ir/Upload/Modules/Contents/asset99/salnameh93.pdf>

Observational Scanning

One common belief in the Hormozgan province, similar to other tropical areas, is that the heat and temperature encourage pubescent development and growth. Girls reach puberty faster and accordingly, are seen physically mature enough to be married at early ages. This hold true even though age is not considered a determinant factor in marriage. The Islamic justification for ECM is to marry sooner under these conditions. Contrary to what was observed in the other provinces within the Islamic rules and doctrine, most of the people do not place importance on a high bride price.

But in contrast to this lack of

emphasis on the bride price, importance is placed on the expenses incurred in the wedding ceremony and providing for the Hejleh room – a room in which the couple stay the first night of their marriage. Large amounts of money will be spent on designing and lavishing the Hejleh room. According to custom and social



Figure 24 Locals from Hormozgan province, highest rate of FGM and 5th province in ECM in Iran-Photo by: Kameel Ahmady



Figure 23 Hejleh room in Qesham Island Hormozgan Province-A Photo by: M Maarefvand

norms, the couple stays in the room for 40 days after the marriage. So ironclad is this tradition that in some parts of the province leaving the Hejleh room is frowned upon and is considered to be socially rude and unacceptable. The couple's needs, including food and clothing, are provided for in order that they can stay in there for the entire period of 40 days.

"I am a clergy woman and the daughter of a cleric, teaching Quran and religious education here. Quran rules counts early marriage as religiously recommended. From cultural and conventional point of view I believe that girls and boys are like cotton and the fire; must be kept extremely apart from each other. Quench these flames of sin and lost as immediate as you can by early marriage.

*Molavi Amene Rastegar
Jask, Hormozgan province*

The custom of providing dowry is a familial agreement but mainly it is the groom or his family that provides the dowry but the bride's family also contributes by providing some of the goods.

Survey Results

Compatible to the other the data from other provinces, Hormozgan province is also experiencing a declining trend in ECM's prevalence. Still the gender differences are very noticeably high. As per the diagram that shows the last decade's changes in marriage rates, ECM's prevalence in Hormozgan province has started to progressively decrease within the last years. In contrast, divorce rates are increasing in the province. Girls under the age of 18 are becoming young divorcee/widows and these rates are increasing each year.

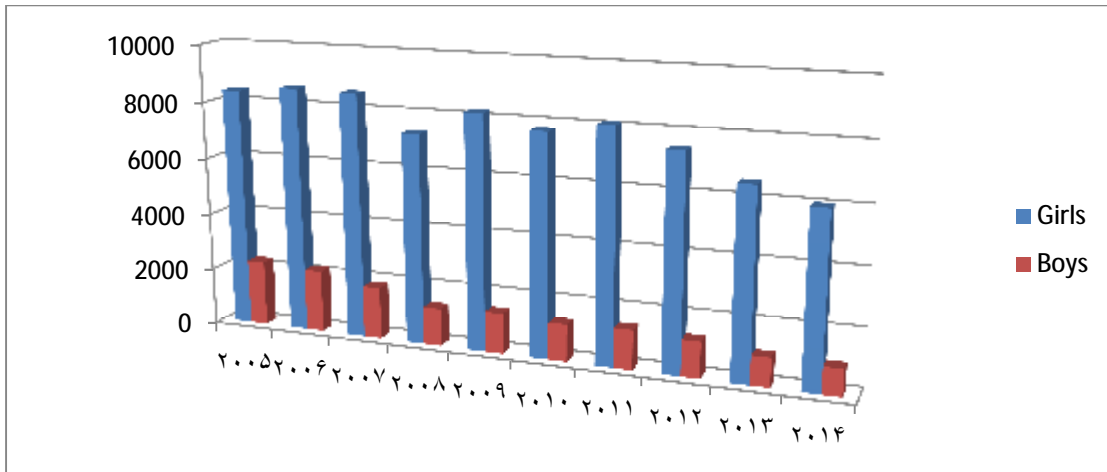


Diagram 44. Marriage under the age of 18 in Hormozgan province

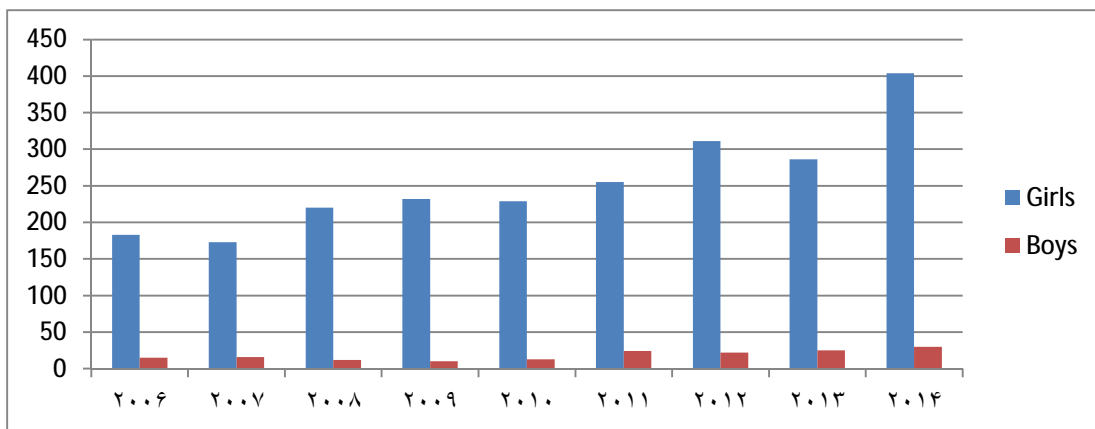


Diagram 45. Divorce frequency under 18 years of age in Hormozgan province

The following diagram shows the last decade’s ECM ratio within the context of total marriages to determine the quota that ECM possesses in the marriages in all other age groups. As per the data provided in the diagram, marriages under the age of 18 have never been less than 30 % in the Hormozgan province. The trend is declining but *albeit* at a slower pace.

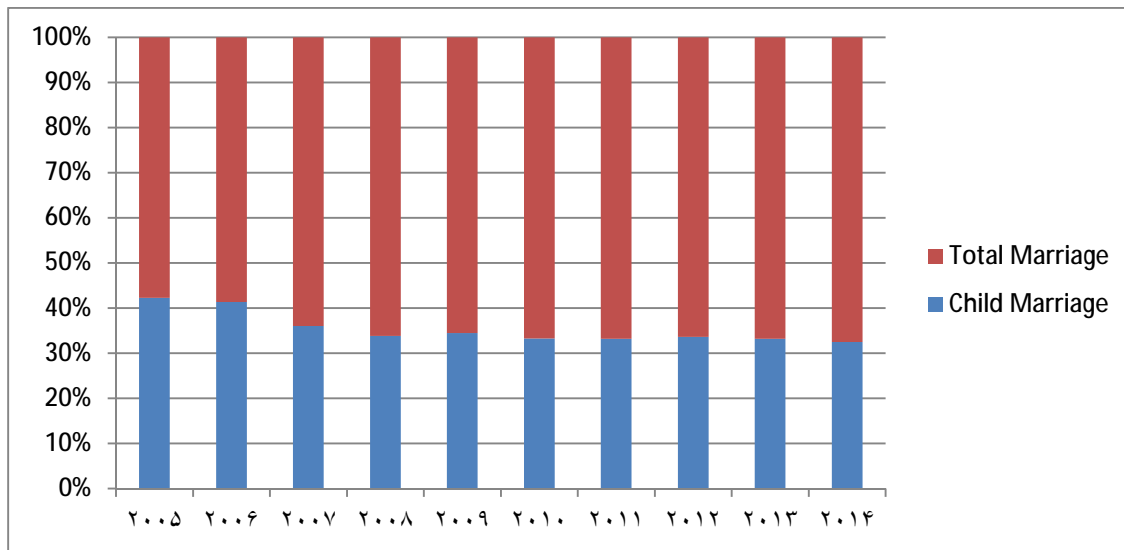


Diagram 46. ECM ratio in Hormozgan province

Background

Respondents were mostly between the ages of 26 to 29 (21.6 and 11.8 %) in which 82.4 % of females and 17.6 % males. The post-marriage living arrangements showed that 35.3 % of the respondents live with

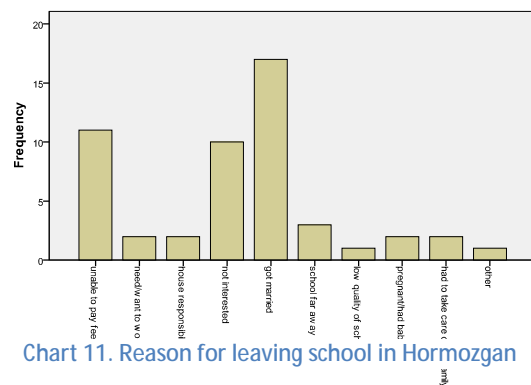


Chart 11. Reason for leaving school in Hormozgan

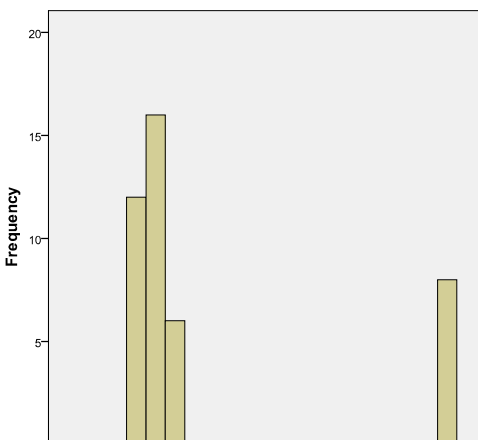


Chart 12. Women's age at first delivery in Hormozgan province

their husband or wife and another 27.5 % live with the family members of his/her partner. Using random sampling methods, respondents were represented of nationalities such as Bandari (51 %) and Far (49 %). The spoken language is Persian (96.1 %). The level of the respondents' parental

education was 54.9% for the mother and 35.3 % for the father. All respondents

were literate and only 5.9 % of them were still studying. The highest level of education was grade 12 in high school (41.2 %) and the middle school (19.6 %). The most common reason for leaving school was marriage (31.4 %).

Most of the respondents (54.9 %) do housework and child care and the other 19.6 % of them were self-employed. All respondents were Shiite Muslims, amongst which 80.4 % pray and 47.1 % fast. Most started practising their religion at the average age of 9 years old. (39.2 %).

● Female reproduction

81 % of women had at least 1 delivery (26.2 %) and the majority of their post maternity care was assumed by their families (45.2 %) or their husbands' families (26.2 %). The average age was 20 amongst the young mothers (16.7 %). Excessive bleeding was the most chronic problem during labour (28.6 %) and their knowledge about women's health and illnesses such as obstetric fistula and the use of contraceptives and condoms were seen as average.

● Male reproduction

Most of the male respondents (77.8 %) had at least 2 children and at the average age was of 16 when they fathered their first child (33.3 %). A little more than a majority of the men (55.6 %) men wanted to have their baby, 22.2 % wanted a child later and a minority of the men (11.1 %) did not want to have baby at all. Most of them (88.9 %) claimed to know about danger signs in pregnant women and 22.2 % believed the highest health risk would be excessive fainting at delivery time.

● Marriage and Marital Decisions

90.2 % of respondents were physically present at the time of the marriage but amongst them 13.7 % of the respondents were not present at their wedding ceremony resulting in someone else being there on their behalf. In 39.2 % of the cases the decision to be married had been made by the respondents' family rather than the brides and or spouse. In 70.6 % of cases a matchmaker had arranged the wedding and 43.1 % of them have had a formal engagement planned by their family.

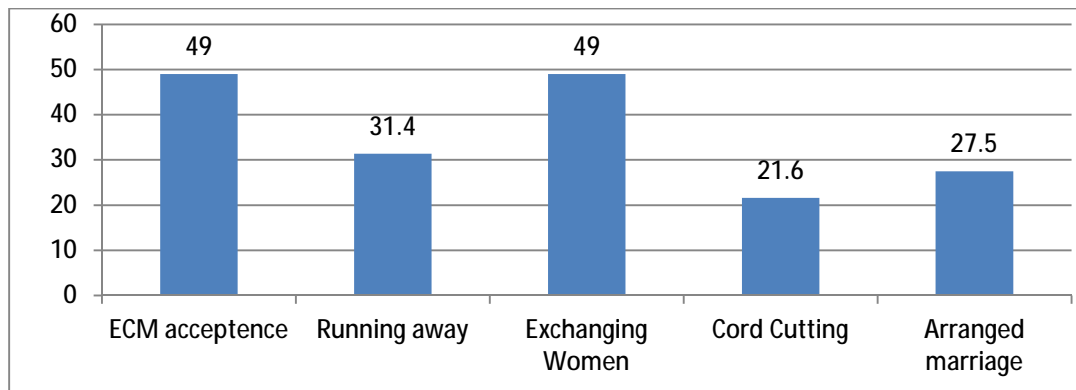


Diagram 47. Prevalence of marriage forms in Hormozgan province

The results were similar to the findings seen as in the other provinces. 70.6 % of cases knew about their marriage when it was being planned and 29.4 % of respondents were not informed of whom they were about to marry. 51 % stated they were happy about their marriage when it was planned, 19.6 % were indifferent, 19.6 % were sad because of their desire to continue their education that now has been abated. 56.9 % of people wanted their children to get married in the same fashion.

5.9 % of cases wanted to annul their marriage and did talk to family members but they were not successful. The total of 66.7% of marriages included dowry and 90.2 % included bride price in 39.2 % of cases but unsurprisingly none of it was

paid to the bride. The age at first engagement was on average 18 years (21.6 %) and 19 (19.6 %). Most of them were married to men who were older than them (42.9 %) and most men (55.6 %) were married to women about the same age as themselves. 22.2 % of women were in school before marriage and 44.4 % of them were promised to be allowed to continue with their education.

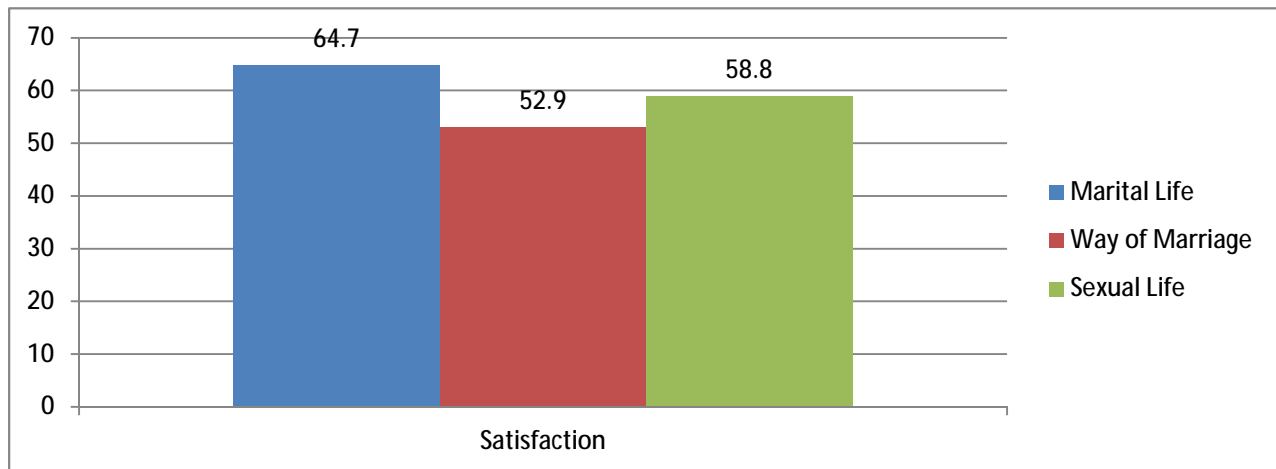


Diagram 48. Satisfaction with marriage in Hormozgan province

● Exposure to sex education and or ECM preventive messages

In most cases sexual education was given to the person by a family counsellor (45.1 %). The majority of respondents (37.3 %) believed that there is no advantage in marrying young whilst another 19.6 % considered it a source of strengthening family ties. Total of 39.2 % of cases said later marriage leads to higher levels of education and understanding between couples, and 11.8 % of people named reduced numbers of teen pregnancy as a advantage of late marriage. 51 % of the respondents heard about preventive ECM campaigns from television, whereas 27.5 % of them received these messages from neighbours and friends. Nearly 27.5 % of people wanted ECM to stop while 51 % believed its continuum depends on other factors like body size and family culture. 84.3 % of respondents were unaware of the legal marriage age for girls and boys. The majority of 23.5 % of the respondents believed 16 years of age is too early for a

girl to get married. In the eyes of many, respondents thought this minimum age for boys was 20 (25.5 %). The ideal age that respondents wanted their children to be married as mostly 20 (23.5 %).

● Gender attitudes

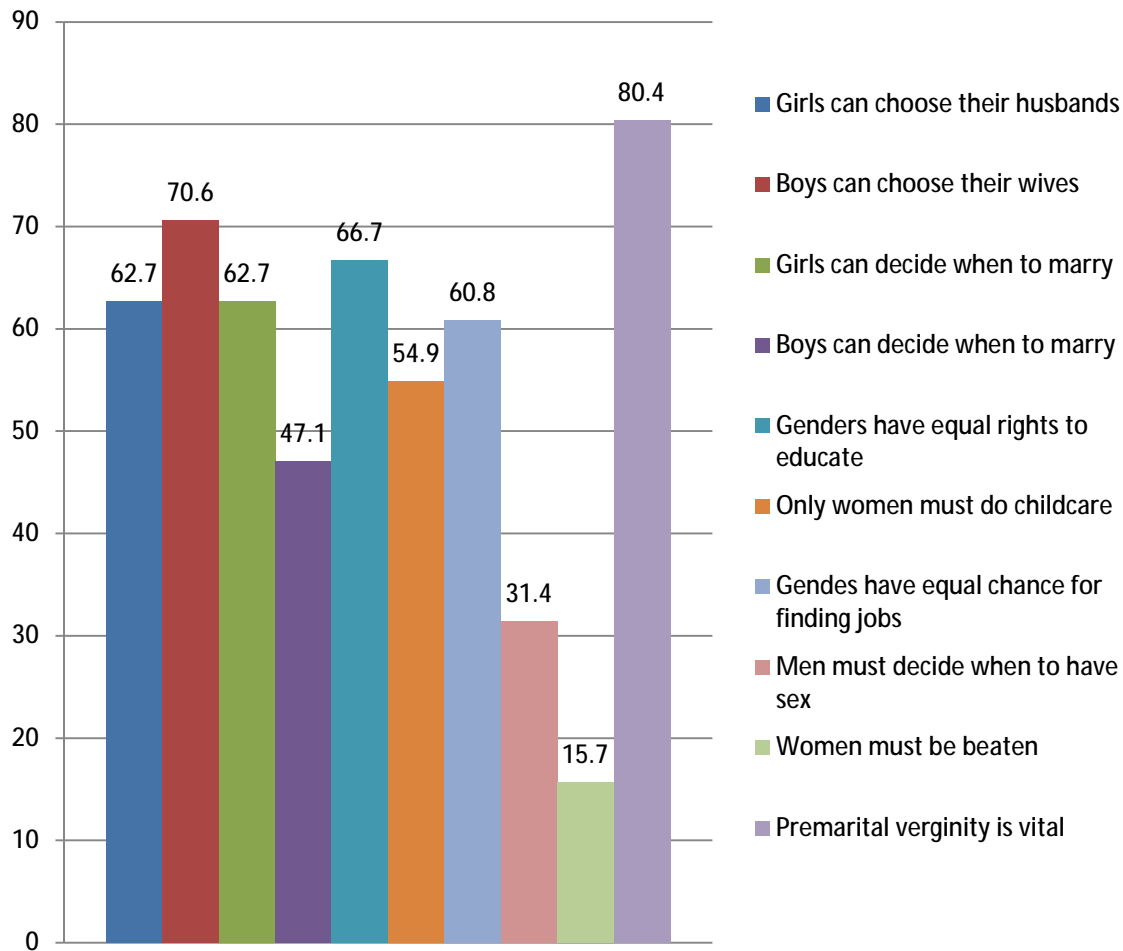


Diagram 49. Agreements on Gender attitudes in Hormozgan province

Approximately 80% of the respondents from Hormozgan province were of the opinion that premarital virginity is imperative for a girl. Nearly 16% felt that wife beating was also imperative. Survey revealed that boys should have the right to decide about their marriages (70.6%). Nevertheless, they endorsed the idea that a girl can choose her husband and can decide about her marriages (62.7%)

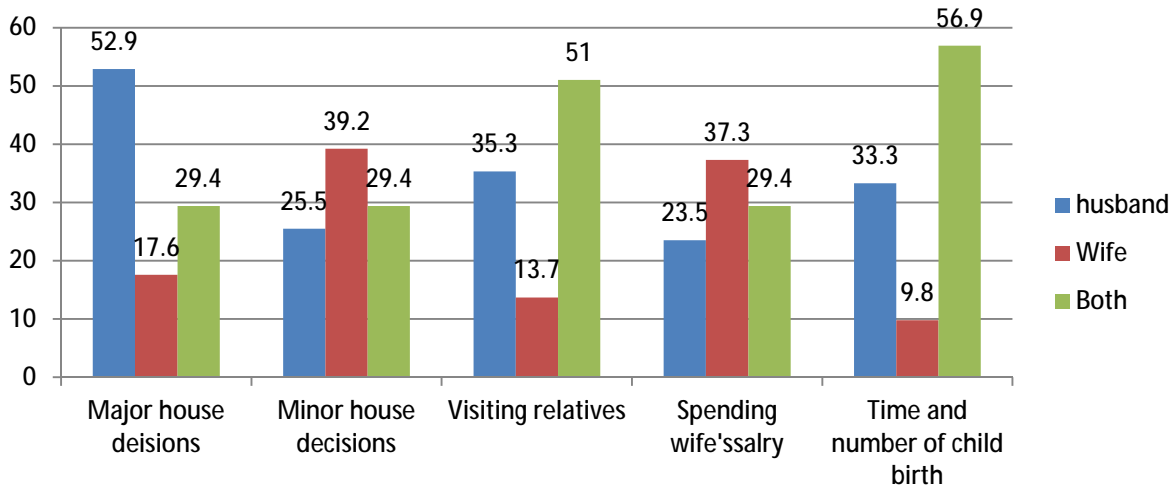


Diagram 50. House decision making in Hormozgan province

As per the diagram 47, decision making about the spending of the wife's income's and other deemed minor household issues are either in control of the wives or both partners. In terms of major decisions, 52.9% husbands have a say in the matter.

● Female Sexual violence

Most of female respondents (97.2 %) claimed they have never been touched against their will. 30.6 % of women were forced to have sex with their husbands with no power of negotiating their feelings. The feelings about this unwanted forced sex were sadness 16.7 %) and anger (8.3 %). The percentages for mistreating husband, threatening or throwing things at him were 61.1% while it was 36.1 % for the feeling of joy.

Feeling about Forced Sex

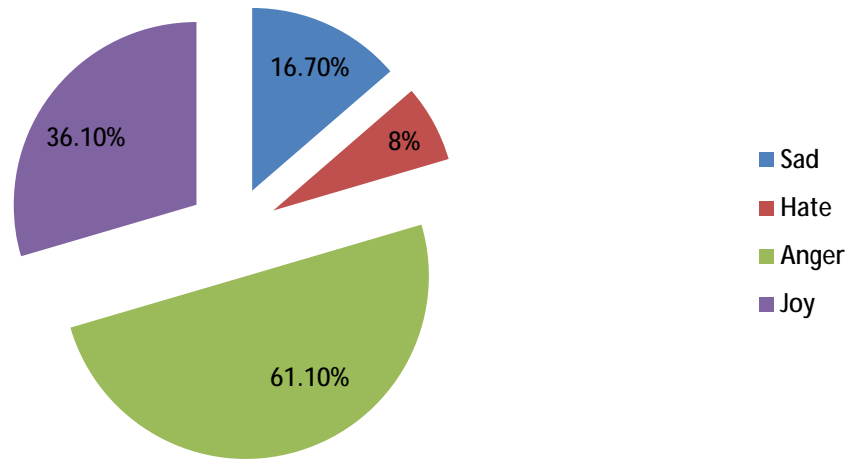


Diagram 51. Feeling about forced sex in Hormozgan

● Male Domestic Violence

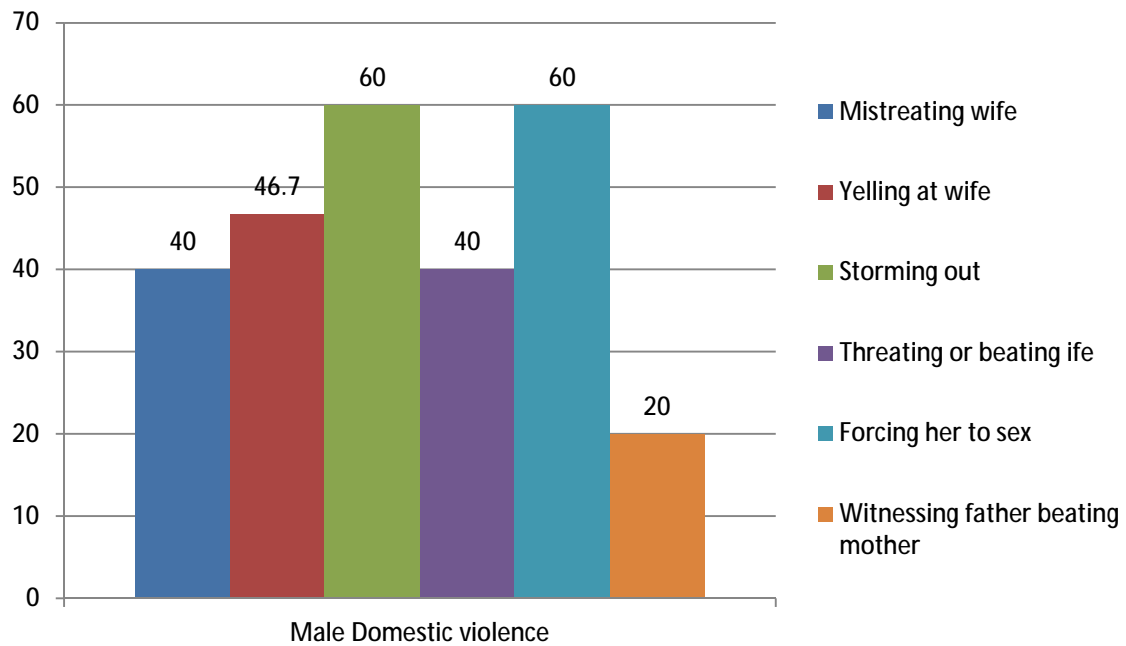


Diagram 52. Male domestic violence in Hormozgan province

7. ISFAHAN



Geographical Span of the Research

The Isfahan province is located in central part of Iran that intersects all main routes in four directions. This province is surrounded by Semnan, Yazd, Fars, Kohkiluyeh and Boyer-Ahmad, Lorestan and Ghom, each province acquiring the social and cultural traits of its neighbouring provinces especially in towns near the borders. The latest census in 2014 recorded a population of 5,007,000 residents³¹⁸ and that the dominated nationality and language is Persian and Farsi and the Isfahani dialect. The dominant majority are Shiite Muslims. The majority of people hold traditional beliefs and this loyalty to the traditions is seen in most of the province's context. Variety of nationalities including Qashghayi Turk, Bkhtiyari Lur and Fars helped shape the distinguished forms of cultures and norms in the province. During the Iraqi war in Iran, Isfahan province witnessed the thousands of immigrants who came from the

Diagram 53, Marriage under the age of 18 in Isfahan province

³¹⁸ The National Organization for Civil Registrations, 2014.
<https://www.sabteahval.ir/Upload/Modules/Contents/asset99/salnameh93.pdf>

Khuzestan province and other border areas. This welcoming variety of Arab, Fars, Jewish and Armenian people alone has had a significant role in shaping the province’s demographical outlook. It was a safe locale away from the war zone. The plethora of industrial factories proved to be a source of attraction for the jobless and homeless immigrants.



Figure 25 Filling questionnaire interviewing Bakhtiari women- Photo by: Kameel AHmady

Survey Results

The following diagram shows the prevalence of ECM in Isfahan province in a ten year span. As seen in the chart, the rates differ based on gender, meaning that ECM is more of an issue for girls than boys. The rates show a yearly decline for both genders. In contrast, divorce rates are also manifested in the last decade’s outlook. Very obviously, the divorce rates do not show a significant increase or decrease. The rates change each year but not at a fixed rate.

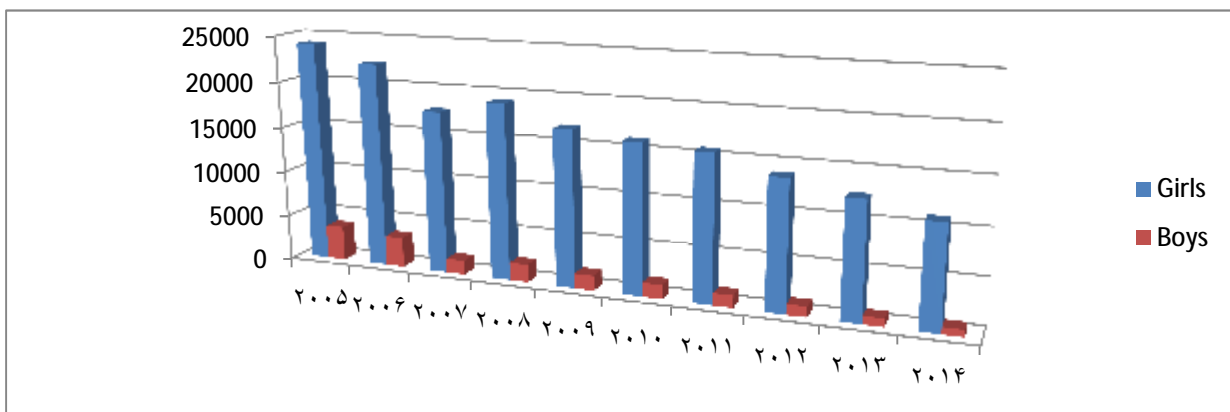


Diagram 54. Marriage under the age of 18 in Isfahan province

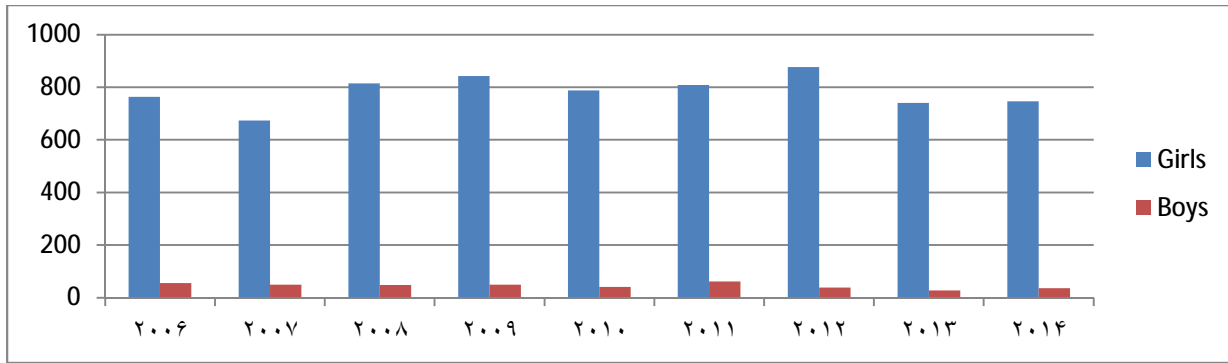


Diagram 55. Divorce frequency less than 18 years of age in Isfahan province

The ECM rates have always been in the variable range of 20 to 40 % of the total number of marriages.

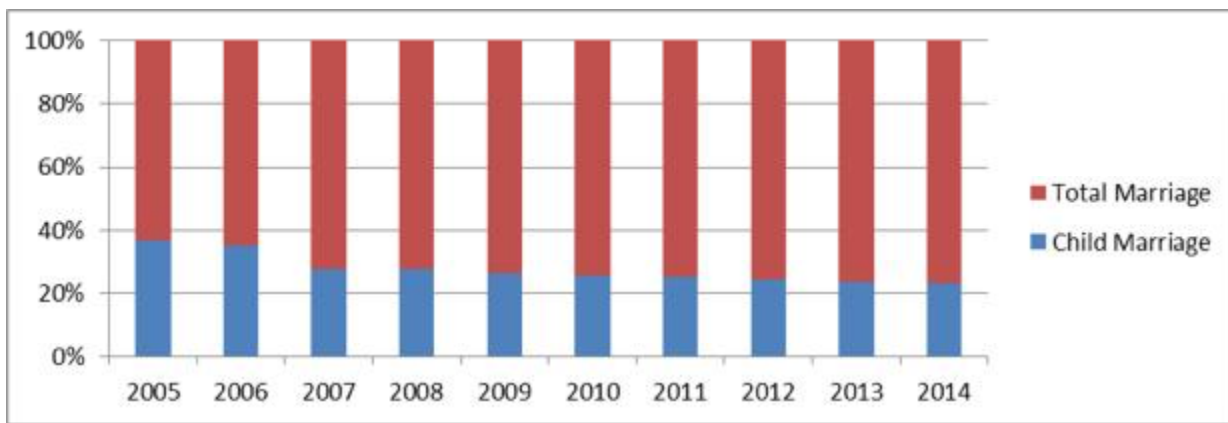


Diagram 56. ECM ratio in Isfahan province

Background

Respondents were mostly in the age range of 25 to 26, of which 84.1 % female and 15.9 % men, chosen by a random sampling method. Total of 97.7 % of them were currently married, while 2.3 % were single. Respondent represented a variety of nationalities like Fars (90.9 %) and Arab (9.1 %). The average religious

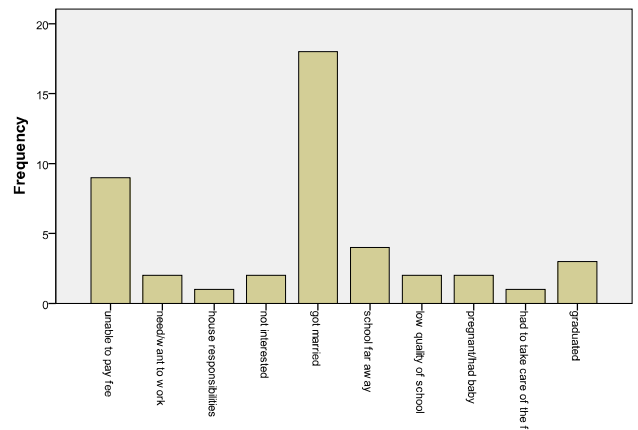


Chart 13. Reason for leaving school in Isfahan province

practice's starting age for the respondents (38.6 %) was 9.

The findings show that only 2.3 % of the respondents were still in school and the reason for leaving school in the vast majority of cases was ECM. House work and childcare (54.5 %) and self-employed jobs (25 %) were the sources of employment. Only a majority of respondents were able to finish primary

school, and only 13.6 % of them found the opportunity to continue it till the 8th grade.

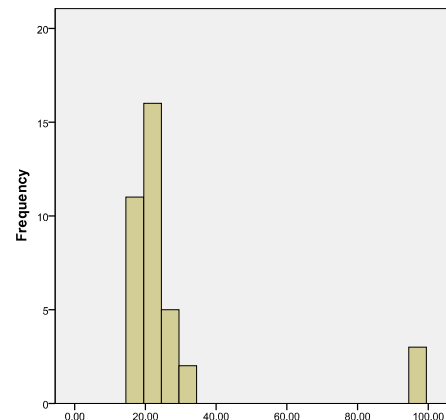


Chart 14. Women's age at first delivery in Isfahan province

● Female reproduction

51.4 % of women, who have had at least one delivery (91.9 %), were taken care of by their own family, mostly their mothers. 37.8 % have had 2 deliveries. 16.2 % were 18 years old when they had their first born child. 56.8 % wanted a child at that time but 18.9 % did not want to have another baby and 16.2 % wanted to postpone it. 27 % of them reported no major delivery problems. Other 32.4 % claimed to experience excessive bleeding. Although 54.1 % of mothers had used contraceptives, 54.1 % had no interest in using condoms. The knowledge about general delivery problems and gender health issues amongst the women was considerably low. A majority of 13.5 % of respondents knew about high temperatures and infections, and another 13.5 % knew about fainting problems. 62.2 % of the respondents knew about obstetric fistula and 35.1 % had experienced it.

● Male Reproduction

71.4 % of male respondents had fathered at least 2 children and 28.6 % of them were 16 years old when their first baby was born. 57.1 % of them wanted to have a baby right way, 14.3 % wanted it later and 14.3 % did not want to have another baby at all. 14.3 % of them did not have any knowledge or clues about delivery or pregnancy dangers and most of them (85.7 %) knew about dangerous signs.

● Marriage and marital decisions

88.6 % of the married respondents claimed their marriage was registered under their names when they were married. 75 % of the married people had received the help of a matchmaker who planned their marriage. 56.8 % did not have a formal engagement ceremony planned for them.

84.1 % of married people were aware of their marriage and the other 15 % did not know to whom they were marrying. 47.7 % of marriage decisions were made by parents and other family members not the person him/herself and 31.8 % of marriage decisions were made by the respondent. The feelings about marriage in general were happiness (61.4 %), indifference (22.7 %) and sadness (15.9 %).

The age gap between wife and her husband in 10.8 % of cases was more than ten years, and in 29.7 % of cases less than ten, as 57.1 % of men had wives who were their age.

72.7 % of marriages included dowry and bride price. Most of the female respondents (52 %), never have received their bride price. A majority of married Respondents (22.7 %) were 18 years old at the time of their engagement.

In 28.6 % of cases, the wife were in school before marriage, but in 57.1 % of cases, the promise to let her continue her studies never took place.

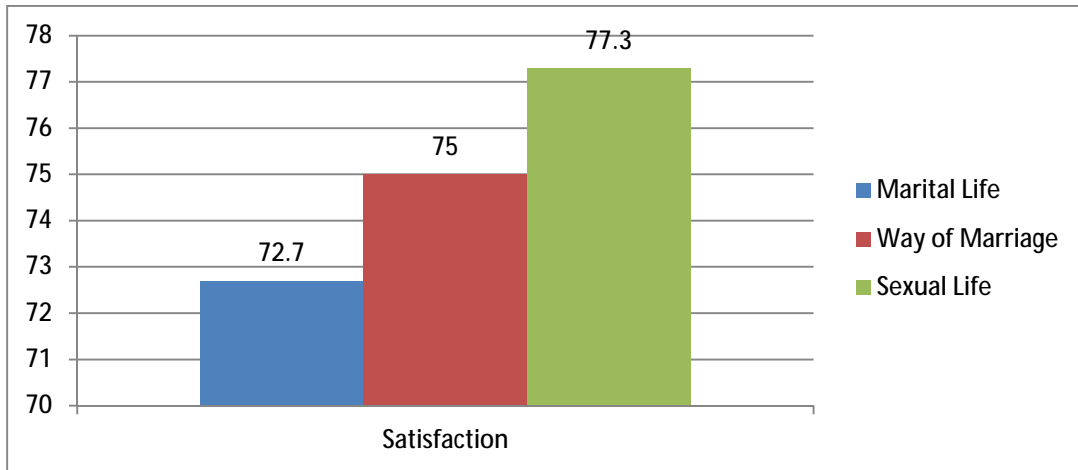
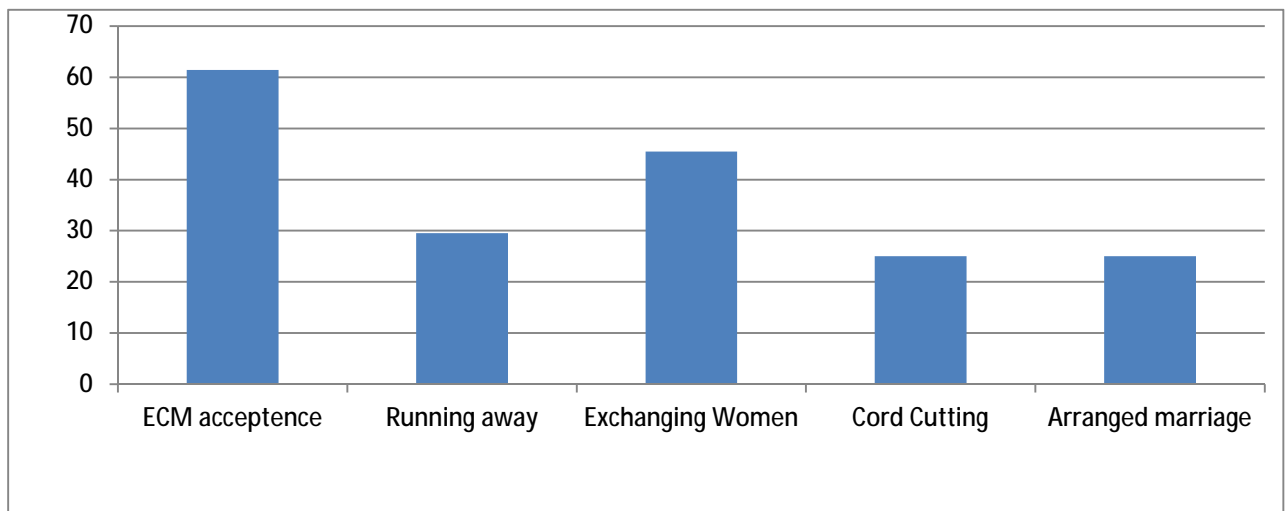


Diagram 57. Prevalence of marriage forms in Isfahan province

● **Exposure to sex education and ECM preventive messages**

Sexual education was received by respondents mostly by talking to other family



adults such as mothers or sisters (18.2 %) and family counselors (47.7 %).

Diagram 58. Satisfaction with marriage in Isfahan province

Most respondents (36.4 %) found no advantages in ECM and yet curiously 18.2 % believed that it would strengthen family ties. 40.9 % were exposed to preventive messages by television, 29.5 % had heard of it from neighbors and friends and 15.9 % had never heard of messages. In general, 20 % of respondents believed ECM must be stopped, 29.5 % believed ECM must be continued and 50 % said it depends on that person's characteristics, body size and behavior.

A variety of answers were given when respondents were asked to state the legal marriage age, Most guessed the legal marriage age as 18 or above and small number (15.9 %) demonstrated a minimal knowledge of law. The majority considered 18 (27.3 %) and 20 (20.5 %) as ages that are too early for girls and boys to get married and the ideal age for their own children to marry was 25 (27.3 %).

● Female sexual violence

A girl in an ECM often struggles to understand her own anatomy and is often forced and expected to have sexual intercourse. 3 % of women reported they were touched by men against their will and 3 % had experienced nearly forced rape. 39.4 % of married women mentioned they were forced to have sex by their husbands and only few of them talked about the ability to discuss and negotiate their lack of sexual interest at the moment. In these broader social norms girls are deemed no more than reproductive vessels. Forced sex was considered and believed to be a duty. The most common emotional reaction to this is sadness (30.

● Gender attitudes

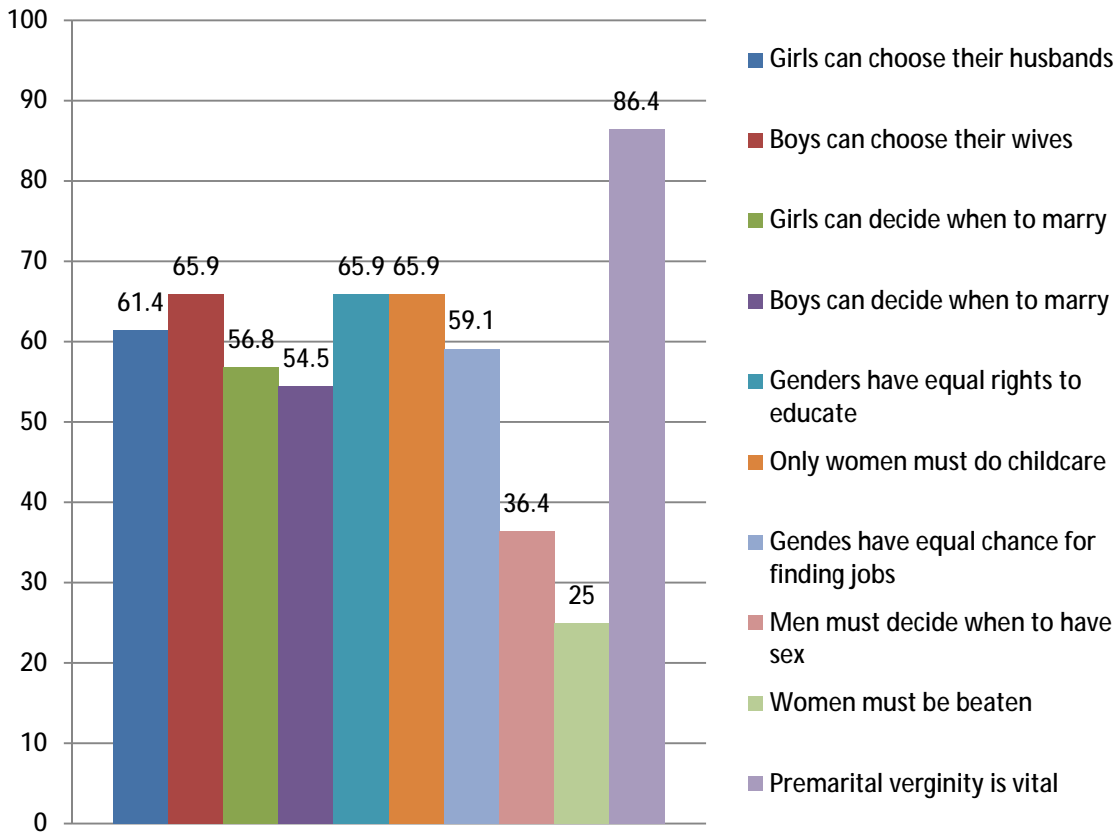


Diagram 59. Agreements on gender attitudes in Isfahan province

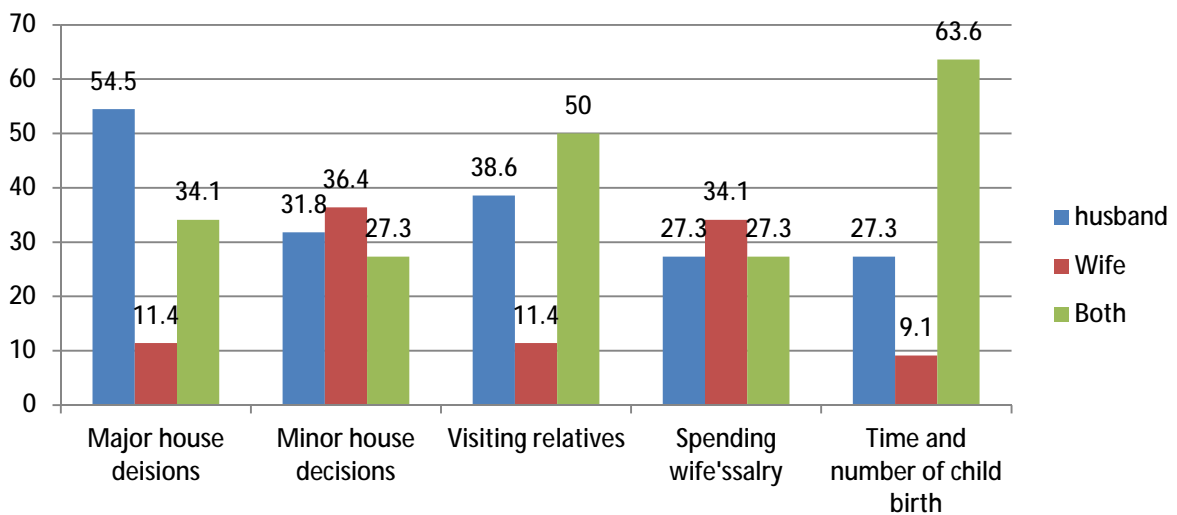


Diagram 60. House decision making in Isfahan province

● Male domestic violence

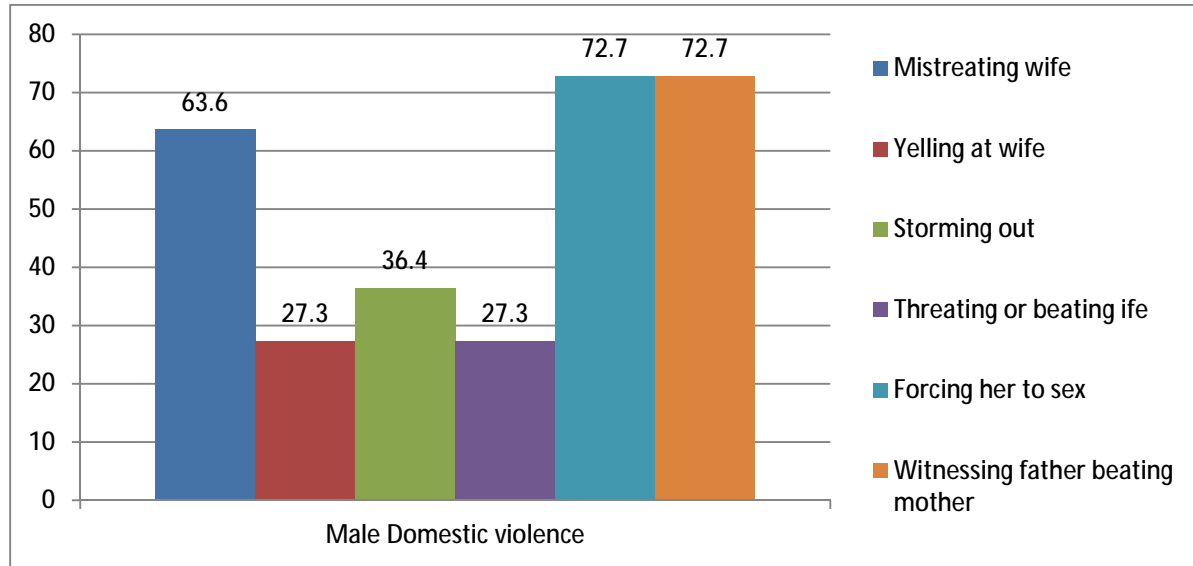


Diagram 61. Male domestic violence in Isfahan province

As male domestic violence is very common across the world, Isfahan province is not an exception. The diagram shows a very high ratio for forced sex of 72.2%. Many of the respondents have mentioned that they have witnessed domestic violence at their houses when they were kids. Mistreating wives also received a high percentage of 63.6% whilst storming out, yelling at wives, and beating occur at the rate of 36.4%, 27.%, and 27.3% respect

CHAPTER 4

CONCLUSION

ECM is a worldwide acknowledged phenomenon and in recent years the awareness and recognition of the detrimental effects of child marriage has globally attracted a great number of scholars' and world leaders' attention. The international opposition and condemnation to ECM is clear.

The international community has recognised the detrimental effects of ECM in delaying global sustainable development. Building on the Millennium Development Goals (MDGs) framed in 2000, the Transforming Our World: The 2030 Agenda for Sustainable Development document was adopted in September 2015 by the United Nations to help eradicate poverty and achieve sustainable development by 2030. Amongst its 17 Sustainable Development Goals (SDGs) and 169 associated targets included target 5.3, 'Eliminate all harmful practices, such as child, early and forced marriage and female genital mutilation', and under Goal 5 'Achieve gender equality and empower all women and girls'.³¹⁹

However, glaringly missing in discussions and debates about ECM, is the loud silence about this practice in Iran. Despite the considerable platforms of actions that have taken place, much is still unknown and much more needs to be done, particularly in a traditional patriarchal societies such as Iran. In Iran, many parents are typically motivated by predetermined social and sexual norms, poverty or humanitarian crises that are the driving root causes for ECM's mechanical adherence.

³¹⁹ Unrecognised Sexual Abuse and Exploitation of...[www.ecpat.org/wp-content/uploads/legacy/Child Marriage...](http://www.ecpat.org/wp-content/uploads/legacy/Child%20Marriage...)
THEMATIC REPORT: Unrecognised Sexual Abuse and Exploitation of Children in Child, Early and Forced Marriage

This objective of this study is to contribute to unveiling and understanding ECM in Iran. This study seeks to be part of the worldwide commitment to halt ECM in all its forms and to sustain the debate on ECM in both its commercial and non-commercial manifestations. Iran has so far remained quite peripheral in the vast literature on child marriage.



Figure 26 Balochi children near Pakistan border-Photo by M Maarefvand

The study has provided a descriptive overview of ECM and its impact by conceptually analysing the reality of young brides who have been forced entered into marriage.

As the results of this comprehensive study that centred on seven main provinces, Iran is an enormous cesspool of those practising ECM. It is viewed as a universally revered social institution. The practice is not only commonplace in both rural and urban areas, but is actually an everyday occurrence played against culturally-embedded sexual norms and gender stereotype. The implications of ECM goes far beyond young girls brutal entrapped in this detrimental culture norm as ECM's effects has significant economic social, educational and overall health ramifications that not only delays global sustainable development but also affect generations to come.

Ironically whilst overall rates of ECM has decreased in society compared to the previous generations, the marriage age in some of the larger cities and towns in Iran has noticeably elevated. This in part can be attributed to young people delaying marriage in order to finish their university studies, find employment, or simply enjoying young adulthood. Giving that modern life invariably involves the interaction of both sexes, young boys and girls are in more contact with one another and many of them choose to delay or postpone marriage until later in their life.

The very first principal to consider is the spirit of research that is problem oriented. The direction and value of any social research relies on the amount in which it relates to real problems. FGM/C and ECM are both tied to a deep cultural context within Iranian society (where FGM/C is found) and therefore are basically problem oriented topics that entails time and effort. Considering that volatile issue-oriented studies in social science is a must, the solutions and recommendations that follow must also reflect the problem oriented nature of ECM.

As the topic of ECM is exclusively focused on the Iranian society, every single step that was taken in the study was precisely localized and coordinated with specific traits specifically targeted at the Iranian society. Based on the findings of the data, localized and clarified information are now available for each investigated district. In order to analyse ECM in the ambit of social life, questionnaires were used as an analytical tool to interpret the ways of ECM's possibly interaction in the following social areas: personal background, family size and status, religious beliefs, the level of attachment to ECM, family and parental religious status,

respondents' and their parents' educational status, reproduction information on female and male respondents, marriage norms, registration, wedlock customs, the level of exposure to ECM messages, gender attitudes on family and personal decisions, female sexual violence experience and male domestic violence. Through such lenses, the findings of ECM effects on the social climate is conceptualised with a view to providing an analytical ground for making coherent recommendations and remedial action.

These valuable sources of information are determinative to highlight what areas of improvements are needed in each specific province. As previously mentioned, only in the context of its specific culture, is where ECM is seemingly logic and rational. Without taken into consideration all the above mentioned social areas, any move towards amelioration and progression would be a waste of resources, time and investment. It is a small wonder that the demographical or managerial policies by far have not been wholly successful in eradicating ECM as there has been an obviously unfortunate but unintended neglect and lack of attention to local characteristics.

Hence the goal here is to provide government, NGOs, scholars, academics, social activists and those who advocate gender equality and empowerment to women and children in patriarchal societies, with first handed knowledge that is needed in order to bring about catalyst new policies and decisions. This study seeks to initiate a missing discussion and a call to action on ECM in Iran by proposing a set of policy recommendations to address ECM. Moreover, the study seeks to intensify the debate, mobilise action and commitment on a larger platform.

The study has analysed ECM within three chapters;

Chapter 1 presents facts about ECM in the world whilst simultaneously scrutinising Iran. This includes the similarities between ECM and FGM as a form of sexual violence that takes place in early childhood to pave the way for ECM. Its roots, causes, effects



Figure 27 The main decision makers in some rural areas are tribal and family leaders-Photo by: Kameel Ahmady

and prevalence locations were discussed. Equally global records about ECM, its historical roots in the world and within Iran are explored.

Chapter 2 focuses on the determinative social roles in explaining ECM's existence in Iran. Correlations of demographical policies, social and cultural norms and beliefs that undervalue girls and, in most cases, the absence of specific legislations on ECM's prevalence is examined. Chapter 2 demonstrates the imposing strangle hold grip of religion that is quite influential, if not dominant, where ECM was highly supported by locals as a means of maintaining family dignity and honour. ECM as a logical and normal response to counter perceived notions of sexuality and patriarchal control was also examined in order to underscore and fully appreciated ECM's grip in Iran.

Chapter 3 provides further details on each province with respect to the geographical span, social norms of marriage customs *via* provided statistical details. The seven tables of DHS questionnaires for each gender with tailored localized questions exclusive to each province revealed a treasure trove of

information about ECM's distribution and diffusion in each respective district. The resulting details that emerged from the study are the basis of why this study was initiated. The released data about each district is updated and reflects the inhabitant's way of thinking where ECM is part and parcel of their lives. Comprehensive public information and awareness-raising campaigns must incorporate this reality as part of the solution when developing multiple and coordinated responses to eradicate ECM within the Iranian communities.

ECM is violation of the social fabric of human rights. There is a forceful recognition that in reality ECM is a profound human rights violation that undermines the enjoyment of the full range of fundamental rights and liberties to which young girls are entitled. A wide array of international and regional human rights instruments address the interconnected facets of ECM marriage from various thematic perspectives that is often committed by parents and the community. The state itself carries on not addressing it and/ or giving it short shrift. ECM's dominance position in the gender inequality chain continues to flourish against the background of poverty, social expectations, sexual violence culturally-embedded sexual norms, gender stereotypes, social pressure and family hardship. This demands the necessity of finding new policies and solutions and acceptance of norms that reflect gender equality.

ECM is a social disease and all diseases cannot be cured and alleviated in the same way. ECM is both a cause and effect of violence against children. The male dominated power structures that control sexuality and reproduction and ECM emergence as a viable option to escape poverty and gender-based violence must be taken into account. Prescription to this harmful phenomenon must be flexible

enough to include its nuances and how it operates within specific geographical jurisdictions. Regularly collect and analyse quantitative and qualitative data on child marriage, disaggregated by sex, age, geographical location, socioeconomic status, education level and other key factors are needed to monitor progress. This can only be achieved when there is an up to date related data available to governmental agencies and authorities who can in turn make wise and gender sensitive decisions to prevent and eliminate ECM. Unfortunately what has been historically lacking is a dearth of academic studies and research that can be reference to governmental policy makers.

The findings of the research and survey results can be briefly summarized in the following analytical model that depicts the relationship amongst the numerous independent variables that trigger ECM. The consequence of ECM as a new independent variable that shape dependent variables are on the right side of the model. Gender and area of residency (urban or rural areas) are considered as control variables.

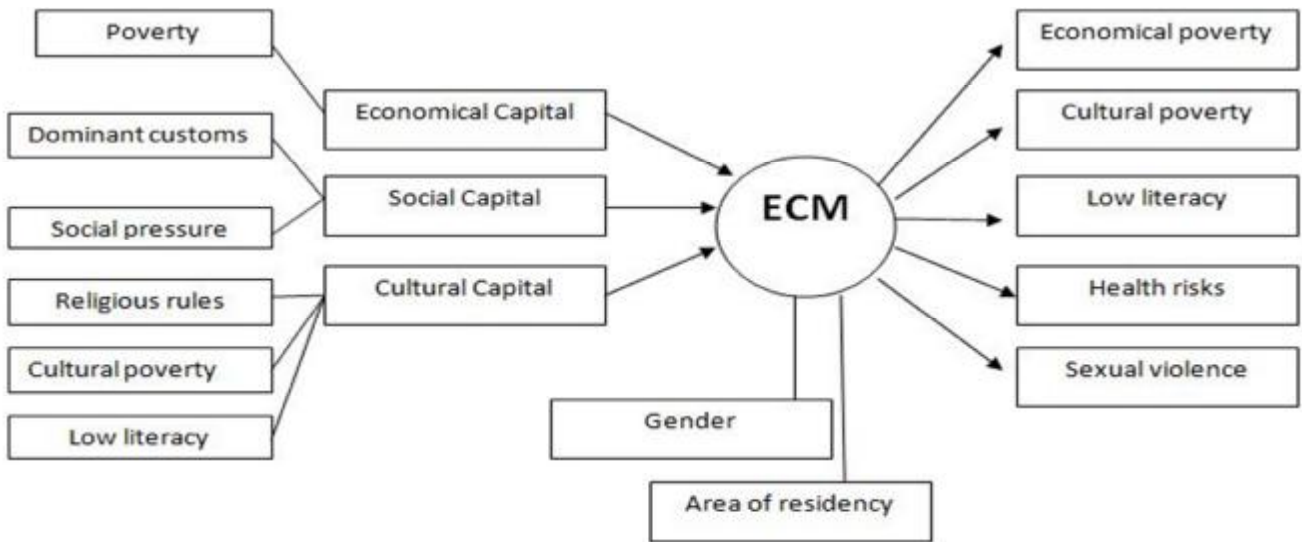


Chart 15. Analytical model of the study

Responses to ECM may geographically and culturally vary. What may efficiently work in some province can exacerbate the phenomenon in others and what is deemed acceptable in one nationality or culture may not hold true in the other. For instance the means in which preventive messages about ECM are transferred to people are different depending on the region. A holistic, comprehensive and coordinated policy must factor the specificities of each respective culture as a one size fits all approach may not simply be feasible. This requires adaptability and flexibility. Policies must be cognisance of differences and variation when enacting a core action programme to eradicate ECM.

Although many of the respondents received no preventive message about ECM from any state protection services or social resources, there were also percentages of respondents who were exposed to ECM preventive messages by television or other media. As television and mobile phone can provide the technological means which initial contact is made, undoubtedly technology and cinema are widely responsible for the evolving attitudinal changes evident in the new generation toward established sexual mores. It can enhance opportunities for intermingling between sexes at school. It is therefore crucial to consider the role of television and media in each geographical place in diffusing ECM preventive message. For example, in Khuzestan, due to the very hot climate, working hours are limited to early mornings and late evenings. Most people spend their daily time inside their homes. On occasions like these, listening to the radio or watching television is a common activity that people allocate much of their time on. ECM's preventive message could be easily and more efficiently transmitted to the populace via media, TV shows and family consultations. However up to now, there is no independent television or radio networks that

are not state owned. What is seen on television is government sanctioned and approved.

Another example where the specificities of each province need to be taken into consideration is in the Sistan and Baluchistan provinces. These two provinces operate in a highly traditional-religious context with a very constant social form seen within the provinces. The domination of the imposing power of religion is one important factor that shapes and controls the collective thought process of the inhabitants. Part of the multiple and coordinated responses to ECM are the vital need to include religious leaders. Religious leaders can yield great influence and social obedience when diffusing an ECM preventive message to the masses. Considering that religion is a justification given by many communities for ECM, religious leaders and authorities play a primary role in upholding the dignity of women in the light of their respective faiths and challenging faith-based motivations for ECM.

This geographical sensitive responses can be seen in provinces such as East Azerbaijan where the geographical climate is conducive and profitable to engage in agricultural, gardening and beekeeping activities. Thus, unlike Khuzestan where the inhabitants have a tendency to stay in their homes, the rural residents in East Azerbaijan spend more time outside their homes than in their homes. Consequently, a more efficient tool for diffusing ECM preventive messages would be educating and empowering NGOs or social workers in health centres who can work in the village. Other districts must also be viewed within the prisms of their own geographical characteristics as ECM cannot be prognosticated, prescribed and treated in the same way.

The discontinuance of the privileges of childhood also encompasses the discontinuance of education. ECM and school dropout are the twin events that mark the exit of young girls' lives. The findings of the research were overwhelming in this regard. ECM is accompanied by a parallel and interconnected incident of dropping out of school. More so in a poor household, the value of pursuing girls' education is directly related to the prospect of improving employment and earning opportunities. Low levels of education restrict girls' economic autonomy, thus increasing their vulnerability. In the case of a girl child, aspirations in the education and professional spheres may be stifled by predetermined gender roles that see a woman confined within domestic walls. In such cases, investing in girls' education clashes with the economics of poor households. What little resources that are available for the future of their daughter's money is invested in paying for wedding expenses and a dowry, rather than extending education.

Multiple other reasons were noted and varied according to the province. For example poverty and not being able to pay the fees were the more common reasons in Hormozgan province. In East Azerbaijan schools that were far away also were contributing factors that explained why respondents dropped out of school. Details on school dropout reasons are provided as an example. If a rational choice is going to be made, these facts reveal the infra-structure barriers that need to be torn down in order to make education accessible.

ECM'S ACCEPTABILITY

However, the essence of the underlying reason why ECM prevails in the traditional ruling society of Iran is patriarchal ideologies. This is the reason why ECM has survived throughout the generations in traditional Iranian cultures where early marriage is more prevalent. Despite the fact that the majority of respondents (48 per cent), believed ECM needs to be abolished, many still steadfastly cling and practice it, even amongst those who denounce it. For them, ECM's harmful effects are a small price to pay for adherence to their traditional society norms.

"Early marriage

is better, because the longer the girl stays at her father's, the more the problems. My youngest daughter was so interested to continue her studies, but her owner didn't let.

Male respondent, 45

Aghmiun Village, East Azerbaijan province

- When poverty is the determinant factor in family's decision making, ECM translates as a functional solution to decrease the family financial demands. Poverty stands in the way and can operate as a powerful force driving a parent to have their child take refuge in marriage. Families find it mutually beneficial for themselves and for the child, to marry a girl at an early age, as the girls needs would no longer drain the family's meagre resources and would offer the girl a chance for a better life. ECM becomes an escape route from poverty and gender-based violence. Therefore parents use ECM as a tool to mitigate poverty. As explored in Chapter 3, in some cultures, receiving an amount of money in exchange for the child girl is popular.
- ECM is seen as a defence mechanism when their society is in the mist of civil strife and or conflict. When conflicts or natural disasters affect a

country, girls are the first to be hit. As recently underscored by the Human Rights Council, political, economic or environmental crises increase children's vulnerability, with evidence showing that the practice of ECM intensifies in the wake of hardship and violence. When humanitarian emergencies disrupt communities, the social fabric and fragile child protection structures break down. Parents resort to marrying off their children as a coping mechanism as a perceived way of ensuring a certain degree of safety and wellbeing, particularly when the risk of sexual violence increases. This feeling of a lack of safety is what triggers ECM. It becomes a safeguard and response to the sense of insecurity stemming from war and or civil strife. As seen in the survey results, in places where civil strife, war or conflict were present, ECM was generally considered as a gateway to a safer/better life for children.

- Social stratifications often shaped ECM. In some villages ownership of water is a distinguishing hallmark and social stratification. In other places it is cultivating pistachios. What was observed that within villages where the residents are in a stratum higher economic class, the rates of ECM tend to rise. This economical distinction encourages ECM as a weapon of social stratification. Families tend to prefer their children to marry people who share the same stratification level, in order to maintain the hierarchical order of power and wealth.
- The widespread acceptance of marriage through powerful cultural and social transmission mechanisms lends itself to sanction sexual violence taking place within ECM. The power of social forces that are deeply embedded in traditional customs and beliefs tend to overrule formal legal provisions as they are overwhelmingly imposing. Where there is a

contradiction between social norms and religious rules, it is the latter that always follows and adapts to the first. In cases of ECM, the social stigma of losing honour in society and the fear of being ostracised for not following social norms are the triggering causes of ECM's prevalence.

- The sanctity of marriage is upheld by religious beliefs. Religious prescriptions often translate into social norms and customary law, resulting in deep internalisation of standards that inform beliefs, attitudes and behaviours.
- Entrenched adverse customs and social, cultural and sexual norms that persist in Iranian communities help to sustain ECM. In traditional society in which a lack of virginity is still held as taboos, customs around marriage and engagement take shape to avoid these taboos from changing. In Iran girls are socialised on the sexual norms of virginity and chastity. Preserving what is considered the honour of their daughters puts pressure on parents responsible for defending the status of the family or the clan.
- Marrying girls young is seen as a means to minimising improper sexual activity or conduct. In this situation having a young girl at home is an obvious danger threatening pre mentioned taboos, as girls are seen as being at risk of entering a premarital sexual relationship. This fear is strong. It take precedent over girls' right to an education and their right to choose whom and when they marry. The findings of the study revealed



Figure 28 Religious school with over 5000 thousand student in Khorasan Rezavi-Photo by Kameel Ahmady

this. An analysis showed that a fairly strong majority of respondents (65.2 per cent) did not choose their marital partner. In 49.5 per cent of cases this decision was made by their family and in the other 15.7 per cent of cases, by another person such as relatives and/or acquaintances. Deviating from the norm is rare. As soon as the child girl reaches to a certain age (mostly in their early teens), she is considered a threat and must be married quickly as now she is mature enough to marry. A girl's autonomous decision-making capacity is dwarfed against her own will and consent as she is married to someone usually in a higher age bracket. Power imbalance stemming from marked age gaps can be extreme when a teenager or sometimes even a pre-teenager is married to a much older man. Almost all of the parent respondents who had their daughters married at an early ages mentioned this social force as an encouraging factor of decision (avoiding pre-marital sex was the first advantage of ECM claimed by respondents).

- The nexus between the practice of ECM and labour results when a girl is handed over by her parents or guardians to another family, where she is exploited in domestic and/or manual labour. ECM provides a source of labour in rural places by adding a new member to the working family. The extra hand now facilitates the work load in places where the main family income derives from farming, carpet waving, livestock, etc. The use of the girl child as cheap or free labour emerges in some rural communities, where ECM follows a seasonal pattern that conveniently marches in tune with the agricultural economy.
- The Iranian patriarchal society is essentially reluctant to undergo major societal changes and conventional traditions are to be obeyed

unequivocally. One chief trait is to adhere to an unwritten hierarchical system of power contribution within the family. The patriarchal community considers it vital to have control on the younger generation. This fact legitimates the ECMs within the family lineage. After marriage, the young couple lives with the groom's parents in the same house, as they both are too young to independently afford living separately. By providing the young couple with financial support this leads to less independency in marital decisions such as where to live, when to have babies, what work to undertake and how many levels of education. This systematic and predetermined control mechanism is not only placed upon the girl child but also upon the boy child. In most cases parents claimed ECM stops boys from wandering around, staying out at nights and immigrating to other places including the larger towns in Tehran. This control over the younger generation is a means of uniting all family members in one place. This adds another layer on ECM's functional survival.

“All girls think about

getting married at some point and age. Modern mothers are thinking about their children's college. But the past generation in here is always talking about who got married! This is the mother's way of thinking which effects on the family even if the father disagrees. If mother is capable of controlling the atmosphere of the house, she can.

Zahra, 32

*Alavan City's council's wife,
Shoush, Khuzestan province*

REASONS FOR ECM

- In Chapter 1 what is discussed is the widespread acceptance of ECM through powerful cultural and social transmission mechanisms that have a drastic negative impact on the social development and the human rights of girls. This is wholly supported by our research. Chapter 1 also explores the respondent's attitudes on ECM. Our research shows that the effects of ECM jeopardises children's safety, balanced development and emotional wellbeing. Children are brutally pushed into adults. Early marriage abruptly sanctions the end of childhood and prematurely ushers young girls in adulthood, depriving them of the necessary physical and physiological time afforded by adolescence to prepare their bodies, minds and emotions to become mature spouses, caring parents and proactive citizens. Child marriage interferes with the natural trajectory of this growth. These young girls are neither children nor adults because they are viewed as adults and yet they lack the decision-making power and autonomy of adults because they are effectively children. ECM distorts their identity and falsely labels them as adults. Their life is stranded in a no-man's-land where they are no longer girls and not yet women.

By placing children in adulthood roles, ECM affects the present and the next generation in terms of multiple pregnancies, restricted access to education and income generation opportunists, enforced social seclusion, early widowhood and abandonment and trapping survivors in a generational cycle of outdated roles and rules. The acute gender based oppression permeates into the collective thinking process and passes on to the next generation.

In this context the subjugated role of women must be acknowledged. Evidence indicates that even married women, who may have been forced into ECM themselves, tend to internalise established social norms and practices, and echo the male decision makers as they mutely agree to the process of arranging unions for their daughter be married. This acceptance and attitude results in perpetuating the practice from generation to generation. Women with their lack of educational and social participation opportunities transfer the same oppressive situation to their daughters. Neglecting the changes they could potentially make in their children's lives, the victims of ECM, now the survivors, carry on perpetrating the very same impoverished event in the same manners as they experienced. Women carry on the customs without once considering ECM's chain of oppressive violence. It is important to note that the deep internalisation process started very young and stays with women all their lives as they acquiescent to the demands of their patriarchal society. The gender socialisation processes take place in a way to conform women's attitudes, behaviours and personalities' to patriarchal social. Their acceptance is due in part to the years of indoctrination of their own inferiority, low social status and lack of the power of negotiation with their husbands. Their own marriage, distance years away from its tragic beginnings, now give them a thin veil of respectability. The male dominated power structures controls their way of thinking as many are simply unable to think otherwise.

General perception and unmodified sexual behaviours is glaring with respect to sexual relationships. Having forced sex was a routine part of their marital life and the ability to discuss it or reject it was clearly not an option. This sexual subjugation was revealed in the study where most of the respondents felt it was

part and parcel of their marriage and thus their duty to have sex whenever the husband desired it. From a pre-marital situation in which socialising with the opposite sex and engaging in sex are socially discouraged or sanctioned, young married girls are plunged into another reality where they are quickly expected to perform the sexual roles of a wife. Non-consensual sex forces girls into intimacy unwillingly. The inability to voice their feelings about the continuing with non-consensual sex translates into impunity or even outright sanction of sexual violence against children. In a patriarchal society, avoiding it is a sin.

Amongst the more than five hundred interviews conducted during the field work only ONE woman emphasized the power of mothers in controlling family's lifestyle. She was the only woman who talked about the ways in which women potentially have the power to change their surroundings and take part in decision making that by far have been the responsibility of men. Another example was seen with a Kurdish woman from Kalle Gavi village (Sardasht town, West Azerbaijan). She voiced that premarital virginity should no longer remain a taboo.

I've got no problems with anal sex because it's something that all men want and we have to accept that. Because you got to keep men satisfied. Your husband gets out of the house and you don't know where he is going. You ask them where were you and they say I was out. You keep pushing him and he'll go and cheats on you and you don't even know who he is having an affair with! That's why I have to have no problem with anal sex. Because you have to keep your man satisfied with all he wants from you.

Female Respondent, 27

*Al-Khalaj Villagej, Bostan Absad,
East Azarbaijan province*

With the exception of these two above cited examples, the remaining interviewed women were mirrors of their provinces' gender attitudes. Their limited capacity to articulate their needs and rights confines girls to a marginal role in the family. As an outsider, she is likely to be kept at the periphery of discussions. This has been accepted by women as options are not present; they live it and mechanically accepted it without questioning because there is no choice. The power of self-restriction turns out to be a culture dominating women by themselves.

Marriage sanctions the passage in a woman's life, from growing up under the authority of her father or brother to now her chosen husband. In cultures where ECM is widespread, voicing an opinion and individual rights are secondary and not seen in patriarchal cultural settings where community norms inform personal decisions and behaviours, and decision-making processes are guided by the underlying premise of shared values rather than individual life choices.

Moreover, if gender empowerment is the goal that needs to be strived for, the grounds to plant the development seeds are pulling down the barriers that restrict girls' access to education, health, nutrition, recreation, and participation. Promotions must start with women themselves in order to see a noticeable effect in their development.

ECM AND VULNERABILITY OF THE MILLENNIUM DEVELOPMENT GOALS:

Historically, the prevention of early and forced marriage has always been a slow and difficult process. The "Sarda Act 1929" by India was the very first effort by the Indian government to put a stop to ECM by making it illegal for girls under

the age of 18. This has had no discernible effect as the analysis shows that India is one of countries with the highest numbers of child brides.³²⁰ The multiple causes underpinning child marriage imply that enacting legislation alone may prove insufficient to eradicate the problem from its roots. In 1990s, the Cairo International Conference on Population and Development somehow boosted the effort which was followed by the UN International Conference on Women in Beijing in 1995³²¹.



Since the establishment of the millennium development goals (MDGs), it had been greatly assumed that it would end the gender disparities. However, the severity of ECM undermines the efforts to improve the wellbeing of millions vulnerable.

The Millennium Development Goals (MDGs) framed in 2000, the Transforming Our World: The 2030 Agenda for Sustainable Development document was adopted in September 2015 by the United Nations to help eradicate poverty and achieve sustainable development by 2030 Amongst its 17 Sustainable

³²⁰ Mukherjee, S. (2006). Using Legislative Assembly for Social Reform: the Sarda Act of 1929

³²¹ Malhorta, Warner, McGonagle&Lee-Rife (2013) Solutions to End Child Marriage: What the Evidence Shows. International Center for Research on Women.

Development Goals (SDGs) and 169 associated targets includes target 5.3, 'Eliminate all harmful practices, such as child, early and forced marriage and female genital mutilation'. Under Goal 5 'Achieve gender equality and empower all women and girls. The universal framework commits all countries to make measurable efforts to end child marriage by monitoring progress on its implementation and ensuring accountability towards citizens, including children.³²²

However, an analysis of these laudable objectives shows that ECM stands in direct conflict with the objectives of Millennium Development Goals. ECM is a practice that traps 15 million girls a year into a cycle of poverty, health risks and inequality, and which has hindered the achievement of six of the eight MDGs.³²³ For instance, ECM threatens the attainment of the first six goals as it reduces and minimizes the chances for girls to be a part of the country's development process. The convoluted deeply entrenched social trap of ECM that operates in a male dominated power structure is a major cause of poverty, health risks and gender inequality, social expectations, culturally-embedded sexual norms.

This is worthwhile to mention that the Millennium Development did not address child marriage as a target even though ECM directly hindered progress on each of the eight goals.³²⁴ The report lacks any reference to young adolescent girls, who we know are an important component of any effort to alleviate poverty. There was no mention of girls' education, civil registration or mandatory birth certificates. There was no commitment to ensuring access to sexual and

³²² UN General Assembly, "Transforming our world: the 2030 Agenda for Sustainable Development", UN Doc. A/70/L.1, (2015), http://www.un.org/ga/search/view_doc.asp?symbol=A/70/L.1&Lang=E, accessed 9 October 2015

³²³ Sustainable development goals: why ending child... www.theguardian.com

³²⁴ Protecting the Girl Child Using the Law to End Child, Early and Forced Marriage and Related Human Rights Vi

reproductive health and rights, or to comprehensive sexuality education that is essential to achieving global health and ensuring women and girls' basic human rights. No mention of communities to combat discriminatory social norms. Though there were strong references to ending violence, providing financial services and property rights, and calls for data to be disaggregated by gender and age, sexual and reproductive rights were missing. Equally, the need to tackle inequality at its roots by dismantling discriminatory social norms was missing. All of these above cited and unmentioned entities flourish and sustain ECM. Whilst the report does call for an end to ECM it does so solely under a justice frame, which leaves out critical health, education and empowerment precepts. Considering ECM's colossal impact in the above cited areas, this unfortunate omission was a missed opportunity.³²⁵

The content of goal three to "promote gender equality and empower women" does not contain an explicit reference of eliminating ECM. It is impossible to empower women when so many girls are married off and denied their rights to health, education and a life free from violence and exploitation."³²⁶

Similarly, there is a fundamental link between ECM and education (goal two).³²⁷ Girls without any education are three times as likely to marry before 18 as girls with secondary or higher education. This in turn affects efforts to eradicate extreme poverty (goal one), since child brides miss out on the educational and economic opportunities needed to lift themselves and their families out of

³²⁵ Millennium Development Goals | ICRW www.icrw.org/taxonomy/term/29

³²⁶ Uprati, Melissa, *Why Ending Child Marriage is a Critical Part of the Post-2015 Development Agenda*, See also Sustainable development goals, supra note 5

³²⁷ Sustainable development goals, supra note 5

poverty.³²⁸ This in turn encourages the high dropout rate amongst girls which further create an obstacle to attain goal 2.

The practice of early marriages is very common in countries that are in dire need of development. Regardless of geographical and cultural setting, child marriage seems to directly correlate with conditions that typically characterise poor development, such as rural residence, low or no education, and poverty, with pronounced disparities emerging in the prevalence of ECM. “This in turn affects efforts to eradicate extreme poverty (goal one), since child brides miss out on the educational and economic opportunities needed to lift themselves and their families out of poverty. Poverty, both a key determinant and a manifestation of child marriage as witnessed in Bangladesh, Mali, Mozambique and Niger where more than half of the girls are married before age 18. In these above cited countries, more than 75% of people live on less than \$2 a day. Mali is an example of this dire economic survival.³²⁹

Poverty and child marriage are closely interlinked. Both a symptom and a driver of poverty, child marriage precludes the possibility of education, employment and other economic development, and exposes girls to a multiplicity of vulnerabilities.³³⁰

Child marriage also is a cause for the increasing maternal and infant mortality which undermines progress towards goals four and five. Unwanted pregnancies propel girls into high levels of physical and emotional stress for which their bodies and minds are not prepared. ECM opens the flood gates of high-risk and

³²⁸ Ibid

³²⁹ Population Reference Bureau (2005). 2005 World Population Data Sheet. Population Reference Bureau: Washington D.C.

³³⁰ Sanlaap, “Child Marriage: West Bengal Scenario”, (n.d.), p.4.

multiple pregnancies. There is pressure on her to demonstrate her fertility to her in-laws, husband and community, even before she is able to complete her own physical and sexual growth and even before she achieves the psychological and emotional maturity necessary to carry a pregnancy and take responsibility for a new life. Early frequent pregnancies can lead to permanent, debilitating injury prejudicial to the health and survival of both the mother and the child. Such marriages take place in traditional societies where child brides are bound to deliver children which put them at risk of sexually transmitted diseases and increased risk of maternal deaths.³³¹ Paradoxically, marriage as a vehicle of protection seems to expose rather than shield young women from HIV/AIDS, as it forces them into a sharp transition from virginity to frequent unprotected sex.³³² Girls often display a lower level of awareness and knowledge about sexually transmitted infections (STIs).

With the end of MDGs, international NGOs, national governments, and grassroots movements have analysed the potential obstacles and identified strategies that are needed to overcome ECM. The realization is that gender equality is a goal to achieve post 2015 development goals in health, education, governance, and economic empowerment. In this regard, Sustainable Development Goals (SDGs) have been designed to ensure gender equality, women's rights, and women's empowerment with many other development agendas. Efforts in this regards, were also made by the High-Level Panel of Eminent Persons on the Post-2015 Development Agenda and UN Women that have declared child marriage as an

³³¹ Nour, N. Child Marriage: A Silent Health and Human Rights Issue *Rev Obstet Gynecol*. 2009 Winter; 2(1): 51–56.

³³² International Parenthood Federation and the Forum on Marriage and the Rights of Women and Girls, "Ending Child Marriage", (2007), p.12

important target within the SDGs³³³. The Human Rights Council Resolution, which has been affirmed by more than a hundred countries, narrates 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.”³³⁴

It has been understood that post 2015 era would do justice to eliminate gender disparities. Understanding the forces at play of prematurely married girls and preventing child marriage is a commitment made by the international community and national governments as a key step toward achieving the Sustainable Development Goals (SGDs) set in the post-2015 agenda for global human, social, economic and environmental development and, in particular, as a necessary route toward achieving gender equality and empowering all women and girls. Prevention and elimination of early child marriages in this regards, would be a prime step that could lead to remove all other obstacles and barriers which have prevented women to be an active part of the global development gender process.³³⁵

RECOMMENDATIONS

Although these findings from the study concentrated on Iran, nonetheless ECM is not limited to any particular area, level of economic development, or

³³³ United Nations Sustainable Development Solutions Network (2014) Proposed Sustainable Development Goals (SDGs) and Targets

³³⁴ Report of the Human Rights Council on its twenty-fourth session-P 60-
www.ohchr.org/EN/HRBodies/HRC/RegularSessions/.../A-HRC-24-2_en.doc- Accessed September 16th, 2016

³³⁵ THEMATIC REPORT: Unrecognised Sexual Abuse and Exploitation of Children in Child, Early and Forced Marriage

interpretation of religious canon. The issue of ECM is present amongst specific groups residing in developing nations such as Serbia, where about 8 per cent of women were married as children, in Roma communities where 54 per cent of the women were married as children ³³⁶ and in the orthodox communities in Israel for example.³³⁷

There remains much to be done to combat ECM marriage in Iran. Based on the findings from the analysis and input from participants in the survey, the recommendations of the study are listed below. Many of the recommendations reinforce existing child marriage prevention programs and emphasize that multifaceted holistic approaches needed to tackle the problem of child marriage. The complexity of ECM requires that effective legal, policy and programme measures be taken by coordinating efforts at international, national and local levels. There are a range of approaches needed to address child marriage, and crucially everyone has a role to play. This means there must be long-term, sustainable interventions that are coordinated, well-resourced and reflected the empowerment of girls, mobilisation of families and communities, access to services and establishment and implementation of laws and policies.

What is a primordial is that authorities and policy makers must support its eradication and stop denying its existence. ECM exists and acknowledgement is sorely needed. Policy makers and government authorities continue to ignore this silent emergency. By putting aside this collective denial and validating the eye-opening facts, eradicating ECM starts to take seed. What is not being recognised is that understanding and accepting the problem is the first step to solving it. An

³³⁶ NICEF, "Ending Child Marriage: Progress and Prospects", (2014).

³³⁷ Ruth Halperin-Kaddari, "Finally in Israel: A Girl Is a Girl, Not a Bride", The Jerusalem Post, 2 December 1

example of this was explained in detail in Chapter 2 of this report. The Iranian government's new decision not to publish divorce census only erases the question instead of answering it.

Legislation defining age for compulsory education should progressively align with the minimum age for marriage. In Iran changing the laws on the legal marriage age, which currently is 13 years old for girls (and a shocking 9 years old with a court permission) and 15 for boys, demands an elevated marriage age. It is important to note that whilst most countries legislate for a minimum legal age of marriage, the age of marriage is often higher for men than it is for women and many countries continue to have a legal age of marriage lower than in the UN Convention on the Rights of the Child.

- Official Registration of All Births and Marriages is mandated in order to negate existing child marriage by making it impossible. With a limited or lack of reliable official records of birth, it is difficult to determine a bride's age with certainty. Parental estimates can be inaccurate, false, and simply a lie. Registration is a critical step to counter the practice of ECM as it provides the proof of girls' age. Sound marriage registration is only possible if it can rely on timely and rigorous birth registration. Birth registration is a fundamental human right which supports the enjoyment of a host of other entitlements. In countries where birth registration is not compulsory or is implemented inconsistently, marriage registration is liable to hinge on non-existent or unreliable birth certificates. According to UNICEF, the gap in recording births facilitates the falsification of the age and the identity of the child, particularly of girls being sought for early marriage. When a girl's birth is properly certified, the advantages are

priceless: her identity is protected, her capacity to access basic services is heightened and her protective rights are greatly enhanced. The registration act is an official legal recognition of her existence and a systematic structure for tracing history, and kinship. Moreover, registering births and marriages helps prevent ECM by proving the age of a girl and her partner and allows girls and women to seek financial and legal redress if the marriage ends.

- The role of government is pivotal. Government, as the origin of every country's power base, can be a crucial in ECM's prevention. As previously mentioned the government has to acknowledge ECM's existence and must want to eradicate it. The role of the government and civil society institutions is to develop and implement suitable systems to prevent or discourage ECM. However, the will of the government alone is not sufficient to combat ECM. A clear governmental commitment is needed to ensure the law is adequately enforced, particularly as social and cultural norms tend to override legal norms. Governments must show strong political leadership by making ECM of national importance and providing adequate financial resourcing across ministries to tackle the issue holistically. Government can further coordinating organizations' policies, provide funds for studies on ECM and other related research projects in order to diffuse the message to the populace about ECM. This is crucial to ensure protective and non-discriminatory legal frameworks, strict implementation of laws and policies, as well as provision of effective education and protection services, reproductive sexual health care and legal remedies to both married and unmarried girls.

- This will require long term solutions rather than a quick fix short term solutions. An example of this quick fix solution was seen with the launching of separate schools for married girls. At first it appeared promising, but a deeper probe indicate this policy lead only to staggering investments on providing separate facilities and sustaining gender inequality.
- Evidence widely shows that keeping a girl in school is crucial. As ECM interferes with girls' education, the education of girls pushes back child marriage. According to research by the International Center for Research on Women, in 18 out of the 20 countries with the highest prevalence of child marriage, the level of education a girl reaches is the most powerful predictor of the marriage age. Consistently, in all regions, girls with higher education levels were less likely to marry as children.
- The importance of education in increasing the age of first marriage is undeniable. As per the Australian Aid report "Laws implemented during the Islamic Revolution to ensure that boys and girls attend school through primary education have increased the literacy rate of young people to 95 present. Women now comprise 60% of university students in Iran."³³⁸ This shows that there has been improvement, but attention needs to be drawn to poorer, rural girls to enhance their accessibility to high quality, affordable and safe schooling. Hereby, free and obligatory educational



Figure 29 Women and girls attending religious and Quran lessons-Photo by: Kameel Ahmady

³³⁸ Child Marriage in Southern Asia-A Policy report by the Australian Aid, P 14

system has to be run through the country. Children must be kept at school at least until the end of their high school with low cost and or free and mandatory education for all. The very act of girls attending school can reinforces the notion to the community that girls are still school age children.

- ***Educate the public about ECM and raising their general literacy is a must.*** Based on the findings of this study, the respondents showed various ranges of glaring ignorance and or little or no knowledge about ECM's detrimental and overall general harmful effects. ECM is both a cause of illiteracy and an effect of it. Any step in tackling ECM must include the necessity of diffusing the negative outcomes to the public. This is when the power of technology comes into play by using mass media campaigns and other innovative methods such as radio, TV, mobile phones and digital media to raise awareness of girls' rights and the impact of child marriage. Without this important factor, advancement is an unreal outer force that cannot be permanent.
- Laws and policies play an essential part in preventing child marriage. Enforcing existing marriage laws and regulations seems to be one of the most requisite acts. Newly enacted laws and revisions on present articles in counties' civil code can optimistically rise the minimum marriage age up to 18. Many countries lack robust legal and policy frameworks which can help to prevent the practice and support married girls. A strong legal and policy system can provide an important backdrop for improvements in services, changes in social norms and girls' empowerment. Although the study showed that almost none of respondents had the slightest idea about

the law and the legal marriage age, raising these legal ages from 13 and 15 to 18 and letting the public know and educating them about it, is what is naturally expected from the government.

- Greater efforts should be made by the government to prosecute individuals for arranging child marriage and punishing parents who force or arrange ECM. Many countries have used existing criminal code provisions for prosecuting FGM and ECM ought not to be an exception. Activities should also be conducted to strengthen the capacity of law enforcement bodies to work more closely with communities, schools, and governmental and non-governmental associations to prevent ECM, meaning that all the above mentioned organizations who are in charge of and responsible for social problems, must act together in coordinating their policies towards a unified ECM prevention scheme.
- The practice of ECM in many communities has flourished due to a lack of knowledge and awareness of the negative drawbacks and consequences of the practice. It is imperative that efforts be undertaken to mobilize communities with the provision of knowledge and education about its negative physical, psychological and social impacts. Community involvement in ECM must be reinforced. A comprehensive advocacy plan should be designed and implemented to promote the empowerment of children, girls in particular, as a social norm.
- Profoundly entrenched are the social norms that view ECM as a deeply rooted practice which has been part of their culture for generations. Whether the practice is cited as cultural or religion, it is often driven by inequitable gender norms such as an emphasis on protecting a girls' (or her family's) honour by controlling her sexuality. For change to happen, the

values and norms which support the practice of ECM need to shift. Working with families and the wider community to raise awareness of the harmful consequences of child marriage can change attitudes and reduce the acceptance of parents who decide to marry girls when they are still children. Messages that promote new norms and positive role models are an effective way to change attitudes about the value of girls and women.

- Working with men and boys is a critical part of ending ECM. In many communities it is the men who hold the power and make the decisions. Interventions targeting fathers, brothers, husbands and future husbands are important in helping men and boys reflect on the gender based status quo and to see the benefits of a community which values and supports girls and women to fulfil their potential.
- Community programs should be conceived to benefit the families with financial incentive including helplines for victims, shelter and other safe places for girls. In addition to that, capacity building and education for community leaders and other key actors on the negative impact caused by ECM marriage will further help to ensure that it does not continue.
- The 1994 International Conference on Population and Development put forth certain findings that hindered women's development and needed a review from the government of Iran. The conference stressed a multi facet holistic approach involving all players from civil society, communities and government actors to look at all of the factors that limit women's development and respond accordingly with an integrated approach, including interventions at the community level and strengthening national policies.

- Religious leaders have been key agents of change. They exert considerable influence over public opinion, build trust within communities and foster the cultural acceptability of deferred marriages. Potentially, religious leaders have the potential to play a key role in speaking out against child marriage and changing community attitudes. Religious leaders may also hold the key to changing social norms around the expected age at marriage for girls. It is therefore essential that religious leaders receive training on the adverse effects of child marriage. Given the influence of religion, approaching the issue through the enforcement of Sharia law may be an effective strategy. A comprehensive method must be thought of to train and consult these religious leaders in order to diffuse the preventive message. In communities where religious leaders play a prominent role in decision-making or influencing the prevailing norms, it is necessary to target their support as positive advocates for change.
- The widespread traditional practice of temporary marriages further fuels the intensity of child marriages in Iran. Often following the initial removal of a young girl from her parental home, under the pretext of marriage, she can be sold into the sex trade, or just sold to another husband, as in the case of so-called fake or temporary child marriages. Men may engage in serial unions, marrying a girl for a limited time until she conceives a child (hopefully a boy, if the previous or present regular marriage has failed to produce one), or assists in economic activities. These young girls are then abandoned (and her child, if unwanted) once she is no longer required. Once girls are abandoned, they are unmarriageable and forced to continue a life of exclusion. Child marriage thus turns into human trafficking, free labour, prostitution, or, in short, enslaving a girl for the purpose of

indiscriminate exploitation. This is one of the prominent contributory factors to the increasing trend of child marriages in Iran. Tracking of such marriages is not easy as they are not registered transactions. This is no doubt a fact that registration of temporary marriages would not only highlight the ratio of the ECM prevalence in Iran but also would help in prevention of sex trafficking and child prostitution.

- Empowering girls by giving them the opportunity to build skills and knowledge to understand and exercise their rights and to develop support networks, plays an important part in ending child marriage. As girls are the victims and later the survivors they are also the agents of change. Girls are the key to social transformation around early marriage. Young girls should be helped to develop the necessary resilience to defend themselves from attempts made by adults, even well-meaning parents or elders, to marry them before they attain majority. In addition to protecting itself, a well-informed, aware and proactive new generation should provide the backbone of initiatives being set in motion in their communities, countries and internationally to progressively make child marriage an echo of a no longer existent tradition. Knowledge of marriage laws and reproductive right could be integrated into their life skills training in order to improve girls' knowledge about their reproductive health and legal rights including the right not to marry before age 18 and the right to give free and full consent to marriage. Activities could also include increasing girls' self-confidence and ability to negotiate key life decisions including continued schooling and annulling marriage.
- Iran has witnessed changes in child marriage law over the last century. A comprehensive report by the Australian Aid highlights that "Before the

1979 Iranian revolution, the legal age of marriage for boys and girls was 18 and 16, respectively. Shortly after the revolution, the age of marriage for girls was lowered to nine, subject to competent approval and ‘physical maturity’³³⁹. The report further states that “Then in 2003, female parliamentarians successfully pushed through legislation that raised the legal age of marriage for girls to 13.”³⁴⁰

- Nevertheless, the laws on restricting child marriages are few and the level of punishment is not draconian to deter potential perpetrators. Moreover the loops in Iranian’s legal system provide gaps for violators to circumvent the law. Setting the legal age for marriage at eighteen is crucial. Iran should remove any reservations to international conventions concerning the definition of the term “child” or minimum marital ages. This involves a three tier approach: amend and /or introduce new legislation on child marriage; enforce mechanisms to guarantee eighteen as the minimum age of marriage for both males and females and to guarantee consent and, as previously mentioned, impose appropriate sanctions on violators.
- It is high time for Iranian legal authorities to incorporate international laws into their legal system or practice. As a signatory to CEDAW and the CRC, Iran has the legal responsibility, evidence by their signature to the conventions, to take all necessary legislative, judicial, administrative and other measures to ensure the full attainment of women’s and children’s rights which are an integral part of these conventions.
- A range of policy and programmatic actions are needed to assess and reduce early marriage and its impact. This includes data research. At present, there is a serious lack of data on all aspects of ECM, let alone

³³⁹ Child Marriage in Southern Asia-A Policy report by the Australian Aid, P.13

³⁴⁰ Child Marriage in Southern Asia-A Policy report by the Australian Aid, P.13

ECM in Iran. What does exist is an examination of ECM in terms of demographic trends, fertility and educational attainment. There are as yet very few studies that have examined the practice from a gender based violence or human rights perspective, or from its impact on wives, husbands, families and wider society. These gaps need to be filled urgently, since data influences and guides policies and programmes and provide a basis for effective advocacy. Existing demographic data may be disaggregated and used in ways that tell us more about the prevalence of early marriage.

- A substantial and significant shortage of available material on child marriages in Iran is a matter of immense concern. There is lack of awareness from the populace and deliberate indifference from the government. In Iran, the contemporary research bodies analyse child and gender based issues such as domestic violence and child education. ECM however has been largely ignored. This attitude of indifference towards ECM has resulted in a scarcity of data on the issue which has limited the knowledge about the issue to the domestic and international community. Many have no idea about the presence of ECM in Iran. Consequently in many global reports on child marriage, Iran is scarcely mentioned undoubtedly due to this lack of available data.
- It is vital that more research on the topic is undertaken so that the world is cognisant that ECM in Iran is highly prevalent. The research would also facilitate the government, law makers, civil institution, analysts and policy makers in Iran to identified and combat the issue. Academic society, scholars and university researchers are needed to undertake more in-

depth studies and country size reports on ECM to document the nature and prevalence child marriage and its ensuing sexual violence.

- Lastly it is worth mentioning that ECM in Iran is supported by a religious force (including a religious government) and social norms. These two powerful elements trigger ECM and have caused this harmful practice to survive through generations. Any acts against ECM are indirectly targeting religious rules and social customs. It is this study's premise that any action against ECM, must focus on the role of poverty and improving gender equality.
- The Iranian government desperately needs to develop comprehensive social safety net programs, reduction of poverty level and providing economic opportunities to encourage families to end ECM. In the world wide battle to eliminate ECM, Iran has been neglectful and neglected.

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