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## **Policy Brief Child Marriage**

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### **Summary**

Child marriage, specially the female child, is an international issue and situation is much more critical in the developing countries. There are numerous factors that do trigger the child marriage in the developing countries including poverty, social norms, patriarchal system, gender inequality, family systems and honor, religious agents and many others. There are few suggested measures that could abrogate child marriage including the law development and implications.

### **Introduction**

Marriage before the age of 18 is a fundamental violation of human rights. Child marriage is truly a global issue prevalent in many societies. Among many reasons of child marriage few are poverty, social norms, patriarchal system, insecurity, religion, family honor, poor legislation related to issue, gender inequality etc. This issue has detrimental effect on the social fabric.

### **Major Causes of Child Marriage**

- **Gender Inequality**

Child marriage is manifestation of gender inequality. Gender inequality in broader terms means that women, because of their sex, are considered as the second class citizens and due to this they are deprived of their human rights and are valued less.

- **Patriarchal System**

The system that are controlled by men i.e., patriarchal system value girls as per their virginity. This thus put constraints on female sexuality and reproductive preferences. This not only control female sexuality but also put restraints on behavior of girl and how she ought to dress up, her mobility, and who will accompany her, and if, with whom and when she will marry. This leads to marginalize her sexuality and prevent her access to care and information facilities.

- **Family Honor**

In several societies across the globe girls, having relationship or becoming pregnant outside the marriage are considered bringing shame and dishonor to family. Family prevents this by controlling them or prohibits them from going out even for educational purpose. In such instances parents see early marriages as only way to save their honor. In many circumstances girls agree as they want to earn the status of wife and mother. This brings them a kind of freedom in mobility to some extent.

- **Social Norms**

In many instances social norms drive early marriages. Cultures are every so often gendered and seek to regulate women and girls sexuality and retain long lasting practices. Child marriage is one such practice. In many cultures across the globe, it has ensued for generations and has become routine and gained social approval and acceptability.

In certain contexts, a girl becomes a woman when she starts to menstruate. Marriage may be the subsequent step towards her obtaining statuses of wife and mother.

- **Poverty**

In developing countries like Pakistan Families and even girls themselves suffering from acute poverty look at marriage to lessen family expenses and to earn financial security.

- **Religious Angle**

In many cultures the religious aspect is a major concern about early marriages. As they consider it to be a religious duty. The communities in Asian region are following the religions like Hinduism, Islam, Christianity and Buddhism, the teachings of these religions are majorly interpreted in the terms that do support the early marriages.

### **Measures to Abridge Child Marriage**

Children and adolescent girls across the globe get married and go through informal unions either by choice or forcefully owing to many intricate inter related reasons.

To put an end to child marriage first it is necessary to comprehend the structures, norms and actions that push it and also have to look what works best to stop it in various contexts.

Girls ought to be at the center of resolutions to put an end to child marriage. Families and communities should participate in renovating the adverse social norms that restrict girls' preferences. By acting collectively, gender equality in homes and in public spaces can be extended, this will ultimately result for girls to reach their full potential. To bring changes at a larger scale, global associations, administrations, diplomats and faith leaders ought to join hands and pledge to putting human rights guideline into action all over the world. This necessitates directed ventures and scheduling to end child marriage. And build girls agency. It signifies to make sure that girls have right to quality education, sexual and reproductive health care, gender responsive social protection system and a fair and equal labor market.

### **Action Agenda**

It is imperative for countries to have a minimum age of marriage in their domestic laws as it can safeguard children from exploitation, damage and violence and provide a legal ground for their protection. Laws to deliver child marriage should be part of a broader legal and policy frame work which refers to its root causes, including gender inequality.

This frame work should include concerns akin to

- Marriage and Divorce (involving registration and validating marriages, child support and child custody)
- Laws related to unsafe practices like dowry, bride price, polygamy and female genital mutation.
- Laws relating to property and inheritance should be proper and clear.
- Sexual and gender base violence (marital rape) should be under law implementation.
- Child labor force and exploitation.
- Human trafficking, human marketing, sex trafficking and international marriage brokering.
- Access to health care, education and social securities.
- Mandatory birth and marriage registration (it must include registration of all marriages, involving civil, religious and customary unions).

### **Legal Provisions of Child Marriage**

Legal provisions grant exemptions from the minimum age of marriage in different countries. These ambiguities lead to undermining the effectiveness of legal protections for girls against child marriage. This may include marriage upon parental approval or approval of the court, or where traditional or religious laws that set lower minimum age of marriage take preference over national law.

### **Detrimental Effects of Child Marriage**

Child marriage every so often concedes a girl's development owing to early pregnancy and social segregation, interfering with her schooling, and constraining her prospects for career and vocational progress. Though the influence on child grooms has not been widely studied, marriage may have similar effects on boys like the effect of this adult role for which they are not ready and may place financial pressures on them and curb their prospects for further education or career advancement.

The matter of child marriage has been addressed in various international conventions and agreements. The Convention on the Elimination of All Forms of Discrimination against Women, for example, covers the right to protection from child marriage in article 16, which 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...." The right to 'free and full' consent to marriage is recognized in the Universal Declaration of Human Rights, which says 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. Although marriage is not mentioned directly in the Convention on the Rights of the Child, child marriage is linked to other rights – such as the right to freedom of expression, the right to protection from all forms of abuse, and the right to be protected from harmful traditional practices – and is frequently addressed by the Committee on the Rights of the Child. Other international agreements related to child marriage are the Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages, the African Charter on the Rights and Welfare of the Child and the Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa.