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Concept Note: Early Marriage practice and its impact on women’s economic rights

Scope of the problem

Early marriage or child marriage practice as it is also known in many documents is a global phenomenon mostly affecting women in a number of countries in Sub-Saharan Africa and the Indian subcontinent, but also closer to Europe – in Central Asia, and even in some communities in Europe.

As estimated by UNICEF, more than 700 million women alive today were married before their 18th birthday. More than one in three (about 250 million) entered into the union before age 15.\(^i\) For example, in the Amhara region of Ethiopia, almost 50% of women are married by the age of 15.\(^ii\)

While the causes for early marriages are multiple and complex, often economic considerations are primary for the families, followed closely by observance of cultural and religious traditions.

Early marriage is an important factor in the so-called cycle of poverty. While the most widespread cause for early marriage is poverty as such, the early entry into matrimonial union also exacerbates the precarious situation of young women by limiting the girl's opportunities to attain sustainable livelihood due to the short-cutting of her education, and reducing future economic independence and earning prospects.\(^iii\)

In most of the countries where early marriages are widespread the practice is officially illegal. The legal interdiction does not prevent all early marriages, but in response to the legal ban many of them are concluded in traditional and religious ceremonies that give no legal rights to the spouses. When such a marriage ends in divorce it is usually the wife who loses her rights to common property.\(^iv\) Illegal status of early marriages also prevents governments from collecting accurate statistics and identifying root causes in the specific context of their countries, which would be a first step to finding context-specific solutions.

Factual background

As mentioned previously, the practice of early marriage is officially illegal in most countries affected. In 1964, the UN adopted the Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages, and a year later a General Assembly Resolution established the minimum marriage age globally to be no lower than 15.\(^v\) As of today, the minimum marriage age in most countries is higher than the one set by the Resolution. And while the numbers of child marriage have reduced in most cases, often local governments lack the commitment, resources and tools to implement their obligations and to end child marriage.\(^vi\)
As reflected in the poverty cycle model, early marriage has poverty both as its cause and consequence. In the countries were early marriages are most widespread, there is a big gap in median marriage age defined by income. In the top quantile of households, median marriage age is above 18 (e.g. Bangladesh, Niger), or even above 19 (Nepal). But in the lower income quantile in the same countries, median marriage age is between 15 and 17.\(^{vii}\)

Lack of access to education constitutes another vicious circle: girls who have not obtained secondary or even primary education are more likely to enter early marriage (sometimes for those having primary education the median marriage age is 2 years higher than for those without education).\(^{viii}\) At the same time there are no reliable statistics on the percentage of girls who drop out of school specifically because of early marriage since early marriage practice is illegal, however according to a number of reports, early marriage often implies that girls do not continue education.\(^{ix}\) Failure to complete even basic education leads to loss of income\(^{x}\) and thus reduces economic independence and perpetuates poverty. Overall, withdrawal from education, severe maternal and child health problems and restricted access to income-generating activities are among key factors perpetuating poverty.\(^{xi}\)

Despite old and new commitments from the international community and from some EU governments (the most recent one being the DFID new child marriage programme in the UK)\(^{xii}\), the percentage of child marriages in many countries receiving development aid is not diminishing quickly enough. Some of the obstacles to a more effective policy on preventing early marriages and reducing their harmful effect on education and economic and personal independence of women include:

- **Lack of economic motivation for the families and girls themselves to break out of the early marriage pattern.** Thus, in the Amhara region of Ethiopia where every second woman married before 15, rural population does not as a rule have access to the kind of education that can be linked to evident economic gains. Schools in villages lose their appeal by the age of 13, because they do not teach a trade that can be practiced in the locality where the students live. With subsistence farming being still the most widespread option, and the only women working outside of their home being girls that have moved to the city as unskilled labourers to escape early marriage, their example may inspire 1 or 2 individuals, but not many.\(^{xiii}\)

- **Lack of reliable statistics.** E.g., in Central Asia, particularly Kyrgyzstan and Tajikistan, statistical information about the number of child marriages cannot be used to investigate trends, as most early marriages are not officially registered.\(^{xiv}\) Instead, the religious ceremony is used to solemnise the marriage.

- **Lack of implementation of existing legal norms.** E.g. even though formally in Central Asia religious authorities are prohibited by law to marry couples who have not obtained a marriage registration from civil authorities, religious ceremonies lacking the required documentation are conducted routinely, including marriages of girls younger than official marriage age.

- **Lack of legal literacy and awareness of own rights,** including the right to education, family and reproductive rights among young women and their families.
Case studies

1. **Central Asia, Kyrgyzstan:** Early marriage rates may be rising, despite almost universal access to school

With poverty rate at 38% Kyrgyzstan is the poorest among Central Asian countries. Economic considerations often are primary for families opting to take daughters out of school. In addition, conflicts and violence sometimes cause families to opt for early marriage for their daughters – thus, after ethnic clashes in the city of Osh in 2010, which were accompanied by sexual violence, families were reported to hasten the marriage of their daughters to avoid the risk of rape before marriage that would render their daughters unfit for marriage according to social stigma.\(^{\text{xv}}\)

Statistical information about the number of registered marriages by age group cannot be used to investigate trends in child marriage. These are contracted by means of nikah religious ceremony and are not officially registered.\(^{\text{xvi}}\) Nevertheless, researchers report that in recent years in Kyrgyzstan, the number of child marriages may have actually gone up.\(^{\text{xvii}}\) Marriages by abduction, less common in Soviet times, are also frequent.

Economic consequences of early marriages in Kyrgyzstan for women are twofold: lack of property rights in marriages that are contracted only in religious ceremony\(^{\text{xviii}}\) and dropping out of education and income-generating activities. While dropping out of education is a major concern, it may be not seen as such locally. In Kyrgyzstan, children of both genders frequently fail to complete school, and boys are more likely to drop out than girls, because families take them out to work.

Education system (despite being accessible at least in early years of school to the majority of population) does not provide sufficient incentive for all children to stay in school. It is often seen as irrelevant to economic well-being in a society where jobs are often obtained through knowing the right people and with the large disparity between rural and urban population, particularly in rural areas schools fail to provide relevant skills for life.

2. **Central Asia, Tajikistan:**

Similarly, in Tajikistan, cultural and economic factors also play the central role among causes of early marriages. These are however exacerbated by policy failures related to the conditions under which men have to marry and have two children immediately after school in order to avoid military service, and/or before they quit the country as labour migrants. The exit of young men from the country due to migration leads to families being more anxious to marry off their daughters early. This creates seriously unbalanced situation in access to higher education and better-paying jobs, as young women are not always expected to continue education after marriage, and sometimes lose interest in education from the moment they are engaged.

For young women left behind at home by a husband working in another country – a large part of the country’s male working-age population – the situation is often aggravated by the fact
that marriage by religious ceremony alone is not recognised by the state, and wife's rights are not protected. Indeed, they are often left without economic support by the husband or his family.

3. **Europe, UK: Forced and early marriages as response to cultural ‘threats’**

In EU countries with significant immigration communities from countries where early marriage is still widespread, the phenomenon of early marriage is especially closely intertwined with forced marriage. While there are no reliable statistics on the number of forced and early marriages conducted due to families avoiding publicity when they force their teenage daughters into marriage, a report from 2008 estimated that about 3000 cases of forced marriages occurred in the UK annually, with women between 13 and 30 years of age.\(^{xx}\)

Some of the recurring causes of forced and early marriages identified by researchers in the UK differ from the reasons mentioned in studies in lower income countries, for example:

- Controlling unwanted sexuality (i.e., what is seen as promiscuous behaviour);
- Controlling unwanted behaviour, for example, alcohol and drug use, wearing make-up or behaving in a ‘westernised manner’;
- Preventing ‘unsuitable’ relationships e.g. outside the ethnic, cultural, religious or caste group;
- Protecting family honour or ‘izzat’.\(^{xx}\)

As evidenced by the called out examples, the economic causes for early and forced marriages are not as prominent as expected. Moreover, it is possible that in migration communities in Europe cultural and ideological reasons take first place as causes of early and forced marriage. The result, for the young woman, can be a forced marriage sending her to the country of origin, reducing her economic independence and chances of employment and career, as well as injuring other rights.

**Preliminary Recommendations**

A number of international organisations and NGOs have developed policy recommendations to end child marriage.\(^{xxi}\) These can be grouped into recommendations for international donors, aid organisations in the field, national governments of countries where early marriage practice is common, etc. Most often these focus on:

- Improving access to education;
- Creating economic incentives for families;
- Improving the implementation of existing laws; and
- Raising awareness.

However, as some of the case studies and research quoted above show, early marriage is a complex phenomenon that has to do with both economic rationales (or what is perceived as economic rationality by the girls’ families) and cultural ideologies (it would be misleading to
use the word traditions, because for example two generations ago in Kyrgyzstan marriage by abduction and religious marriage were less common than now).

During the Riga conference on Prevention of Violence – Precondition for Economic Empowerment of Women (3 March 2015), the following recommendations were developed by participants:

To European institutions and international aid agencies:

- Make combating early marriage a priority in bilateral agreements with beneficiary countries where it is relevant – thus to promote increasing awareness of the problem which is often silenced;
- Fund measures supporting improved access to education and economic empowerment of women, e.g. improving the relevance and appeal of secondary education for families and girls. Schools that do not teach work-relevant skills and education systems that do not show a clear path to income-generating activities are more likely to be seen by parents as waste of time.
- Support and fund capacity building for local NGOs and coalitions opposing early marriage and promoting economic empowerment of women. This support should also be available to small-scale local organisations and their European partners.
- Encourage coalitions of local stakeholders, non-state and state actors. To work with moderate religious leaders and prevent religious radicalisation that places women in a subordinate position within family and society.
- Support education reforms improving access to vocational education in secondary school, especially for rural communities, targeting girls and showing the practical benefits of education to families.

To state and non-state stakeholders in countries where early marriages are still common:

- Raise the awareness of families and communities about the negative economic and health-related consequences of early marriage. Continue awareness raising campaigns at local and national level, involving all stakeholders, including young women AND men. Encourage media debate about the problem.
- Ensure the collection of reliable and accurate statistics on early marriages, as well as the availability of data on the consequences of this practice on women..
- Guarantee family planning education in schools.
- Teach about family planning in schools.
- Strengthen protection of children’s rights through national legislation and ensure consistent implementation, involving non-state actors.

World Vision ( ) Before She’s Ready. 15 Places Girls Marry by 15.
General Assembly resolution 2018 (XX) of 1 November 1965
Ibid., p. 16.
Ibid., p. 20.

Chaaban, Jad, and Wendy Cunningham. Measuring the economic gain of investing in girls: the girl

Personal observations by M. Golubeva based on interviews in Amhara.
Ibid.
Ibid.
Ibid.
Ibid.
Revill, J & Asthana, A (2008), 3,000 Women a Year Forced into Marriage in the UK, Study Finds, The Guardian, 8 March
E.g. UNICEF, Council on Foreign Relations, Plan Europe, Plan UK, World Vision