

## **COMBATING CHILD MARRIAGE THROUGH EDUCATION IN SUB-SAHARAN AFRICA**

**Osakinle, E. O., Ibimiluyi, F. O., Okunade, H. F.**  
*Faculty Of Education, Ekiti State University, Ado-Ekiti*

### **Abstract**

*By the end of today another 25,000 young children will have been robbed of their childhoods, cheated of their right to an education, exposed to life-threatening health risks, and set on a road leading to a life of servitude and poverty. child marriage is a hidden crisis. Because the victims are overwhelmingly young, poor and mostly female, their voices are seldom heard by governments. Their concerns do not register on the agendas of global summits. But child marriage is destroying human potential and reinforcing gender inequalities on a global scale. It jeopardizes education, is harmful to health and turns millions of girls into second-class citizens, locking them and their children into cycles of poverty. Education has the potential to act as an antidote to child marriage. There is clear evidence that the more education young girls receive the later they marry, especially if they reach secondary school. The challenge is to get girls through primary and into secondary education. Gender inequalities in school entry and dropout rates means that over 8 million girls in sub-Saharan Africa and South Asia face elevated risks of child marriage during their early adolescent years. This paper considers the basis for combating child marriage through education in Sub-Saharan Africa focusing more on Nigeria, the country whose Christian and Islamic practice are rooted in the interpretation of the Bible and Quran respectively. Significantly, the caveat that copulation should be delayed until such girls are mature is often ignored as these child brides are engaged in sex. Young teenagers may not be able to give informed consent to marriage. In addition, because of their tender years, they are unable to express their sexual autonomy. Against this background, it canvasses that the implications of this practice are multi dimensional. This paper concludes that the practice can be jettisoned.*

**Keywords:** *child marriage, child bride, education, child sex,*

### **Introduction**

Child marriage represents one of the greatest development challenges of our time. It is a practice that robs children of their childhood, imperils their health, and destroys their hopes. This year, 10 million children – most of them young girls – will become wives. That's 25,000 every day. Coerced into lives of servile isolation, and scarred by the trauma of early pregnancy, child

brides are the victims of widespread and systematic human rights violations. They represent a vast lost generation of children. And it is time to put their protection squarely on the international development agenda. One of the gravest injustices suffered by child brides is the denial of education. As the three young women cited above testify, marriage and premature pregnancy pries millions of girls out of school and into a world of diminished opportunity. Denied the chance to realise their potential through education, many of these girls will be condemned to lives blighted by poverty, illiteracy and powerlessness.

Early marriage, defined as marriage before the age of 18, is mainly practiced in sub-Saharan Africa and South Asia, where over one third of African girls and nearly a half of South Asian girls are married during childhood.<sup>1</sup> In sub-Saharan Africa, the highest rates of child marriage are found in West Africa, in countries such as Niger, Chad and Mali. However, in East Africa, the numbers of girls married in countries such as Ethiopia, Zambia and Tanzania is also substantial. In rural Tanzania, median age at marriage is 18.5 (Brown, 2012).

This research brief describes girls' experience of early marriage, education and sexual behaviour in the Tabora region of Tanzania. Located in the central-western part of the country, Tabora has an estimated population of over 1,700,000<sup>2</sup> and is largely rural and devoted to agriculture. Findings from this brief are drawn from a baseline study conducted in 2011 in rural Uyui district of Tabora. Over 2,000 girls aged 12 to 17 were interviewed, as well as over 400 parents. Child marriage is the practice of marrying a young girl (generally defined as below the age of fifteen) to an adult. In most cases, it is always a young girl married to a man (Brown, 2012). It is a situation where female adolescents and teenagers are married to adult husbands. In these instances, sometimes, the men can be twice their ages and these females become child brides. Historically, the aristocracy of some culture tends to use child marriage among different factions or states as a method to secure political ties between them. The son or daughter of a royal family of a weaker family would sometimes arrange to marry into the royal family of a stronger neighbouring power, thus preventing itself from being assimilated. In the lower classes if they were fortunate, families could use child marriage as a means to gain financial ties with wealthier people ensuring their successions (United Republic of Tanzania, 2002)

The incidence of child marriage has become a global phenomenon, particularly in Sub-Saharan Africa and Southern Asia (OECD, 2005). In Nigeria, several researches have been carried out on the incidence of child marriages. In 1999 Nigerian Demographic and Health Survey (NDHS), (Mensch, Bruce and Greene, 1998) it was reported that in 26.5 percent couples, there is an age difference of 15 or more years between husband and wife. Equally, it showed the median age of marriage in the South West and South East was 20.2 years whilst those of the North West was 14.6 years and slightly higher in the North East with 15.0 years. It concluded that there was a large zonal variation in the mean age of marriage with females in the North marrying on an average of about five years earlier than those in the South.

Another recent research based on the 2003 NDHS revealed that the timing of marriage varies considerably by region and area of residence (Levine, Lloyd, Greene and Grown, 2008). The median age at marriage is lowest among girls in North West and North East regions, at 15.8 and 16.8 years respectively. Rural girls were more likely to marry early compared with urban girls; for example, in the North West, 29 percent of urban girls married by age 15 compared with 65 percent of their rural counterparts who are married at the same age. The timing of marriage among girls in the southern regions is later (Hindin, Kishor and Ansara, 2008). This survey further substantiates the 1999 NDHS. From these surveys, girls from the Northern part of Nigeria marry at a relatively younger age than their Southern age mates. Another significant factor from

the 2003 survey was that rural girls were more likely to get married earlier than urban girls. It is quite glaring that there is higher incidence of child marriage in Northern Nigeria.

### **Child Marriages in Northern Nigeria: Islam and Sharia Law**

Islam was introduced into Nigeria around the 11th century and spread throughout the country (Junaid, 2005). It has its own distinctive legal system, that is, Sharia law. For almost a century, the Borno Empire was the front runner of Islam and Sharia legal system. However, by the 15th century, Sharia had spread to the neighbouring states of Kano and Katsina which subscribed to its cause. The Fulani Jihad and the establishment of the Sokoto Caliphate in the 19th Century further consolidated the influence of Sharia legal system (Junaid, 2005). The above represented the position until the British colonization of Nigeria. According to a leading scholar on the application of Islamic law in several parts of the world, Sharia law was more in force in Northern Nigeria than anywhere else in the world apart from Saudi Arabia (Anderson, 1998). The British allowed the Sharia legal system in several Northern states as a native law and custom (Fabamise, 2004). To that end, section 2 of the Native Court Ordinance provided that native law and custom included Islamic Law (Fabamise, 2004). The Native Courts (Protectorate) Ordinance equally empowered native courts to administer the native law and customs prevailing in the areas of their jurisdiction (Elaigwu and Galadima, 2003). Hence, Sharia remained operative in Northern Nigeria as a class of customary law and was recognized under the Constitution of the Federal Republic of Nigeria as an existing law. This was the state of affairs in Nigeria until 2002, when Zamfara State officially adopted the Sharia legal system (Fabamise, 2004). This was quickly followed by eleven other Northern states. Since then, several arguments have been canvassed on the merits and demerits of the Sharia legal system which is outside the scope of this paper. Suffice to say that the Muslims believe that all other laws have human origin, but Sharia law is fixed by the Almighty Allah through his Messenger, the Holy Prophet Mohammed, who by using divine power, disseminated the message from its immediate Arab home to the rest of the world (Fabamise, 2004).

### **Child Marriage and Education: A Major Challenge**

#### ***Why Does Child Marriage Matter?***

The issue of child marriage is getting renewed attention among policy makers. This is in part because child marriage remains highly prevalent despite efforts by many developing country governments to discourage and even outlaw the practice. It constitutes a violation of the rights of the girls who are forced to marry early, and it profoundly affects their life through substantially lower education prospects, health complications (such as vesico-vaginal fistulae, a higher likelihood of acquiring HIV/AIDS, and higher levels of infant mortality with early pregnancies), and higher risks of violence in the home as well as social exclusion.

On the basis of physiological and social criteria and data from Demographic and Health Surveys, Dixon-Mueller (2008) suggests that boys and girls aged 14 and younger are almost universally too young for sexual, marital, and reproductive transitions, while 15-17-year-olds often are too young, depending on circumstances. This suggests that the cut-off point of 18 years is an appropriate minimum age for marriage, yet legal reforms of the age of marriage are often unsuccessful in curbing the practice of child marriage.

Given the importance of child marriage for development policy and especially education, this note summarizes the results of recent research carried out by the Education Department of the World Bank on child marriage and education. The note has three objectives: (1) to provide new estimates of the extent of child marriage and whether it is decreasing rapidly or not over

time; (2) to measure the impact of child marriage on drop-outs, literacy, and education attainment; and (3) to briefly suggest some of the policies that could be adopted in order to reduce child marriage.

### **How Widespread is Child Marriage and Is It Decreasing over Time?**

How extensive is the practice of child marriage today? Nguyen and Wodon (2012b) provide data on trends in the incidence of child marriage for girls (the share of girls marrying before the age of 18), as well as in the child marriage gap (a measure which also factors in the number of years of early marriage). The estimates are based on data from 60 Demographic and Health Surveys. The region with the highest overall incidence of child marriage today, as estimated through the incidence of child marriage among women born between 1985 and 1989, is South Asia where 45.4 percent of women born between those years were married below the age of 18. Sub-Saharan Africa is next, with 38.5 percent of women born in those years marrying below the age of 18. The Middle East and North Africa region comes next, with an incidence of 31.5 percent, followed by Latin America and the Caribbean, East Asia and the Pacific, and finally Europe and Central Asia with substantially lower incidences.

It is widely acknowledged that child marriage is decreasing, but how rapidly? Table 1 shows that when comparing the incidence of child marriage between women born between 1985 and 1989 and women born between 1955 and 1959, the incidence of child marriage was reduced by 14.8 points in South Asia and 14.0 points in sub-Saharan Africa. The declines were lower in the other regions. When looking at income groups, the reduction in the incidence of child marriage was 14.1 points for low income countries and 11.9 points for lower middle income countries. As expected, the absolute reductions in the incidence of child marriage have in general been largest in countries where the incidence was initially highest (Osakinle, and Olufunmilayo-Tayo Olajubutu (2012). For all low income and middle income countries as a whole for which DHS surveys are available, the incidence of child marriage was reduced by 10.8 percentage points from 51.2 percent among women born between 1955 and 1959 to 40.3 percent for women born between 1985 and 1989. Similar findings are obtained for the child marriage gap in terms of the comparison of regions and groups of countries with the largest decline over time. Thus, while progress has been made, the gains towards eliminating child marriage have been slow and much remains to be accomplished.

### **How Large is the Impact of Child Marriage on Education?**

Relatively few studies have attempted to carefully measure the impact of child marriage on education. The main difficulty is that the decision by a girl (or her parents) to marry early is likely to be itself a function of the girl's education potential. For example, girls with lower education prospects because they may be weaker academically face smaller expected losses in future earnings and thereby have lower incentives to continue to study as compared to girls who are academically stronger. These girls may be more willing to marry early or their parents may be more inclined to have them marry early. Similarly, independently of their academic abilities, girls less interested in pursuing their education may also marry earlier and might have dropped out of school even in the absence of marriage. Because education and marriage decisions are jointly made, it is technically difficult (i.e., using proper statistical or econometric methods) to assess the impact of child marriage on education attainment.

Two approaches have been used in the literature to try to estimate the impact of child marriage on education. The first approach consists in relying on the reasons mentioned by

parents in surveys for why their children have dropped out of school. The share of drop-outs that appear to be due to child marriage or early pregnancies can then be computed. Using data from the late 1990s for Burkina Faso, Cameroon, Côte d'Ivoire, Guinea, and Togo, Lloyd and Mensch (2008) find that for girls aged 15 to 24, child marriage and pregnancies directly account for between 5% and 33% of drop-outs, depending on the country. Using similar data for Nigeria for 2006, Nguyen and Wodon (2012c) find that child marriage (and to a much lower extent pregnancies) account for 15% to 20% of drop-outs, which is of the same order of magnitude. In addition, Nguyen and Wodon (2012c) also show that if child marriage and early pregnancies could be eliminated, this could potentially reduce the gender gap in education by about half.

The second (and better) approach relies on regression techniques with instrumental variables to explain the decision to marry, but not education outcomes conditional on the decision to marry. Field and Ambrus (2009) use variation in the timing of menarche (puberty) as the instrumental variable for the age at first marriage, given that in many cultural and religious traditions, including in Bangladesh, girls often are not allowed to marry before reaching puberty. They find that each additional year of delay in the age of marriage increases schooling by 0.22 year and the likelihood of literacy of 5.6 percentage points. Nguyen and Wodon (2012d) use the contemporaneous and past incidence of child marriage in the area where a girl lives as instruments, and also find that in Africa each year of early marriage reduces the probability of literacy by 5.6 percentage points, and the probability of secondary school completion by 6.5 points, with the impact on the probability of having at least some secondary education being slightly larger. Finally, using data from India and considering a measure of the fulfillment of the right to education recently adopted there, with 100 percent meaning that a girl has achieved at least nine years of schooling, Nguyen and Wodon (2012d) find that each year of early marriage reduces the fulfillment of the right to education measure by about 3.2 percentage points.

It is worth emphasizing that apart from the violation of human rights that child marriage often entails, and apart from the negative impact of child marriage on health and the risk of disempowerment for the girls who marry early, the fact that child marriage has a large impact on education attainment is likely to make programs and policies to reduce child marriage cost effective for promoting growth and poverty reduction. That is, given that the returns to secondary schooling tend to be large, the positive economic impact of a reduction in child marriage on growth and poverty reduction through education attainment is likely to be large.

### **Prevalence and trends by country vary considerably**

Rates of early marriage vary significantly by region and country (see Figure 1). For example, while the world's highest rates are seen in Niger (75%) and Chad (72%), the overall rate in South Asia (46%) exceeds that of sub-Saharan Africa (37%). Furthermore, while Bangladesh's rate (66%) is much higher than India's (47%), India's large population is home to more child brides than any other country in the world (UNFPA, 2012). It is worth noting that because early marriage is illegal in most countries, these numbers are likely to understate the problem. They also hide some of the detail and variation that is critical to constructing appropriate interventions to solve the problem. In Niger and Bangladesh, for example, one-third of all girls are married before 15, starkly different from Burkina Faso where – while half of all girls are married by 18 – very few marry by 15. National-level data also fails to capture often significant intra-country variation. In Ethiopia, for example, nearly 75% of girls in the Amhara region are married as children, versus less than 15% in Addis Ababa (Brown, 2012).

Rates of child marriage also vary significantly by household characteristics (see Figure 2, overleaf). For example, across the developing world, rural girls are twice as likely as their urban counterparts to marry as children (44% versus 22%). Similarly, girls with no education are more than three times as likely to marry young as are girls who have completed secondary school (63% versus 20%) – a ratio also seen in terms of household income. Only 16% of girls in the richest quintile marry as children, compared to 54% of those in the poorest. These disparities are particularly marked in the regions of the world where early marriage is the most common. For instance, in sub-Saharan Africa, girls with no education are more than five times more likely than girls with a secondary education to marry as children (66% versus 13%) (UNFPA, 2012). While the incidence of early marriage has been decreasing – on a worldwide basis – from 41.2% to 32.7% in the last four decades, overall ‘gains have been relatively slow’.<sup>2</sup> In India, for example, the rate of early marriage dropped only 12.5% between 1992 and 2006 –with the bulk of that drop seen between 1991 and 1999 (UNFPA, 2012). Indeed, in many countries, ranging from Mozambique to Pakistan, women born between 1985 and 1989 were actually more likely to marry as children than women born between 1950 and 1954 (Nguyen and Wodon, 2012a). Even in countries making steady progress, this is slow and often still results in early marriage. The median age of marriage in Bangladesh, for example, rose only a year between the mid-1990s and the mid-2000s – and is still only 16.7 years (Brown, 2012).

#### **Economic and social drivers of early marriage**

Driven by a growing recognition of human and economic costs – as well as an international consensus regarding the impacts of early marriage on girls’ human rights – countries around the world have moved, albeit unevenly, to illegalise the practice. However, as Brown (2012) notes, due to uneven enforcement even ‘strong legislation has often delivered weak results’. In India, for example, early marriage has been illegal for three decades (Brown, 2012). Similarly, in Uganda, where a 1990 law raised the age of consent from 14 to 18, in order to protect adolescent girls from the sexual exploitation of ‘sugar daddies’, prosecutors have primarily targeted younger, poorer men rather than the older, wealthier men at whom the law is aimed (Gottschalk, 2007). Stalled progress in the face of national legislation underscores the importance of the economic and social underpinnings that result in early marriage. When girls are married off, not only are they one less mouth to feed, which can be critical in times of stress such as drought or conflict, but – depending on the local situation – they often bring their natal families a bride-price, which can be higher for younger girls (Brown, 2012; WHO, 2011). In other situations, where girls’ families must provide them with dowries in order to settle marriage, the higher ‘price’ of older, more educated girls can incentivise families to marry off their daughters as soon as possible (Brown, 2012; WHO, 2011). Highlighting the key role of cash, in Uganda girls often rely on ‘sugar daddies’ to pay their school fees – investing in their futures with one of the few options they have.

While economics play a critical role in the perpetuation of early marriage, social drivers are often paramount – though the two are so often closely intertwined, it is difficult to separate them. Given that in many cultures girls and women are seen as fundamentally less valuable than men and boys, and are valued primarily for their reproductive capacities, parents not only see no reason to delay the inevitable, but often genuinely believe that they are safeguarding girls’ own best interests by marrying them off (Brown, 2012). A variety of discriminatory social norms work together to reinforce these beliefs about girls’ social status, where, for example, girls lack inheritance rights, marriage is often the only way for them to gain access to the land they need in order to feed themselves and their future children. Similarly, where women are not allowed to

engage in nondomestic labour, marriage is the only way to stave off future poverty. Furthermore, 'in many countries the importance of preserving family "honour" and girls' virginity' leads parents to push their daughters into marriage, even years before they are ready, in order to preclude 'immoral' behaviour that might render them unmarriageable.

### **Local Realities and Different Pathways to Early Marriage**

Detangling the web of disadvantage that places girls at risk of early marriage requires interventions that recognise the complexity of their positioning, the unpredictable nature of change and the inevitability of unintended consequences. The experiences of Hmong girls in Viet Nam, for example, highlight how progress on one front (the uptake of education) can be coupled with regression on another front (the elimination of early marriage). Because Hmong girls do not have futures other than marriage, their parents often refuse to allow them to attend high school. Coupled with the increased contact that mandatory primary school has fostered between boys and girls, some girls are choosing to marry, in mid-adolescence, as soon as they leave school. In Ethiopia, on the other hand, girls in the Wollo zone of the Amhara Regional State are increasingly rushed from a pro-forma marriage into international migration that is fraught with tremendous risks of its own. Migrating to work as domestic servants in the Middle East, tens of thousands of Ethiopian girls are vulnerable to emotional, physical and sexual abuse. Likewise, in Uganda, it is often not early marriage itself that threatens girls' wellbeing, rather, it is the normalisation of intergenerational, transactional sexual relationships. ODI's research in Eastern Uganda and the capital city, Kampala, has found that in addition to leading to early marriage, these relationships leave girls highly vulnerable to intimate partner violence, pregnancy, sexual infections and stigma.

### **Conclusion and Suggestions**

This paper has attempted to trace the basis for higher incidence of child marriages in Sub-Saharan Africa. It established that child marriages have socio-medical implications and child sex can lead to complex medical problems such as VVF and RVF. It considered a developed nation such as England and the way it has tackled child marriages. This paper showed that Egypt is the world largest Arab nation which equally shares some Islamic practices with Nigeria. However, it has outlawed child marriages and was even commended for its progressive development over the years. In view of the practice in Nigeria, we make the following suggestions which are both preventive and curative for combating child marriages.

Reforms must take cognizance of the power of traditionally structured family. But parents, family heads, traditional rulers and other stakeholders must realize there is need for change of attitudes towards child marriages. Awareness should be created that it is not a fight against religious beliefs, it is to save the lives of child brides from all the attendant consequences. The Northern Nigeria states must adopt the CRA without any modifications as depicted in the Jigawa Child Rights Law and the Borno proposed bill.

Bridal consent must be made an essential element of a valid marriage whether Customary or Islamic. This must be shown by an overt act and probably confidential questioning of the couples before solemnization of marriages. Since these child brides are constantly exposed to sex and sexually transmitted diseases, there is the need for approaches to adolescent healthcare that provide services that are accessible to married and unmarried youths. In addition, skills education for sexual health and regulation need to be provided in the classroom, youth clubs, newsletters and radio programmes. Girls must be empowered through education. Both the CRA

and the Universal Basic Education Act provide for free, compulsory and universal basic education for Nigerian children.<sup>84</sup> Already some states have taken the lead to educate the girl-child and prohibit child marriages. The Cross River State Girl-Child Marriage Prohibition Law,<sup>85</sup> Niger and Bauchi states have laws prohibiting the withdrawal of girls from school for purposes of early marriage. Also, Sokoto State has a scheme whereby young married girls who dropped out of school can return to complete their education. Girl's education is said to reduce child and maternal mortality and high incidence of HIV/AIDS. It increases women's skill and productivity which consequently eradicate poverty and strengthen the economy in the long term.<sup>86</sup> Ultimately, as can be seen from the foregoing global overview, educating the girl-child instead of forcing her into early marriage will translate into accelerated development for Nigeria.

The reasons that girls are married off early is linked to the 'value' placed on women and girls in society in general. This means that there is no single strategy which is likely to end the practice, but a number of different approaches that depend on the culture and context, all of which must be catered for in order to avoid generating negative or unforeseen consequences. A combination of approaches might therefore include:

- developing community-based approaches, tackling the deeply ingrained discriminatory social norms of parents, communities and traditional authorities
- tackling income poverty at a household level so that families don't need to resort to 'selling' their girls into marriage or relying on rich 'sugar daddies'
- improving access to quality education – simply enrolling Girls in school is insufficient. Schooling must be coupled with employment opportunities that make educational investments pay off.
- legislating against early marriage alone is ineffective. While it does provide a structure around which other policies can be hung, promoting girls' voices and power at multiple levels is also vital to their self-efficacy. Established responses to early marriage include the development of supportive laws and enhancing girls' access to education, as well as providing economic support to girls and their families to address the poverty-related issues that collectively push girls into early marriage (UNFPA, 2012; Malhotra, Warner, McGonagle, & Lee-Rife 2011). They also include empowering girls and educating parents and community members – which are amorphous goals that require both careful tailoring to match community beliefs, and flexibility, to meet shifting realities at community level (ibid.). Based on our work with adolescent girls in Viet Nam, Ethiopia and Uganda, we can reflect and expand on these responses in order to reduce early marriage and improve girls' lives
- Move beyond legislating and enforcing laws around early marriage. Early marriage laws provide an escape route for girls being married against their will. However, laws prohibiting early marriage are insufficient to prevent it, and need to be combined with other forms of legal empowerment for adolescent girls. Monitoring and enforcement of wider legal rights, such as those that address asset and property ownership, inheritance, political space, family rights such as child custody, and equal divorce rights, are all necessary in order to address early marriage comprehensively and sustainably.
- Invest in quality secondary education for girls. Education alone is not a solution, and – in the case of Viet Nam's Hmong community – can unintentionally facilitate early marriage. Nevertheless, schooling is fundamental to expanding girls' options. Given that research has found that each and every year of schooling matters, and that secondary school makes the most difference to girls' power to make decisions, countries need to invest in affordable,

quality primary education for all girls and ensure that high school is not seen as an add-on for the wealthy, but a given opportunity for all.

- Support role models and tell their stories. Without ‘positive deviance’ examples, girls cannot visualise better horizons. Ensuring that all girls have access to higher education – and to benefit from it – not only helps adjust parents’ views about schooling, but also begins to build a group of role models who demonstrate what girls can do. Therefore, facilities to celebrate girls who choose to follow alternative routes should be investigated, as it can be difficult, dangerous and lonely.
- Promote decent youth employment opportunities and highlight the long-term costs of inaction. It is difficult to obtain parents’ buy-in for higher education without altering the wider employment landscape. Where more schooling leads to better odds of higher-paying employment, it is easier to sell the advantages of schooling as an investment that will pay off – as well as the eventual costs of not investing. Solid employment options are also critical to establishing a growing group of role models.
- Persist with rights-based approaches. In the context of poverty and food insecurity it can be preferable to promote increased schooling and delayed marriage as investments that benefit the families of girls. Care must be taken, however, to ensure that this ‘instrumental’ approach to girls does not become paramount to their rights. In the case of Ethiopia, for example, what girls can do for their families has been radically altered by the opportunities presented in international migration to girls’ great detriment.

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