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# AN ECHO OF SILENCE

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

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Since this research began two years ago, an enormous amount of time has gone into the preparation in quenching my own desire for a deeper knowledge of Early/Child marriage (ECM) in Iran. It has been an intense learning period for me on both a professional and personal levels. At times the enormity and profound depth of ECM was overwhelming but it served as a motivating source of inspiration to complete my work on this topic.

The research on ECM has its roots in my previous research on Female Genital Mutilation or 'Cutting' (FGM/ FGC) in Iran. After living in Europe for many years I returned to my birthplace Iranian Kurdistan in 2005 for the first time. It was then that I discovered and learnt more about FGM.<sup>1</sup> The idea for this current research originated during those years of research for the FGM study.

I found that ECM was widespread and flourishing in abundance in Iran and discovered that both ECM and FGM are intertwined and functioned as gender based violence whilst operating under the guise of tradition and custom. Whilst FGM is not a wholly unknown topic in my own area in Kurdistan and even within my immediate family, what became readily apparent during the field work on FGM that was carried out in four Iranian provinces, were the staggering number of interviewees who were married off at an early age. What was observable were the number of young girls, who were now wives and mothers, and the number of young boys who were now husbands and fathers. This heightened my interest to explore more about ECM and to decipher whether or not there is a relationship between FGM and ECM. This was the beginning that paved the way for my next study which I now proudly present. It is my hope that the massive amount of data undertaken for the study will be eventually published in English and Farsi.

There is insufficient data on the practice and repercussions of early marriage in Iran. I, along with a number of other like-minded researchers, would like to offer our support in encouraging the Government of Iran to diffuse a nationwide plan to raise ECM awareness in Iran and to initiate research in this area. This can only be done by reaching out to practising ECM communities and initiating a dialogue amongst the relevant stakeholders in order to put into place a comprehensive action plan that incorporates universal human rights values. The Iranian Government is a signatory to a number of international children rights treaties, and these commitments must go beyond being a signatory. It should honour its commitments. This widespread failure to honour its international obligations poses a challenge to the credibility of the Iranian government. Adopting a plan is urgently needed. Such a plan would need to include, but not restricted to the following (for further recommendations please see Chapter Four): (1) engaging with community members and stakeholders (given the culturally sensitive nature of the topic); (2) initiating a national education programme, which should include, amongst other things, raising awareness on the dangers of ECM; (3) enacting laws to raise the marriage age and (4)

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

implementing criminal sanctions for those practising ECM. The Government can take the lead from the various international organisations such as UNICEF's programmes, as well as from grass roots organisations, NGOs and Community Based Organizations (CBOs) in Iran, to model its own successful campaign against ECM.

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Kameel Ahmady  
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## ABSTRACT

It is a well-documented and an undeniable premise that Early Child Marriage (ECM) dramatically affects and harms the physical and psychological well-being of young children's lives. 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 family<sup>2</sup>. Complications related to pregnancy and childbirth are the main causes of death amongst 15–19 year-old girls<sup>3</sup>. 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 a minimisation of life choices. Girls are reduced to mere commercial commodities. From a human rights and gender perspective, the practice of ECM is the consequences of gender oppression and harmful customary or traditional practices that results in sustaining gender inequality and subjugation.

Early marriage is defined as the marriage before age 18.<sup>4</sup> 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 potential and ensuring their access to education and health services is a vibrant sign of gender equality that will translate into stronger societies and economies. Education is often seen as the key to prevent ECM.<sup>5</sup> 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.<sup>6</sup> With worldwide care and support, the levels of ECM are generally on the decline although a substantial proportion of young children are still married under the legal age of their society. One clear egregious example of this is in Iran.

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

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

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

<sup>5</sup> UNICEF, 'Girls' Education: Introduction', website update as of November 2004, [www.unicef.org/girlseducation/index.htm](http://www.unicef.org/girlseducation/index.htm)

<sup>6</sup> 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

According to the Iranian religious structure, puberty and menarche are considered to be the transitional pivotal point that signals the end of childhood and the beginning of adulthood. Reaching this biological threshold translates into eligibility and readiness for marriage regardless of biological age. Although ECMs are 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.<sup>7</sup> Very little attention has been focused on ECM in Iran.

Although little data is available on ECM in Iran and in absence of credible and independent studies, what is available from the official Iranian government statistics reveal that tens of thousands of girls and boys under the age of 15 are married off by their families each year. 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 in part due to cultural norms and local customs, deepening poverty and parents' desire to control their daughter's sexuality. The numbers may actually even be quite higher as some families in Iran do not register underage marriages, or do so illegally.

The genesis of this research study looks at and analyses the prevalence of ECM in Iran by focusing on the prominent socio-cultural factors that mirror this deep-rooted tradition in order to explain the rationales for its continual existence and adherence. The study analyses the various causes and consequences of ECM and challenges denied facts. Most importantly this study is the voice for the silent.

The objective of this study is to expose the evidence and prevalence of this harmful practice in Iran and to assist decision makers in sharpening their focus on this urgently needed protection of a girl's human right to decide who they will marry. 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 chronic and endless tragedy of ECM. This study is an effort to bring to the surface the issue of early child marriage in Iran.

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<sup>7</sup> UNICEF-Joint Press release March 7, 2013

# CHAPTER 1

## ECM, definition and facts



**“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

# CHAPTER 1: ECM, definition and facts

## ORGANISATION OF THE STUDY

This study targets those young children and groups who were not able to give full and free consent on who they marry as their patriarchal social obligations dictate otherwise. This study also addresses the multitudes of equally compelling issues imbedded in ECM including the link between ECM, FGM and polygyny.

The study has been divided into four chapters. The first chapter presents an introduction to the narrative of early child marriages and cites literature review. The first chapter also introduces the global prevalence of the practice in Iran and its corresponding historical roots.

The second chapter analyses the complex various factors that contribute to the perpetuation of the practice and its underlying rationales. Additionally an analyses of the availability of religion, laws and policies as tools of social change to eliminate the prevalence of ECM in Iran is explored.

The third chapter specifically analysis the reasons behind ECM's increase in some parts in Iran by exposing new or deliberately chosen to be ignored data by the government in seven Iranian provinces that have the highest rate of ECM. Related influential factors and contributed variables in the study are discussed thoroughly via a depiction of an analytical model.

The fourth and last chapter focuses on conclusions and makes policy recommendations and suggestions stemming from the findings about ECM in Iran. The last chapter offers positive guidelines to end the practice of early marriage to encourage policy makers, program designers and advocates in the world wide struggle to eradicate this silent emergency.

## 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.



Poor families live in tents in Sistan & Baluchestan province- 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.” Despite the variance in the biological age, in general a 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 age<sup>8</sup>.

In the developing world, the crucial issue of ECM is increasing with the expansion of the youth population. The contributing elements that provoke this practice are the increase in poverty levels and the lack of or low levels of education. However, a dominant factor that partly explains ECMs widening prevalence is the obedience to the exigencies of a patriarchal culture and or cultural beliefs that emphasizes misplaced protection of girls by forcing them to become child brides. 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 and established as the issue impacts girls disproportionately and with more intensity, sadly, the other victim is quite invisible. There are few reliable comprehensive studies on how ECM affects young men. The discourse of the ECM rates and its impact on young boys has not been thoroughly researched even by experts from the leading international organizations working to combat child marriage (UNICEF, Girls Not Brides, the Population Council, nor the International Centre for on Women (ICRW). This sparse attention to boy’s particular needs and the scarcity of empirical data has resulted in a lack of knowledge about underage boys as grooms. This tragedy of ECM on young boy’s lives has a severe effect on their newly imposed adult life whilst they are still little boys grappling with the already daunting phenomena of early marriage. Their lack of mental and physical maturity translates into serious issues and pitfalls within a marriage in which they have no say. They are often forced to drop out of school and take on menial jobs to support their new family. This premature nuptial arrangement perpetuates the cycle of poverty that led to their

***“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

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

marriage in the first place. This is not a tragedy that ends during a boy's life span but an intergenerational cycle that carries on into the next generation.

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 a shortfall of research or work being done to address the issue of the child groom. This translates into millions of young boys and men who are almost virtually invisible in ECM research, advocacy, and grass roots eradication campaigns.

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 thwarts opportunities to prosper and grow at a natural pace.<sup>9</sup> Many simply go from being a child to a mother/father.

ECM is a human rights violation as held by the 1948 Universal Declaration of Human Rights (UDHR). It has also been addressed in several international and regional treaties and in many human rights forums. ECM goes against the principles enshrined in the UDHR and numerous international treaties. Child marriage is a setback in the fulfilment and maintenance of human rights, development, equality and the health and education of children.

The physical, emotional and psychological impact of ECM diminishes 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,<sup>10</sup> there is the harrowing additional brunt for girls in terms of premature pregnancies, and often multiple pregnancies, in rapid succession for which their bodies are not fully prepared<sup>11</sup>. 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 their 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 survival strategy. A study conducted by the Ministry of Social Affairs in Egypt of five very poor villages, revealed that quite often very young girls in ECMs are with men twice their age from Middle Eastern countries via a brokers.<sup>12</sup> '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

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<sup>9</sup> 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*

<sup>10</sup> IBID

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

<sup>12</sup> *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.

age of 9.<sup>13</sup> 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 abject poverty in their societies.<sup>14</sup>

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 attracted towards them. Parents encourage this submissive attitude to make her a desirable and worthy young bride<sup>15</sup>. This submissive attitude and deference is expected of her throughout her life. Eventually she will be married off. Early marriage is a continuum of this subjugation of women under the guise of protection and security which places them under male's control. These sorts of arrangements ensure that the female child is legal, and belongs to men they are married to, thus giving her a respectable position and status in her respective society<sup>16</sup>

## Female Genital Mutilation/Cutting & Early Marriages

The international community 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 gendered based violence (GBV) or violence against women, (VAW) that devalued women. It has many forms but the most insidious forms are ECM and FGM. ECM and FGM are a manifestation of gender based violence.

The dilemma for the 21st century is the continuation of gender inequalities which tear the fragile fabric of autonomy 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.

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<sup>13</sup> Sahih-e-Bokhari, Tazwij-ol-Nabi section, sayings 3683 and 3606.

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

<sup>15</sup> Report of the Pakistan Commission on the Status of Women', Government of Pakistan, 1989; quoted in: Taylor, Debbie (1993), *Service Marriage: A Definition, a Survey, and the Start of a Campaign for Change*, Anti-Slavery International, London.

<sup>16</sup> 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

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. What is disturbingly noted is the tangled link between ECM and the gender misogynist acts of FGM. The findings of a previous large-scale project on FGM/C prevalence in Iran<sup>17</sup> indicate an association between the prevalence of these twin phenomena in at least two provinces of Hormozgan and West Azerbaijan. 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.



Local Bibis who perform FGM In Hormozgan province  
Photo by: Kameel Ahmady

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 dual 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 years<sup>18</sup>.

Although 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

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

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

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.<sup>19</sup>

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."<sup>20</sup> Thus FGM is a collective generic term used for the various degrees of cutting on the external female genitalia. There are four types of cutting and each is cruel in its nature.

Type I is often called Sunna mutilation (sunna means "path or way" in Arabic and refers to the tradition of Muhammad, although none of the procedures are required within Islam) is the mildest form and often is confusedly analogised to male circumcision. It involves the removal of the clitoral prepuces with part of the clitoris remaining intact. Type II sometimes is referred to as Clitoridectomy mutilation or Excision, is the complete removal of the clitoris and all or part of the labia minora without removal of the clitoral glans and outer labia. This type of cutting causes profound bleeding in the arteries and is extremely painful due to the sensitivity of this area that is constituted by the special receptacles of nerve endings that are clustered within the clitoris. The major difference between Type I and II is the extent of the tissue removal. Type III (referred to as infibulation or pharaonic circumcision), the most harrowing and common, involves the removal of all the genital parts. Type IV 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 stretching.<sup>21</sup>

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 of 15 may still be at risk over the next decade<sup>22</sup>. What needs to be underscored is that FGM is not exclusively an African issue. FGM exists in Iran.

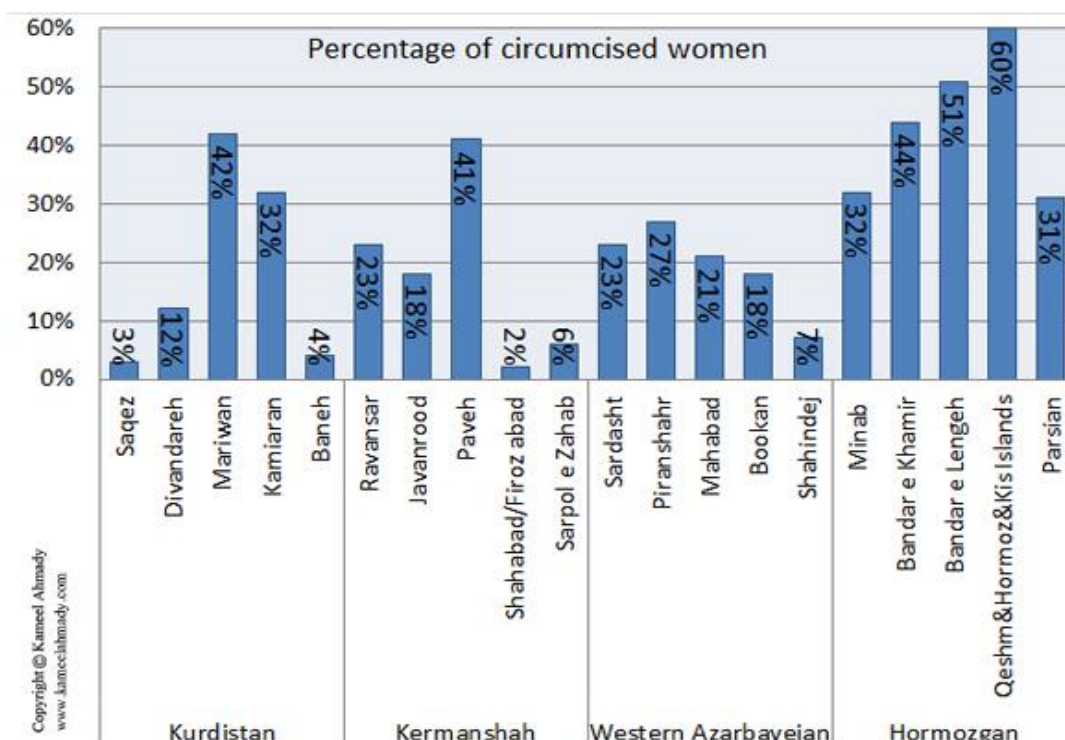
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<sup>19</sup> Female Genital Mutilation/Cutting by UNICEF Africa, [issuu.com/unicefafrica/docs/fgcm](http://issuu.com/unicefafrica/docs/fgcm)

<sup>20</sup> Eliminating Female genital mutilation: An Interagency Statement", Geneva: World Health Organization, 2008.

<sup>21</sup> Toubia, Nahid. "Female circumcision as a public health issue." *New England Journal of Medicine* 331.11 (1994): 712-716.

<sup>22</sup> UNICEF. Female genital mutilation/cutting: A statistical overview and exploration of the dynamics of change. July 2013.



In Iran,<sup>23</sup> women who undergo FGM – often called *Khatne* or *Sonat* – primarily undergo Type I but rarely Type II. However, the types vary depending on the region. For example in some villages in Kermanshah and Kurdistan women believe that a some small amount of bleeding from a cut is necessary, in other areas such as *Hormozgan* the genitals are cut more extensively.<sup>24</sup>

FGM does not exist in a single setting and it is not the only practise that physically and brutally impinges on the intimate daily lives of females.<sup>25</sup> 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 rendering it difficult to distinguish completely the linkage and grim issues.<sup>26</sup> 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.<sup>27</sup> 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

<sup>23</sup> Female genital mutilation practised in Iran, study. [www.theguardian.com](http://www.theguardian.com)

<sup>24</sup> Kameel Ahmady. *In the Name of Tradition. Female Genital Mutilation in Iran*. UnCUT/VOICES Press 2016 & <http://kameelahmady.com/fgm-in-iran>

<sup>25</sup> London School of Hygiene and Proper Medicine, (2013) Violence against Women a Global Health Problem of Epidemic Proportions 20 June

<sup>26</sup> 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.

<sup>27</sup> Child Marriage and Female Circumcision: [r4d.dfid.gov.uk/pdf](http://r4d.dfid.gov.uk/pdf), Evidence from Ethiopia Young Lives Policy Brief

deep rooted cultural practices. Both violate the rights of girls and women.<sup>28</sup> And both are imposed against their will and choice. Alone is devastating but when they exist together in a single setting, the devastation is a hellish horror.

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.<sup>29</sup>

One of the main rationales of FGM in traditional societies is that it prepares girls for marriage<sup>30</sup> 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.<sup>31</sup>

The association between virginity and FGM is so strongly linked that a girl who has not undergone FGM has virtually no chance of marriage.<sup>32</sup> They are considered impure, incomplete and often ridiculed. This will of course place girls 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 who has a genital cut is deemed more desirable and it increases her chances of entering into a forced and early marriage. Men profit from the patriarchal arrangement and demand a pure and untouched bride<sup>33</sup>.

A recent study that took place in the provinces Hormozgan, Kermanshah, Kurdistan and West Azerbaijan in Iran revealed 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 and honour by any means and, in order to meet that objective, women continue the ritual of FGM in the family"<sup>34</sup>.

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<sup>28</sup> Child marriage | Child protection from violence...[www.unicef.org/protection](http://www.unicef.org/protection)

<sup>29</sup> [www.girlsnotbrides.org/about-child-marriage](http://www.girlsnotbrides.org/about-child-marriage)

<sup>30</sup> What is behind the tradition of FGM? - [www.african-women.org/documents/behind-FGM-tradition.pdf](http://www.african-women.org/documents/behind-FGM-tradition.pdf)

<sup>31</sup> Female genital mutilation FORWARD [www.forwarduk.org.uk](http://www.forwarduk.org.uk) 2014/12

<sup>32</sup> Beliefs and Issues : Female Genital Mutilation - [www.fgm.co.nz/beliefs-and-issues](http://www.fgm.co.nz/beliefs-and-issues)

<sup>33</sup> Burrage, Hilary. Eradicating Female Genital Mutilation: A UK Perspective. Ashgate Publishing, Ltd., 2015.

<sup>34</sup> Kameel Ahmady. In the Name of Tradition. Female Genital Mutilation in Iran. pp.49. UnCUT/VOICES Press 2016 & <http://kameelahmady.com/fgm-in-iran>

## STANDING ON SIMILAR GROUND-FMG AND ECM

Taken as a whole, there are bleak similarities between ECM and FGM as both have the common core issue of no consent and no choice. 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 often takes place shortly after birth to puberty and beyond and that in half of the countries where national figures are available, most girls are mutilated before the age of five,<sup>35</sup> consent is clearly absent.

Consent in an ECM arrangement is also dubious<sup>36</sup> as there is also and almost always the troubling issue of full and free 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.<sup>37</sup> They have essentially become juvenile sex slaves.<sup>38</sup> ECM is customarily arranged by parents, sometimes involving promissory agreements between families whilst children are too young to conclude alliances.<sup>39</sup> In both FGM and ECM, consent has been made by others on the girl's behalf.

Whilst early marriage takes many different forms and has various causes, one issue is paramount. Whether the party is a girl or a boy, early marriage is a human rights violation. The right to 'free and full' consent to a marriage is recognised in the Universal Declaration of Human Rights. 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 : "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"<sup>40</sup>.

ECM and FGM are internationally recognised as a violation of the human rights of girls and women as set forth in a multiplicity of international agreements. ECM is addressed in many UN conventions that emphasise this important principal.

Article 16 of the 1948 Universal Declaration of Human Rights (UDHR) states: (1) Men and 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

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<sup>35</sup> Female Genital Mutilation/Cutting: A Statistical Overview and Exploration of the Dynamics of Change, New York: United Nations Children's Fund, July 2013

<sup>36</sup> Forced marriage - Child protection - Child rights. [www.protectingchildren.org/uk/.../forced-marriage](http://www.protectingchildren.org/uk/.../forced-marriage)

<sup>37</sup> [www.icrw.org](http://www.icrw.org), Child-marriage-facts-and-figures -

<sup>38</sup> Hilary Burrage, *Eradicating FGM : A UK Perspective* , (2015) at 53

<sup>39</sup> Child Marriage *supra* at 21

<sup>40</sup> <http://www.un.org/womenwatch/daw/cedaw/text/econvention.htm>

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.<sup>41</sup>

Similar to ECM, FGM is internationally recognised as a violation of human rights and constitutes an extreme form of violence against women as it causes severe physical, reproductive and mental harm and sometimes results in death. As such, it interferes with a woman’s right to physical integrity, privacy, and freedom from violence. This has been recognized in numerous international and regional human rights instruments such as the following:

The Universal Declaration of Human Rights, Articles 1 and 3; International Covenant on Economic, Social and Cultural Rights, Preamble; International Covenant on Civil and Political Rights (ICCPR), Preamble and Article 9 (1); and The Convention on the Rights of the Child (CRC), (Article 19) and Article 1 of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), 1979 .

Both 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

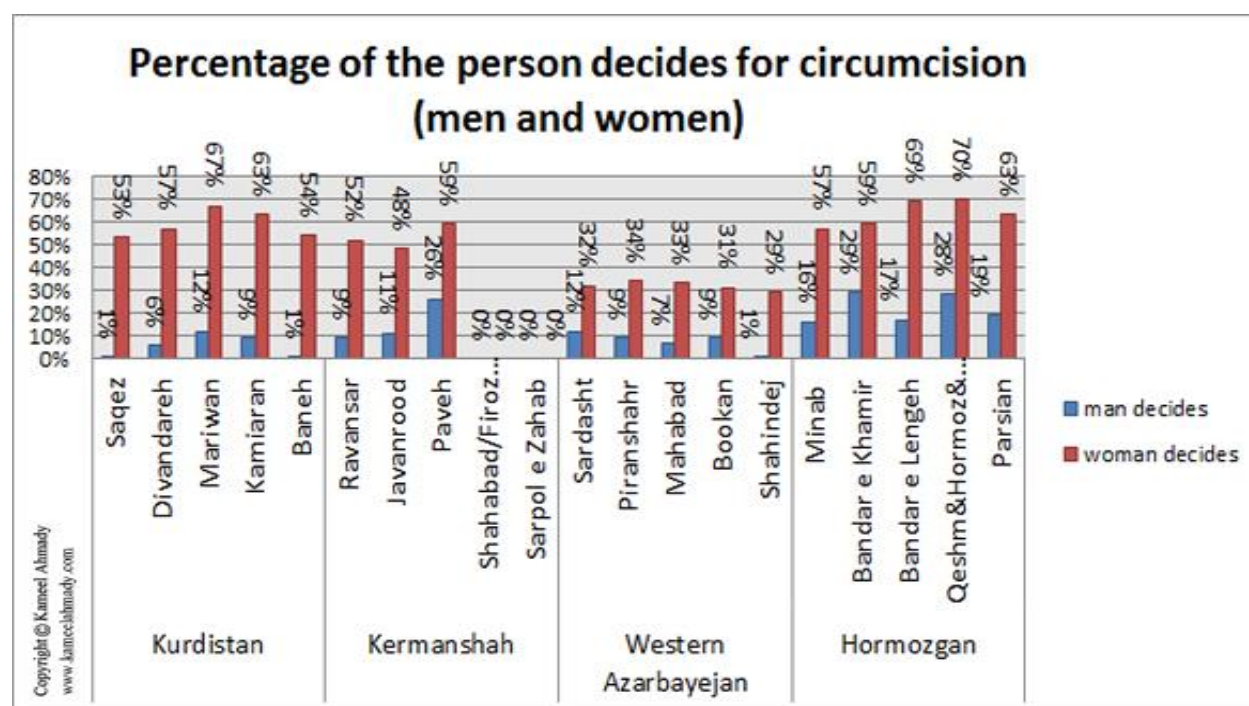
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<sup>41</sup> Mikhail, S., ‘Child marriage and child prostitution: Two forms of sexual exploitation’, Gender and Development, vol. 10, no. 1, 2002, p. 43– 49.

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 ruination<sup>42</sup> and in order to be married, women must be mutilated. It is at this juncture that the two most prevalent form of HTP coalesces and solidifies the continuum practice of VAW. FGM contributes to ECM in some communities<sup>43</sup> as in some cases the use of FGM in traditional societies will be followed by an ECM.<sup>44</sup>

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.<sup>45</sup> 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, cut short and in both cases there is an often violent abhorrent introduction to sexual intercourse.



<sup>42</sup> Lightfoot-Klein, Hanny. *Prisoners of ritual: An odyssey into female genital circumcision in Africa*. Haworth Press, Inc, 1989.

<sup>43</sup> Child Marriage and Human Rights Abuses in Tanzania, [www.hrw.org/report/2014/10/29/no-way-out/child...](http://www.hrw.org/report/2014/10/29/no-way-out/child...)

<sup>44</sup> Ibid

<sup>45</sup> FGM - [keepgirlssafe.org/fgm](http://keepgirlssafe.org/fgm)

Both are broadly linked to the social status, respectability and honour of the families, which are maintained through the marriageable value of girls. 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 a union 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 bride<sup>46</sup>.

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.<sup>47</sup>

Poverty is a basic underlying rationale for ECM. Considering the sparse opportunities and limited education 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 Ethiopia.<sup>48</sup> In some villages in central Kenya girls are a source of income and fetch 48 goats when they are married<sup>49</sup>. However, girls who marry young are more likely to be poor and stay poor<sup>50</sup> and the majority of affected girls in an ECM are 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 their genuine belief that this will enhance the girl's and the family's security.<sup>51</sup> What actually take place is not an escape from poverty but an increased risk of sexual, physical and psychological violence that often takes place in the marriage. 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, 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.<sup>52</sup>

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<sup>46</sup> Moghadam, V. M. (2004). "Patriarchy in transition: Women and the Changing Family in the Middle East, *Journal of Comparative Family Studies*, pp. 137-162.

<sup>47</sup> Child Marriage and Female Circumcision, *supra* at 21

<sup>48</sup> Ibid

<sup>49</sup> Ending FGM and Child Marriage in Kenya | [plan-international.org/blog/2015/05/ending-fgm](http://plan-international.org/blog/2015/05/ending-fgm)

<sup>50</sup> [www.girlsummitpledge.com](http://www.girlsummitpledge.com)

<sup>51</sup> EARLY MARRIAGE IN SOUTH ASIA - UNICEF [www.unicef.org/rosa/earlymarriage](http://www.unicef.org/rosa/earlymarriage)

<sup>52</sup> Caroline Sweetman, *Violence against Women-Oxfam Focus on Gender*, Oxfam 1998-P 29

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 sexuality<sup>53</sup>. FGM in this realm serves as a means of sexual control. Girls undergo FGM usually before puberty so they will be submissive to their husbands<sup>54</sup>. For the same reasons that parents support FGM, parents support ECM i.e. to protect girls' sexually and reputations via marriage<sup>55</sup>. 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.<sup>56</sup> 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 entry<sup>57</sup>.

Pain during intercourse and infertility are further common consequences of FGM.<sup>58</sup> 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 completed until the late teens or early twenties<sup>59</sup>. The younger the girl at the time of her first sexual relations, with early forced and frequent sex that is less likely to be consensual, the greater the chance of severe pain, physical damage, obstetrical complications and injury. For young girls in ECM sexual intercourse is expected and often non-consensual.

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

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<sup>53</sup> FGM New Zealand (2011) *Beliefs and Issues* - <http://fgm.co.nz/beliefs-and-issues/> Accessed August 15, 2016

<sup>54</sup> Hilary Burrage, *Eradicating FGM : A UK Perspective* , (2015) P 53

<sup>55</sup> 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](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

<sup>56</sup> Cutting the Rose, supra note 10, at 14.

<sup>57</sup> M. Elizabeth Duncan et al, First Coitus before Menarche and the Risk of Sexual Transmitted Disease, *Lancet*, vol. 335:338-340, (1990).

<sup>58</sup> Female genital mutilation - Royal College of. [www2.rcn.org.uk/\\_\\_data/assets/pdf\\_file/0010/](http://www2.rcn.org.uk/__data/assets/pdf_file/0010/).

<sup>59</sup> Young Women: Silence ,and Susceptibility, supra note 118,at 3-4

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.<sup>60</sup>

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 norm<sup>61</sup> 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 death<sup>62</sup>.

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 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.<sup>63</sup> 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.

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.

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 affairs<sup>64</sup>. Monogamy is marriage consisting of only

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<sup>60</sup> International Center for Research on Women "Too young to Wed. The Lives, Rights and Health of Young married Girls".

<sup>61</sup> Toubia, N (1994) Female Circumcision as a Public Health Issue *New England Journal of Medicine* 331: 712- 16

<sup>62</sup> Female genital mutilation - Royal College of. [www2.rcn.org.uk/\\_\\_data/assets/pdf\\_file/0010/](http://www2.rcn.org.uk/__data/assets/pdf_file/0010/).

<sup>63</sup> Unicef (2005). Early Marriage: A Harmful Traditional Practice. Available at [http://www.unicef.org/publications/Öles/Early\\_Marriage\\_12.lo.pdf](http://www.unicef.org/publications/Öles/Early_Marriage_12.lo.pdf)

<sup>64</sup> Bankole, A., Singh, S., Woog, V., & Wulf, D. (2004). Risk and Protection: Youth and HIV/AIDS In Sub-Saharan Africa. New York.

two parties in contrast to polygamy which is the state of marriage to many spouses.<sup>65</sup> 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.

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 10–14 years 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 countries<sup>66</sup>.

When viewed through the prisms of ECM, polygamy, is seen by some as an unfettered 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.<sup>67</sup> It is interesting to note that in many of the practicing polygamy Muslim states such as Saudi Arabia, United Arab Emirates, Qatar, Malaysia, Brunei, Oman, and South Sudan, are not signatories to the International Covenant on Civil and Political Rights (ICCPR).

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.

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<sup>65</sup> Harper, Douglas (ed.). "Polygamy". Online Etymology Dictionary. Archived from the original on 1 February 2016.

<sup>66</sup> Early Marriage: A Harmful Traditional Practice -..www.unicef.org/publications/files/Early\_Marriage\_

<sup>67</sup> "Equality of Rights Between Men and Women". University of Minnesota Human Rights Library.

The feature of polygamy has been an important focal point for researchers on early marriage as it is 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 in turn 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.<sup>68</sup> Many of the girls face constrained decision-making opportunities, reduced life choices and dramatic life changes for the girl child who is now a "wife child" and often soon after, a "mother child". The rampant practice of underage girls as polygamous wives is a sordid aspect of polygamy. ECM paves the way to the narrative of polygamy.

It is worthwhile to note that polygamy, ECM and household poverty are interrelated and rarely take place independently. 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 shrift<sup>69</sup>. The ritual of polygamy has an economic consequence as it not only increases family size but also maximizes the burden on parents which in turn compels them to get rid of the burden by placing their daughters in a pre-mature wedlock. ECM and polygamy are acts of unburdening and are economic coping strategies.

Similarly, in practising traditional cultures, ECM is also a predominant reason for extramarital affairs. At some point in their lives boys realize that they did not really enjoy life in their early adulthood years or they may find opportunities to have additional partners. This can be seen when the boy reaches the age of maturity moves out of the village for a job and is in daily contact with other women. This has led to numerous cases of bigamy and polygamy. ECM and polygamy now take a crueller turn. In such cases the first wife, who was married as a minor, is often thrown out of the house or mistreated. The practice of early marriage is responsible for perpetuating different forms of violence against women<sup>70</sup>.

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. Such acts are made easier in rural areas where birth certificates

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<sup>68</sup> Ending Child Marriage, Consultation Report, Joint Women's Program, New Delhi, India, Jyotsna Chatterji, Director, JWP, Consultation series 2005-2006.

<sup>69</sup> Mapping Early Marriage in West Africa - Girls Not www.girlsnotbrides.org/wp-content/uploads/2013/10/Ford.

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

are often non-existent or not properly recorded.<sup>71</sup> Many parents falsify young girls' ages. In addition, registration is so irregular that the true age at marriage may not be known. This increases the chances of polygamy for the male spouse as he can choose to have more wives in addition to the young girl.<sup>72</sup> 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.

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<sup>71</sup> Early Marriage: A Harmful Traditional Practice: A Statistical Exploration, UNICEF, 2005

<sup>72</sup> Armstrong Ukwuoma -CHILD MARRIAGE IN NIGERIA: THE HEALTH HAZARDS AND SOCIO-LEGAL IMPLICATIONS- 2014-<https://books.google.com.pk/books?>

## 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 it is widely adhered to because it is simply socially accepted.<sup>73</sup> 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”<sup>74</sup>. 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 the 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 18<sup>75</sup>. In specific parts of West Africa, East Africa and South Asia, marriage before puberty is not unusual<sup>76</sup>. In North Africa, the Middle East and other parts of Asia, marriage shortly after puberty is part of tradition and is highly embedded within the culture. Latin America and Eastern Europe are not lagging 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 the opportunity to exercise their right to choose their partners; therefore, early marriages are also referred to as forced marriages<sup>77</sup>.

Although 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 the age of 18 has dropped roughly in half, from 34 per cent to 18 per cent, over the last three decades. In South Asia, the decline has been especially observed in 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 changes have 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 ago<sup>78</sup>.

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<sup>73</sup> 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

<sup>74</sup> <http://www.girlsnotbrides.org/about-child-marriage/>

<sup>75</sup> Marrying Too Young, 2012, UNFPA, <https://www.unfpa.org/sites/default/files/pub-pdf/MarryingTooYoung.pdf>, Accessed 7/18/2016

<sup>76</sup> Pathfinder International, 2006. Women and girls' empowerment: Preventing early marriage. Available at [www.pathfinder.org](http://www.pathfinder.org). Accessed 18/07/2016.

<sup>77</sup> Clark, Shelley. In press. “Early marriage and HIV risks in sub-Saharan Africa,” Studies in Family Planning

<sup>78</sup> Child marriage | Child protection from violence...[www.unicef.org/protection/57929\\_](http://www.unicef.org/protection/57929_)

Despite gains, this rate of decline is not keeping pace with the rate of population growth. For example, in some countries where child marriage is the norm, such as Burkina Faso and Niger, the median age at first marriage has not changed significantly. In Burkina Faso, IECM's 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.<sup>79</sup> The rates of progress need to be scaled up simply to offset population growth in the countries where the practices are most common. High levels of child marriage amongst the poorest still persist<sup>80</sup>.

In 1985, 33% of the girls were married before the age of 18 and 12% before their 15<sup>th</sup> 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% respectively<sup>81</sup>. 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 exercise 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. It has been 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 are married and every day 39,000 girls get married. One in every 9 girls in developing countries is married before her 15<sup>th</sup> birthday. Estimates suggest that if the 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 brides"<sup>82</sup>. Today, there are an estimated 580 million teenage girls in the world of whom 88 % live in where 20,000 girls are married under the age of 18. If this practice carries on, it is highly plausible that by 2030, 15 million children will be child mothers. It is undeniable fact that ECM is still a widespread practice.

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 be pregnant almost immediately as there is intense pressure to bear children, and preferably, sons, in order to prove their fertility and value. This often leads to tragic consequences for the mothers, who are still children themselves, and for their babies<sup>83</sup>. 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

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<sup>79</sup> Ibid

<sup>80</sup> Child marriage | [www.unicef.org/protection/57929\\_ A Profile of Child Marriage in Africa](http://www.unicef.org/protection/57929_A_Profile_of_Child_Marriage_in_Africa)

<sup>81</sup> 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

<sup>82</sup> Marrying Too Young, 2012, UNFPA, <https://www.unfpa.org/sites/default/files/pub-pdf/MarryingTooYoung.pdf>, Accessed 7/18/2016

<sup>83</sup> Nour, Nawal M. "Health consequences of child marriage in Africa." *Emerging infectious diseases* 12.11 (2006).

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 %; 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 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.<sup>84</sup>

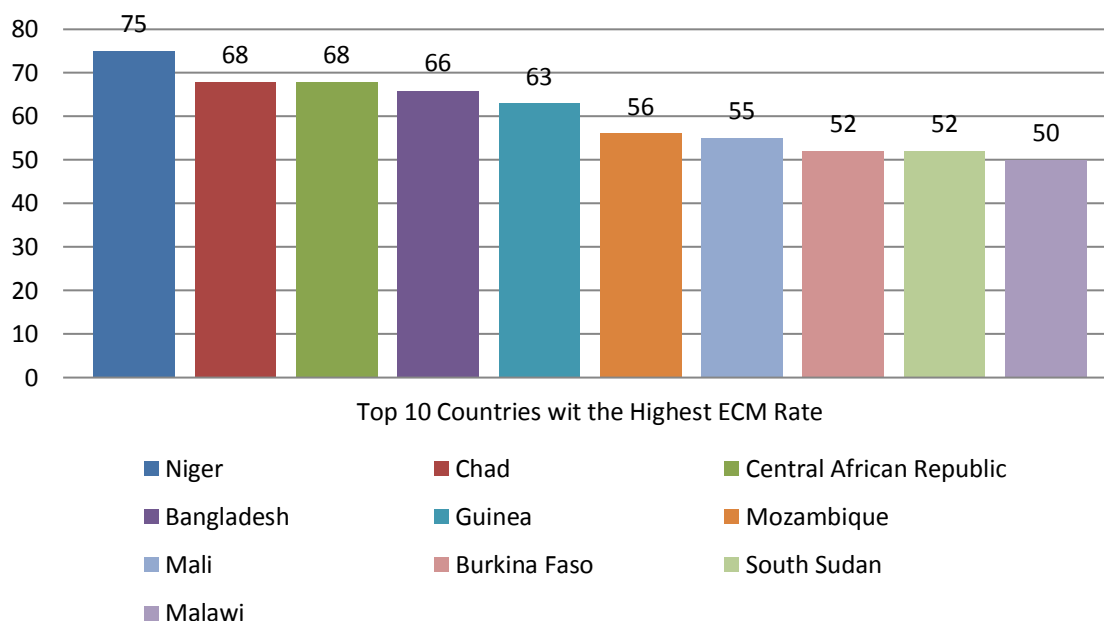
***“My mother in law said that I swear you're infertile. So, I cut off the pills I took and got pregnant 2 months later. Then I found out that she intentionally said those things so that I could have a baby. I wanted to have baby in other conditions not in that poverty and as a child; I wanted her wishes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

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<sup>84</sup> 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:

## Top 10 Countries with the Highest ECM Rate



## LITERATURE REVIEW

One difficulty in assessing the prevalence of ECM is that many are unregistered and are not statistically part of any standardised collection system. Nevertheless, literature is quite vocal about the presence of the highest rates of child marriages in poorest /undeveloped countries, particularly in the lower class with its 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 the demographic and health perspectives, and to analyse some of the factors that contribute to child marriage.<sup>85</sup> 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 their community expectations 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.

Many researchers have attempted to more proactively deal with the issue of young spouses, however due to its immense complexity, the issue remains a wide -spread problem as the UNICEF

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<sup>85</sup> 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]

stated in the report *Early Marriage, Child Spouses* (2001)<sup>86</sup>. 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 regions<sup>87</sup>. The World Bank publications stresses the great age gap between spouses as the most common denominative factor within child marriage. The age gap drastically diminishes the girl’s influence over her husband which shapes the power structure at the household and leads to domestic violence<sup>88</sup>. The UNICEF report (2001) further supported the discourse of domestic violence and states that the miserable context of the marriage results in many young girls running away from their spouses. This is of course highly frowned upon and is akin to original sin in South Asian and particularly in the Muslim populated countries. A number of girls trying to escape these unwanted and forced unions have been killed as they were perceived to compromise the “honour” of their families. The families respond to this perceived incorrect behaviour within their cultures by serving upon them the ultimate sanction commonly referred to as “Honour Killing”<sup>89</sup> that is mainly seen in Bangladesh, Egypt, Jordan, Lebanon, Pakistan and Turkey.<sup>90</sup>

Similarly UNFPA’s report “*Marrying too young: End Child Marriage* (2012) also draws similar conclusions regarding ECM<sup>91</sup>. The report looks at the confluence of social factors and its influences on people from different regions who practice ECM. UNFPA’s report highlights these regional 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.

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<sup>86</sup> 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]

<sup>87</sup> 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](http://www.worldbank.org/content/dam/Worldbank/document/Gender/Voice_and_agency_LOWRES.pdf) [Accessed 13-08-16]

<sup>88</sup> 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](http://www.worldbank.org/content/dam/Worldbank/document/Gender/Voice_and_agency_LOWRES.pdf) [Accessed 13-08-16]

<sup>89</sup> 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]

<sup>90</sup> ‘Domestic Violence against Women and Girls’ (2000), Innocenti Digest No. 6, UNICEF Innocenti Research Centre, Florence

<sup>91</sup> 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]

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 Mayer (1995) argues, the international norms enshrined in the United Nations Declaration on Human Rights and its sentiments contradict many of the acceptable 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 amongst men, women, parents and children and how it occurs in any communities where these relationships exist<sup>92</sup>.

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”<sup>93</sup>.

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 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 15–29 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. As previously stated 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 husbands<sup>94</sup>. Poignantly, for many of these girls it is their ECM that puts them at risk for HIV infection.

When girls are married as children the curtailment of personal freedom, the lack of opportunities to appreciate and develop a full sense of self and the restriction of her psychosocial and emotional well-being are curtailed. There have been some studies that indicate marrying later in life brings wide 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

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<sup>92</sup> Khanum, N (2008), Forced Marriage, Family Cohesion and Community Engagement: National Learning through a Case Study of Luton, Equality in Diversity

<sup>93</sup> Kamla Saruo 2007-[http://newsblaze.com/thoughts/opinions/early-marriage-has-harmful-effects-on-women\\_2653/](http://newsblaze.com/thoughts/opinions/early-marriage-has-harmful-effects-on-women_2653/)

<sup>94</sup> The Inter-African Committee on Traditional Practices Affecting the Health of Women and Children, Newsletter, Early Marriage in South Asia, December 2003.

girls to exercise their right to make choices which potentially 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 girls<sup>95</sup>. The World Bank also states that marrying later and receiving all such benefits contribute to a better welfare and combating poverty in societies<sup>96</sup>. The tragic reality faced by 15 million girls around the globe every year is that they will never be given the opportunity to marry later and reap the benefits.

## EARLY CHILD MARRIAGE PREVALENCE IN IRAN

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 unregistered<sup>97</sup>, 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. A considerable number of children and teenagers in Iran are married before the age of 15. It is important to underscore that ECM not exclusively a female issue as 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 reflects two divergent pictures. On one side there is the active-aged generation who reluctantly puts off marriage until later in life. Factors such as gradual relative development, acquired modern lifestyle and personal economic woes have led the young generation to postpone marriage to until they are older. Additionally better educated and better-off urban dwellers may have assimilated the norms of the industrialized world, including postponing marriage and child bearing. However, the other picture shows very young girls and boys who are the unwilling targets or victims of ECM practice. The rigid rules of Islamic Iran as it relates to human rights, family honour, and sexuality play against a background that marriage has customarily 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 co-mingling with opposite sex.

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<sup>95</sup> 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](http://www.unicef.org/sowc2011/pdfs/SOWC-2011-Main-Report_EN_02092011.pdf) [Accessed 13-08-16]

<sup>96</sup> World Bank. (2014). Girls' Education [Online] <http://www.worldbank.org/en/topic/education/brief/girls-education> [Accessed 14-08-16]

<sup>97</sup> UNICEF- Birth Registration in Iran-An analysis of the state of relevant laws in Iran

Thus, people are encouraged to marry very young in order to help maintain social order and control. Many of the marital rules were revised permitting the marriages of children. After the Islamic revolution of Iran, the laws that limited ECM were distinguished as unreligious and against the Islamic Sharia. Ruhollah Amam Khomeini, the leader of the revolution of Iran, in his treatise encouraged 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.



Marriage exhibition held throughout Iran, supported by the Government-Photo by: Kameel Ahmady

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 areas 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 understand the special needs of children and teenagers, to implement programs that consider their unique circumstances and take into account their vulnerabilities. The world has become more vigilant and alert to ECM as evidenced by the hundreds of studies and surveys that have been conducted that 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 students' theses have also contributed to raising public awareness of ECM.

## CHILD MARRIAGE RECORDS IN IRAN

Government official statistics<sup>98</sup> 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 %, respectively<sup>99</sup>. According to the latest census in Iran in 2015 the highest number of registered marriages pertained to women who were

<sup>98</sup> <http://www.sabteahval.ir/>

<sup>99</sup> Matlabi. H, Rasouli. A, Behtash. H, Dastjerd. F, and Khazemi. B, "Factors responsible for early and forced marriage in Iran," *Science Journal of Public Health*, vol. 1, no. 5, pp. 227–229, 2013.

15–19 years of age<sup>100</sup>. 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 cases involved men who were at least 10 years older than their newly acquired 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 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. 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.<sup>101</sup>

Whilst numerous psychosocial and emotional consequences related to ECM target young girls as victims as the harm is considerable, young boys are also affected. The experience for boys is to a lesser extent is less likely to be as exploitative or physically harmful as compared to girls. Nevertheless, boys are harmed. They lose the opportunity for a higher education which would include not only learning academic subjects but also the opportunity to 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, needs and economic pressures. Additionally, for boys there is a denial of childhood and adolescence and instead adulthood at an early age. These young boys are thrust into the full burden of domestic responsibility, fatherhood and sexual relations rather than experiencing the normal milestones of childhood. ECM's impact on boys can be just as insidious.

Data on the number of boys affected by child marriage is limited, making it difficult to draw definitive conclusions on its status and progress. Nevertheless, available data does confirm that boys are far less likely than girls in the same region to marry before age 18.<sup>102</sup> In 2014, total of 32587 boys were married and 1372 cases got divorced whilst they were younger than 18.

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<sup>100</sup>Ministry 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>

<sup>101</sup>Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran

<sup>102</sup> Child marriage | Child protection from violence...[www.unicef.org/protection/57929\\_58008.html](http://www.unicef.org/protection/57929_58008.html)

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 range<sup>103</sup>. 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 the age of 18 got divorced in 2014.



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

## HISTORICAL ROOTS OF ECM IN IRAN

Iran as a Middle Eastern country has been a part of a so called identical cultural life pattern 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 a significant and influential role of the Arabic culture embedded in Iran's history. Therefore we must look at the intricacies of the Arabic world in order to comprehend the historical roots of child marriage in Iran.

Arabic countries are located in tropical areas where the high temperature is one major element in precocious puberty development in young girls and boys. Most religious leader and clerics have voiced that the hot tropical climate is responsible for the body developing and growing faster, which in turn triggers sexual desire. As religious leaders' commands and statements are exemplified as a model for Muslims living Iran copying and adhering to them are highly and almost unquestionably respected. Consequently this line of reasoning 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. Early puberty development has further justified why ECM has become a widely acceptable social tradition Consequently ECM is warranted

ECM as a tradition has seeped beyond the Arabic boundaries by promulgation of the Islamic religion. The southern regions of Iran are heavily populated by Arab Iranians. What was observed were the cultural characteristics exhibited during field work that appeared to be more culturally

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<sup>103</sup> Industry world, The Condition of Registering marriage of girls under 15 years of age

similar to an Arabic culture than the Iranian culture. The conclusion is that their customs for marriage and acceptable marriage ages were more a reflection of their nationality, rather than the geographical area of Iran. This was observed even amongst the different districts of Khuzestan within south west of Iran. In those villages with Arab, Fars and Lur nationalities that practice ECM, the Arabic villages has alarmingly higher rates of ECM and observed gender subjugation.

Age is another influential factor in ECM. The younger the girl, the higher the chances of her being virgin, as older men usually preferred young girls.<sup>104</sup>

Commentaries made by historians and travellers on their observations about marital norms and situations are also worth mentioning. These written observations are the main proof of ECM's existence and historical prevalence of ECM in Iran that has now become 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 is placed on the newlyweds' bed on their first night, as the stained bedding and cloth are tangible proof of a bride's virginity. In some cases where the bride does not bleed (i.e. due to different hymen physiology shapes) mistrust and suspicion results in a family dispute. This distrust can conceivably become a lifelong hindrance for the young girl the rest of her life. In some cases the lack of blood results in returning the bride to her family the next day or divorce. In some cases the groom's family can demand a medical certificate from the bride's family prior to the wedding. This medical certificate can be obtained from the government medical centres where a female physician will examine the bride to be and issue a 'virgin certificate'. Extreme social pressure surrounding virginity for women in Iran has resulted in a surge for hymen restoration surgery performed in private medical centres from physicians who charge exorbitant fees if the bride was sexually active prior to their marriage.

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<sup>104</sup> Willem Floor (2010), the social history of sexual relationships in Iran, translated by Mohsen Minu Kherad, Stockholm, p. 48-49.

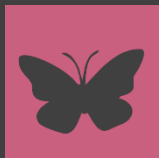
## DISCUSSION

The aim of the chapter is to increase the awareness of the underlying causes of child marriage, by looking at Iran as a case example, which is a populace that 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 the various ECM obstacles. The 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, the narrative demonstrates the prevalence of ECM in the country, via statistics and examining its historical roots by giving examples from eminent scholars and historians. Further understanding on the topic of ECM in Iran is discussed in the subsequent chapters.

## CHAPTER 2

### Law, Religious, and sociological factors



**“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

## CHAPTER 2: Law, Religious, and sociological factors

### 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 acknowledged<sup>105</sup>.

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 marry.

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, seen as 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. The economic changes from an agrarian to an industrial and service-based economy has had an impact on the family structure. The Industrial Revolution helped create 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, resulting in the fertility rate declining as immigration expanded.<sup>106</sup>

### CHILD MARRIAGE

Historically, child marriage was common around the world. With an average life expectancy between 40 and 45 years, ECM was an ordinary occurrence. In ancient and medieval societies, it was common for girls to be betrothed at or even before puberty<sup>107</sup>. It had been observed in

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<sup>105</sup>Haviland, William A.; Prins, Harald E. L.; McBride, Bunny; Walrath, Dana (2011). Cultural Anthropology: The Human Challenge (13th ed.). Cengage Learning.

<sup>106</sup> The age at marriage of migrants during the ...www.sciencedirect.com,

<sup>107</sup> Abgeliki Laiou (1993), Coercion to sex and marriage in ancient and medieval societies, Washington, DC, pp 85-190

ancient Israel 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.<sup>108</sup>

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.<sup>109</sup>

In Greece, early marriage and motherhood for girls was encouraged.<sup>110</sup> Young boys were expected to marry in their teens as seen in Ancient Rome, where girls married above the age of 12 and boys above 14.<sup>111</sup> In the Middle Ages under English civil laws, marriages before the age of 16 were commonplace. In Imperial China, child marriage was also commonplace.<sup>112</sup>

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 consent<sup>113</sup>. 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 is/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

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<sup>108</sup> M.A. Friedman (1980), *Jewish Marriage in Palestine*, Vol 1, The Jewish Theological Seminary of America

<sup>109</sup> Ruth Lamdan: *A Separate People: Jewish Women in Palestine, Syria, and Egypt in the sixteenth Century*, p. 47. Leiden, 2000

<sup>110</sup> Nancy Demand (1994), *Birth, Death, and Motherhood in Classical Greece*, Johns Hopkins University Press, pages 101-104

<sup>111</sup> Dahl, GB (2010). "Early Teen Marriage and Future Poverty". *Demography*. 47: 689–718.

<sup>112</sup> Zhao, Z. (1997). "Demographic systems in historic China: some new findings from recent research". *Journal of the Australian Population Association*

<sup>113</sup> 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.

have sometimes shown reluctance to accept evidence of ECM, dismissing it as a 'misreading' by a later copy of the records<sup>114</sup>.

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 lower<sup>115</sup>.

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 granted 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 the marriage had already been consummated. Judges sometimes honoured marriages based on the 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 olds<sup>116</sup>.

In humanitarian crises, conflict or natural disasters, child marriages increase noticeably. 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 mitigate conflict and violence. It is worth mentioning that child marriages are present in abundance in eight countries which are considered to be fragile states. It shows the interrelatedness of ECM with poverty, conflict, and violence<sup>117</sup>.

In a recently released paper by the Council on Foreign Relations, titled *"Fragile States, Fragile Lives: Child Marriage Amid Disaster and Conflict"*,<sup>118</sup>the

***"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

<sup>114</sup> 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.*

<sup>115</sup> International Family Planning Perspectives, 22:148–157 & 175, 1996

<sup>116</sup> 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.*

<sup>117</sup> 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

<sup>118</sup> Child Marriage in Fragile States - Council on...[www.cfr.org/global/fragile-states-fragile-lives/p33093](http://www.cfr.org/global/fragile-states-fragile-lives/p33093)

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 out 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.<sup>119</sup>

The age of the child become irrelevant as the social upheavals such as regional violence, war and conflict sustain ECM.

## ECM in WAR and CONFLICT

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 the rise of GBV and the rise of ECM. 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.

Child marriage continues to be a grim worldwide reality for many young girls due to war and conflict. Weaken infrastructures and increased occurrences of sexual violence and assault that are already present within ECM, are exacerbated during war and armed conflict. Arm conflict in particular increases the likelihood of ECM.

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

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<sup>119</sup> Ibid.

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.<sup>120</sup> 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.”<sup>121</sup> 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’ of combatants and commanders.<sup>122</sup> 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.<sup>123</sup>

***“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’

Before the Syrian conflict, 13% of Syrian women aged 20 to 25 were married before their 18th birthday.<sup>124</sup> 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.<sup>125</sup> ECM has become an ever-growing threat for girls in Syria, and for girls in refugee communities in Jordan, Lebanon,

<sup>120</sup> Fragile states, fragile lives: Child marriage amid...[www.girlsnotbrides.org/fragile-states-fragile-lives](http://www.girlsnotbrides.org/fragile-states-fragile-lives)

<sup>121</sup> Save the Children, “Unspeakable Crimes Against Children: Sexual Violence in Conflict,” 2013.

<sup>122</sup> UNICEF. 2005. The State of the World’s Children 2005. UNICEF: New York, NY.  
[http://www.unicef.org/sowc05/english/sowc05\\_chapters.pdf](http://www.unicef.org/sowc05/english/sowc05_chapters.pdf)

<sup>123</sup> Ibid.

<sup>124</sup> 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

<sup>125</sup> 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)

Iraq and Egypt.<sup>126</sup> 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.<sup>127</sup>

## 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 age of eighteen. Rape has also resulted in what is seen to be an increase in ECM in Syria.<sup>128</sup> 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.”<sup>129</sup> As voiced by women and girls refugees, the fear of rape is cited as one of the main reasons for fleeing Syria.<sup>130</sup> But sexual violence has gone largely undocumented given its social stigma and barriers to appropriate psychosocial and medical resources.<sup>131</sup>

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.<sup>132</sup> Due to the conflict there are strong indications that ECM has increased alarmingly, and in some cases has doubled.<sup>133</sup> In 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.<sup>134</sup>

A growing number of Syrian girls are reportedly married off in order to generate income for their poor refugee families.<sup>135</sup> 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 opportunities and family resources has led to even more families

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<sup>126</sup> Child marriage and the Syrian conflict: 7 things...[www.girlsnotbrides.org/child-marriage-and-the-syrian..](http://www.girlsnotbrides.org/child-marriage-and-the-syrian..)

<sup>127</sup> Care, To Protect Her Honour: Child Marriage in Emergencies – The Fatal Confusion Between Protecting Girls and Sexual Violence, 2015

<sup>128</sup> Ibid.

<sup>129</sup> 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>

<sup>130</sup> Ibid., p. 10

<sup>131</sup> Ibid., p. 8

<sup>132</sup> Too Young to Wed | Save the Children UK [www.savethechildren.org.uk/.../too-young-wed](http://www.savethechildren.org.uk/.../too-young-wed)

<sup>133</sup> Too Young to Wed | Save the Children UK, [www.savethechildren.org.uk/.../too-young-wed](http://www.savethechildren.org.uk/.../too-young-wed)

<sup>134</sup> 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

<sup>135</sup> Sheera Frenkel, “Teenage Syrian Girls Are Being Sold Into Forced Marriages To Save Their Families,” BuzzFeed, May 20, 2014, <http://www.buzzfeed.com>

turning to ECM for their girls.<sup>136</sup> 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. Although ECM rates are difficult to document in an ongoing conflict, such estimates point to an increase from Syria's 11 per cent ECM figures provided by the Population Reference Bureau in 2001.<sup>137</sup> 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 legally recognized by any state authority and therefore leave women and young girls vulnerable, especially in times of divorce or separation.<sup>138</sup>

## 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.<sup>139</sup> 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 2010. According to Cetorelli's research findings, the reason underlying 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."<sup>140</sup> 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. This was due to the likelihood of 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.<sup>141</sup>

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<sup>136</sup> UN Women, "Gender-Based Violence and Child Protection Among Syrian Refugees in Jordan, with a Focus on Early Marriage," 2013, <http://www.unwomen.org>

<sup>137</sup> Hoda Rashad et al., "Marriage in the Arab World," Population Reference Bureau, 2005, [http://www.prb.org/pdf05/marriageinarabworld\\_eng.pdf](http://www.prb.org/pdf05/marriageinarabworld_eng.pdf)

<sup>138</sup> Fragile States, Fragile Lives Child Marriage Amid Disaster and Conflict

<sup>139</sup> Study provides rare evidence on effect of Iraq War...[www.news-medical.net/news/20141216/](http://www.news-medical.net/news/20141216/).

<sup>140</sup> The World Bank, "Girls' Education in the 21st Century," 2008, <http://siteresources.worldbank.org>.

<sup>141</sup> Supra at 22

## 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 in 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.<sup>142</sup> As historically there is a close relationship between Lebanon and Syria, Syrian families tend to marry their daughters to Syrian or Lebanese boys.<sup>143</sup>

## REFUGEE CAMPS

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

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.”<sup>144</sup> 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.<sup>145</sup> 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.<sup>146</sup> 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 living 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.<sup>147</sup>

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<sup>142</sup> Many child marriages among Syrian refugees driven...[www.middleeasteye.net/in-depth/features/early-marriage](http://www.middleeasteye.net/in-depth/features/early-marriage).

<sup>143</sup> Ibid.

<sup>144</sup> Lisa Davis, “Seeking Accountability,” p. 12

<sup>145</sup> UNICEF, A Study on Early Marriage in Jordan, 2014

<sup>146</sup> Save the Children, Too Young To Wed: The growing problem of child marriage among Syrian girls in Jordan, 2014

<sup>147</sup> Too Young to Wed | Save the Children UK, [www.savethechildren.org.uk/.../too-young-wed](http://www.savethechildren.org.uk/.../too-young-wed)

## 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.<sup>148</sup> They live 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.<sup>149</sup> ISIS' litany of horrific crimes against the Yezidis in Iraq carried on as stories of forced religious conversions and ECM emerged.<sup>150</sup> 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, 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 the young women and teenage girls from their families. ECM quickly took place as many of the girls were forced to marry ISIS fighters.<sup>151</sup> 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 murder.<sup>152</sup> 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 other detention centres and gradually sold them off to fighters as spoils of war.<sup>153</sup> Girls as young as ten<sup>154</sup> were married off to fighters. This ECM is often temporary marriage as once the fighters had sex with the young girls, they were passed on to other fighters.<sup>155</sup> Some had been exposed in markets in Mosul and in Raqqa, Syria carrying price tags.<sup>156</sup>

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<sup>148</sup> "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.

<sup>149</sup> Loveday Morris. "Islamic State seizes town of Sinjar, pushing out Kurds and sending Yazidis fleeing". The Washington Post. Retrieved 3 July 2015.

<sup>150</sup> [www.hrw.org/iraq-forced-marriage-conversion-yezidi](http://www.hrw.org/iraq-forced-marriage-conversion-yezidi)

<sup>151</sup> Iraq Forced Marriage, Conversion for Yezidis forced-marriage-conversion- October 2014.WWW;hrw.org

<sup>152</sup> Islamic State crisis: Yazidi anger at Iraq's forgotten people". BBC News. Retrieved 23 December 2014.

<sup>153</sup> Humiliation replaces fear for the women kidnapped... [www.theguardian.com](http://www.theguardian.com) 19 October 2014

<sup>154</sup> Ibid.

<sup>155</sup> Brekke, Kira (8 September 2014). "ISIS Is Attacking Women, And Nobody Is Talking About It". The Huffington Post. Retrieved 11 September 2014.

<sup>156</sup> Ivan Watson, "'Treated like cattle': Yazidi women sold, raped, enslaved by ISIS", CNN, 30 October 2014.

*Human Rights Watch* has stated the precise number of women and girls being enslaved and forced into marriage is unknown.<sup>157</sup> An *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.<sup>158</sup>

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.

## MINIMUM AGE IN EUROPE

The American colonies following English tradition used the law 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.<sup>159</sup> 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. Within the following decade, France, Portugal, Denmark, the Swiss cantons and other countries raised the minimum age between 13 and 16 years.<sup>160</sup>

In France, under the Napoleonic Code the age of consent was set in 1832 at 11<sup>161</sup>, and was raised to 13 in 1863.<sup>162</sup> It was increased to 15 in 1945<sup>163</sup>. In Spain, it was set in 1822 at "puberty

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<sup>157</sup> Supra at 35

<sup>158</sup> Iraq: Yazidi women and girls face harrowing sexual...[www.amnesty.org/en/latest/news/2014/12/iraq](http://www.amnesty.org/en/latest/news/2014/12/iraq).

<sup>159</sup> Robertson, Stephen. "Children and Youth in History - Age of Consent Laws". *George Mason University*. Retrieved 29 June 2015.

<sup>160</sup> 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.

<sup>161</sup> "Loi du 28 avril 1832 CONTENANT DES MODIFICATIONS AU CODE PENAL ET AU CODE D'INSTRUCTION CRIMINELLE - Legifrance". Retrieved 29 June 2015.

<sup>162</sup> "Loi du 13 mai 1863 PORTANT MODIFICATION DE PLUSIEURS ARTICLES DU CODE PENAL - Legifrance". Retrieved 29 June 2015.

<sup>163</sup> "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.

age", and changed to 12 in 1870<sup>164</sup>, until 1999, when it was raised to the age of 13. <sup>165,166</sup> In in 2015 it was raised to 16<sup>167</sup>. By reviewing the history of evolutions and changes in the age of consent in the world what is noted is the augmentation in age.

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). An observable trend has been noted in which the age of consent for sexual relationships and followed by the age of marriage, have increased under canon laws. Currently 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 and 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.<sup>168</sup> 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 mothers<sup>169</sup>.

In Italy and Albania, the age of consent to engage in sexual intercourse is 14 years old which is 4 years younger than the legal minimum age of marriage of 18. However, there are numerous states that have no minimum age of marriage<sup>170</sup>.

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.

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<sup>164</sup> "Código penal reformado". *sirio.ua.es*. 17 June 1870. Retrieved 29 June 2015.

<sup>165</sup> "BOE.es - Documento BOE-A-1973-1715". *boe.es*. Retrieved 23 August 2015.

<sup>166</sup> "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.

<sup>167</sup> "Disposición 3439 del BOE núm" (PDF). 31 March 2015. Retrieved 25 August 2015.

<sup>168</sup> 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>

<sup>169</sup> 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

<sup>170</sup> 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](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).

Young people who are 16 or 17 must obtain parental consent.<sup>171</sup> 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 age<sup>172</sup>.

In the West, it is primarily age that is seen as a barrier to curtail sexual relationships, with a common legal minimum age for sexual consent in most countries in Western Europe, even if the 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.<sup>173</sup>

## MINIMUM AGE IN MIDDLE EAST

In Kuwait and Libya, the age at which women marry 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 %, respectively<sup>174</sup>.

Many Muslim societies such as Algeria, Oman, and Tunisia have set the age of 18 as the legal minimum age of marriage.<sup>175</sup> 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 adulthood<sup>176</sup>.

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<sup>171</sup> 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](http://www.adviceguide.org.uk/england/relationships_e/relationships_living_together_marriage_and_civil_partnership_e/getting_married.htm) (Accessed January 16, 2013).

<sup>172</sup> 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>

<sup>173</sup> 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

<sup>174</sup> 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

<sup>175</sup> 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

<sup>176</sup> 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>.

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)<sup>177</sup>. 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 enough to get married.<sup>178</sup> However, it is rare that a boy is married before finishing his education and securing employment. .

In contrast to the Western societies where age operates a restrictive barrier to sexual relations, in Islamic and Arab societies, there is no age 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 societies<sup>179</sup>.

***“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. In Yemen, which is at the southern border of Saudi Arabia, ECM is a frequent occurrence and there is no legal minimum age of marriage. The cases of child and forced marriage resulted in a media and public debate on the issue, which ultimately led the Yemen Parliament to approve of setting a legal minimum age of marriage of 18 years old for both girls and boys<sup>180</sup>.

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<sup>177</sup> 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>

<sup>178</sup> 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>.

<sup>179</sup> 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>

<sup>180</sup> 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).

International initiatives and worldwide concerns about ECM have propelled some authorities to revise the marriage age laws, implement criminal penalties sanctions and inflict severe punishment for those who disobey. In recent years, the 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 of legislation to raise the legal age for marriage to 18<sup>181</sup>. In 2015 Malawi raised the minimum marriage age to 18 for both boys and girls<sup>182</sup>. In 2014, Bangladeshi officials approved of the Child Marriage Prevention Act of 2014, requiring a two-year jail term for any person who marries a girl under the age of 18<sup>183</sup>. 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.<sup>184</sup> In this country 60-80 per cent of the total number of marriages in Afghanistan are forced and/or underage marriage. In Afghanistan, a court in the Ghour province sentenced a 42 year old man to 7 years in prison for marrying six year old Gharib Gol. The man confessed to his crime and mentioned he had married the girl in front of many people. Based on an initial investigation, the six year old was given to the 42 year old man in exchange for a goat and food supplies. He stated that her parents gave him the girl as a religious offering.<sup>185</sup> The judge sentenced her father to 4 years in prison as well. 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 as a means to discourage the practice.

With these newly enacted laws and promising trends there are still blatant remnants of denial and refusals to address and appropriately respond to ECM. 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.<sup>186</sup>

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<sup>181</sup> <http://www.jurist.org/paperchase/2015/11/guatemala-raises-marriage-age-to-18.php>

<sup>182</sup> <http://www.jurist.org/paperchase/2015/04/hrw-welcomes-malawi-marriage-act.php>

<sup>183</sup> <http://www.jurist.org/paperchase/2014/09/bangladesh-officials-approve-child-marriage-prevention-law.php>

<sup>184</sup> Afghanistan worst place in the world for women,... [www.theguardian.com](http://www.theguardian.com) 15 June 2011

<sup>185</sup> Agence France-Presse Arrested Afghan cleric defends marriage to six-year-old girl, saying she was a 'religious offering 30 July 2016

<sup>186</sup> <http://www.express.co.uk>

## 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 societies many people's fundamental needs and the means to acquire them are determined by religious laws. Often the religious teachings discards 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 an infant girl can be married to any man with her father's approval<sup>187</sup>.

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 in the original sin, and, as such, were perceived as inherently immoral. Children 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 abuse<sup>188</sup>.

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 success<sup>189</sup>. 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 families' consent..

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<sup>187</sup> Rouhollah Khomeini, Tahrir Al-vasile, Translated by Seyed Muhammed Baqer Hamedani, Vol 4, book of questioning nekah 12 .

<sup>188</sup> 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.

<sup>189</sup> "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.

## 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 stable rules of life include the 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 ensuing consequences.

The Holy Quran, mentions attaining adulthood or attaining puberty (*al-bulugh*)<sup>190</sup>. The word “teenager” does not exist in Islamic literature, and in Islamic law the term “youth” is not included as a specific category.<sup>191</sup> 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 a child to an adult.

With all the complexities about age and types of maturity, different social activities necessitate a certain 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 ages and or 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



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

***“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

<sup>190</sup> 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.

<sup>191</sup> Hermansem, 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

of religion or religious practices, social and political identities grow 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 and main source for prescribed laws and established policies.

Despite the tremendous variance in the interpretation and implementation of Islamic law in Muslim societies today, it is widely accepted under Islamic Sharia law the prohibition of 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 formation or start of a sexual relationships, something that is forbidden outside of marriage<sup>192</sup>.

According to the Hanbali school of Sharia law, the father has the right to accept the 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 and at 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 the age 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 that leads to advocating child marriage or forced marriage.

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<sup>192</sup> 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 according to different societies' views. There are vast differences between contemporary and historical childhoods. Societies have demonstrated different concepts of what it means to be a child that 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.



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

Pre-modern societies and non-Western cultures have and continue to have a multitude of meanings of childhood. Childhood is not the same everywhere and 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.<sup>193</sup> 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 squashes out the normal childhood adolescent period, quenching the sparks of autonomy and strangling the developing sense of self.<sup>194</sup>

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.

As reiterated earlier, poverty is a main cause and consequence of the ECM in poor and highly traditional countries. Childhood is eliminated due to this poverty. There is ample evidence that poverty is a social as well as an economic element which by definition effects men and women differently due to differences 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 rare<sup>195</sup>. Sweetman (2003) states in her book that

<sup>193</sup> Different cultures, different childhoods -[www.open.edu/.../different-cultures-different-childhood](http://www.open.edu/.../different-cultures-different-childhood)

<sup>194</sup> Early marriage - [Unicefwww.unicef.org/sowc06/profiles/marriage.php](http://www.unicef.org/sowc06/profiles/marriage.php)

<sup>195</sup> Caroline Sweetman, 2003-Gender, Development and Marriage Oxfam focus on gender

"In the USA, only 4% of girls marry before the age 19, in Canada this is 1%, while in the UK this is 2% only<sup>196</sup>.

In some districts, children running away from home was a frequent occurrence as seen in the Kurdish areas of West Azerbaijan province also known as Mokrian. In this province 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 dealt with this unacceptable act differs from one jurisdiction to another. In some places (mostly in East Azerbaijan 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 couple. In other area such as North East of Razavi Khorasan province, both families would re accept them and provide housing and household furniture to help them start their lives. This has occurred with such regularity in Babol Abad near the town of Khoy in West Azerbaijan province that it has transformed into an acceptable social norm and tradition.

## ARRANGED MARRIAGE, FORCED MARRIAGE, EXCHANGING WOMEN

Since colonial times period the exchange of women as a selling and buying commodity has been a common practice amongst traditional families<sup>197</sup>. In the contemporary era, it is arranged/forced marriages that has become a common practice. As the overwhelming majority of child marriages are family-arranged<sup>198</sup>, many of the arrangements are made by people in position of power over children and adolescents, especially parents, guardians, and community members. Girls are often reduced to a commodity.

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<sup>196</sup> Caroline Sweetman, 2003-Gender, Development and Marriage Oxfam focus on gender

<sup>197</sup> Annie Bunting, Benjamin N. Lawrance, Richard L. Roberts- Marriage by Force?: Contestation over Consent and Coercion in Africa- Ohio University Press, 2016

<sup>198</sup> 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 Karoun 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

## EXCHANGE OF WOMAN

The exchange women is commonplace principally seen in Pakistan. In this social custom, two girls are exchanged between two families as part of a bargaining tool and or trade agreement. Traditionally exchanging women was a conflict resolution strategy. The peace agreement was sealed by exchanging women between the two opposing tribes and usually without the approval of the men or women.<sup>199</sup> There are very limited cases in which the involved parties refused. In reality under these types of marriages, the girls who are the commodities in the peace agreement 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."<sup>200</sup>

arranged  
18th  
the  
transfer  
father to  
the 19th  
property

***"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."***

By the  
had Female Respondent, 30  
Gogan, East Azerbaijan province

## ARRANGED AND FORCED MARRIAGE

Marriages throughout history were between families, especially before the century. The practices varied according to culture, but it usually involved the legal of dependency of the woman from her the groom. The emancipation of women in and 20th centuries changed marriage laws dramatically, especially in regard to rights and economic status.

mid-20th century, many Western countries enacted legislation establishing legal

<sup>199</sup> 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.

<sup>200</sup> 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.

equality between spouses in family law. Legal equality between spouses is absent in a forced marriage

A forced marriage is where one or both people do not (or in cases of people with learning disabilities, 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.

***“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

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 who arrange their young daughter's marriage to an adult, often to a much older man, or arranging the future marriage of two children.<sup>201</sup> It is not uncommon to find girls of 7-14 years already married off and sent to live with the new husbands' families. Prospective husbands are selected based on social, religious and monetary factors whilst age is not considered as an important factor.

The pressure placed on girls to marry against their will can be physical (including threats, physical and sexual) or emotional and psychological (the girl is made to feel she is bringing shame on their family). Financial abuse (taking wages or not giving the girl any money) can also be a factor. There may also be emotional blackmail. On the day of the ceremony, it is extremely difficult, if not possible 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.

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<sup>201</sup> Adedokun, G. N., Tochukwu, H. E. and Adediji, 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

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 marriage<sup>202</sup>. 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.

However, the line between arranged and forced marriage is often difficult to distinguish. In reality they are much closer. The consent of a girl in arranged marriage is not absolutely her will or choice as it usually obtained through social and emotional pressure by her parents and brothers. If a woman or young girl tries to resist an arranged/forced marriage she often encounters severe criticism and even 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 and isolation. This explains in part why the religious laws and social customs make the process of divorce very complex and difficult, especially for women.

***"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

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<sup>202</sup> Foreign and Commonwealth Office & Home Office. (2005). *Forced marriage: A wrong not a right*. London, UK: Home Office. Gangoli, G., & Chantler, K. (2009).

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, even if there is the threat of violence in the marriage.

However, even if a girl agrees it would be naive not to believe that her assent to enter into an arranged marriage is due to familial and cultural pressure rather than her own free will. 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 adults<sup>203</sup>.

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). Marrying within one's own family 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 communicate and talk to as they are surrounded by people who are much older and who have actively endorsed their situation. Often they are confined to the house and are quickly immersed in household duties. 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 pregnancies obviously is traumatic. Their traumas are often callously regarded as an unavoidable part of life.<sup>204</sup>

There are some few studies that have examined the psychological effects of ECM.<sup>205</sup> The odds of suicide attempts were twice as high amongst girls with marriage requests as among those with none. 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

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<sup>203</sup> Gangoli, G., & Chantler, K. (2009). Protecting victims of forced marriage: Is age a protective factor? *Feminist Legal Studies*, 17, 267–288.

<sup>204</sup> 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

<sup>205</sup> 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](http://www.jahonline.org)

2.5%, respectively), but lower than rates in adolescents in Southwest Nigeria.<sup>206, 207</sup> The study's findings are compatible with the findings in the United States that adult women who married as children were 1.41 times more likely to have had a lifetime history of psychiatric disorders compared to women who married in adulthood.<sup>208</sup> As there is relatively little research and lack of data 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 and 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.<sup>209</sup> As a most phenomenal form of age based gender inequality, ECM disempowers women to take their own decisions. Once married, young girls find it daunting 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.<sup>210</sup> ECM impedes a young girls' ability to continue with her education as most young girls drop out of school following marriage<sup>211</sup> as their attention is now on their newly imposed domestic duties and their own children.

***"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

Under the Convention on the Rights of the Child<sup>212</sup>, education and dropout rates are addressed in parts 77 and 78 of the Convention. The Convention on the Rights of the Child Committee

<sup>206</sup> Blum R, Sudhinaraset M, Emerson MR. Youth at risk: Suicidal thought and attempts in Vietnam, China, and Taiwan. *J Adolesc Health* 2012;50: s37e44.

<sup>207</sup> 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. Also see 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.

<sup>209</sup> International Center for Research in Women (2005), *Too young to wed: education & action toward ending child marriage*. Washington DC

<sup>210</sup> Tan Micheal, 2004-Child Brides

<sup>211</sup> 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

<sup>212</sup> <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G16/049/70/PDF/G1604970.pdf?OpenElement>

although applauding the seeds of progress in the area of education, including the high rate of enrolment of children in primary and secondary schools, has voiced concern about the high dropout rates of girls in rural schools and of indigenous Arab children upon reaching puberty and the restrictions on the right of girls to education, by court ruling, if a husband finds his wife's education to be "incompatible with the interests of the family or with his or his wife's dignity"

The Committee has recommended 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 agenda<sup>213</sup>
- In 2014 the UN's Commission on the Status of Women issued a document in which they agreed, amongst other things, to eliminate child marriage<sup>214</sup>
- WHO has recommended increasing educational attainment amongst girls, increasing enforcement structures for existing minimum marriage age laws, and informing parents in practicing communities of the risks associated as primary methods to prevent child marriages<sup>215</sup>

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 <sup>216</sup> clearly contradict its commitments

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<sup>213</sup> Girls Not Brides (2013-09-27). "States adopt first-ever resolution on child, early and forced marriage at Human Rights Council". Girls Not Brides.

<sup>214</sup> Liz Ford. "Campaigners welcome 'milestone' agreement at UN gender equality talks | Global development". The Guardian.

<sup>215</sup> 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

<sup>216</sup> Iran - Child Marriage Around The World. Girls Not ...[www.girlsnotbrides.org/child-marriage/iran](http://www.girlsnotbrides.org/child-marriage/iran) Violations of girls' rights: child marriage and FGM in the I.R. Iran

Girls are often brutally targeted 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.<sup>217</sup> It is not only girls that pay the cost of ECM. Eventually society pays the burden of restricted female educational in terms of population explosion, lack of effective contribution to the future well-being of their family, society health care costs and lost opportunities of human development.

## EDUCATION AND SOCIO CULTURAL INFRASTRUCTURE

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.

There is an entire range of socio-economic and cultural perspectives centred on ECM child marriage that prevails across castes and class and fortifies its existence in society. ECM wrongly assumes 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 possible<sup>218</sup>. 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.<sup>219</sup> Education is not a factor in their lives.

Many families from practising ECM traditional societies firmly believe that investing in girls education is a waste of financial resources when she is simply going to be married and work in another household. The costs of the investment in education reinforce this impetus towards a girl's withdrawal from school.<sup>220</sup> 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, 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 education. In Ethiopia most girls who married at a very early

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<sup>217</sup> 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

<sup>218</sup> Child Marriage - Child Rights and You [www.cry.org](http://www.cry.org) > Rights To Know

<sup>219</sup> Jones, Gavin (1997), 'Population Dynamics and Their Impact on Adolescents in the ESCAP Region', in *Asia-Pacific Population Journal*, vol. 12, No. 3

<sup>220</sup> Report "Early Marriage: Child Spouses" -...[www.unicef-irc.org/publications/pdf/digest7e.pdf](http://www.unicef-irc.org/publications/pdf/digest7e.pdf)

age have never been to school.<sup>221</sup> 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.<sup>222</sup> Girls in developing countries often must overcome substantial socio cultural obstacles in accessing educational opportunities.

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 whilst she is in school this is interpreted as a sign of getting married. This spells the end of her education as she is expelled from school by the head teacher.<sup>223</sup>

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 one patriarchal family to another.<sup>224</sup> Education naturally brings young girls in contact with young boys and thus is often cut in order to prevent girls from interacting and intermingling. 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 including her marriage. In patriarchal societies that practise ECM, specific traditional roles are assigned to women and such societies tend to facilitate these roles via ECM that in turn reinforce prescribed gender roles. Society, therefore, exerts pressure on its members not to abandon ECM practices and exerts pressure to limit her education.

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 decreased birth and death rates<sup>225</sup>

## 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 affects 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.<sup>226</sup>

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<sup>222</sup> Early Marriage, Marital Relations and Intimate...[www.guttmacher.org/about/journals/ipsrh/2013/04](http://www.guttmacher.org/about/journals/ipsrh/2013/04)

<sup>223</sup> Pucking, Trimming, Shaping, Shaving and Bleaching...[www.central-mosque.com](http://www.central-mosque.com)

<sup>224</sup> What Causes Early Marriage? - Bell Bajaow[www.bellbajao.org/what-causes-early-marriage](http://www.bellbajao.org/what-causes-early-marriage)

<sup>225</sup> Lotfi, Razie (1389), side effects of early marriages, female and health FAZLNAME, no.2

<sup>226</sup> Bruce, J., C.B. Lloyd and A. Leonard (1995), Families in Focus: New Perspectives on Mothers, Fathers and Children, The Population Council, New York.

Divorce or abandonment often plunges these young girls into poverty, as the girls usually assumes sole responsibility for dependent children. As in the vast majority of cases the girl married young and under-educated, she has few, if any, income-generating skills thus making her poverty more acute.<sup>227</sup> Given that girls in child marriages are often significantly younger than their husbands, they become widowed earlier in life and may face an assortment of economic and social challenges for a greater part of their lives in comparison to women who marry later.<sup>228</sup> Societies which practices ECM are more inclined have more child and early widows.

Divorced is highly problematic. 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. Malekshahi, who is the head of jurisdictional commission in Iran's council, stated that "70% of the mutual divorces are related to early marriage cases. Many of these people return to the court saying they got married too soon while having no idea about marriage and they demand a divorce case."<sup>229</sup>

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 recently enacted decision of not publishing the divorce statistics and rates in Iran. Even though the divorce rates in Iran have increased by 74 per cent within the last decade, the Iranian government has not addressed these above mentioned issues or even looked into the causes of this statistical surge.

In March 2016 Ali Akbar Mahzun, the head of the Information and Population Census Registration Department declared that Census Registration Department's monthly release of statistics will not include the divorce rates as the focus will be more "purpose oriented." He announced that the monthly 4 vital statistics (birth, death, marriage and divorce) would from now on focus on the three vital statistics. Divorce statistics will be omitted.

The research experience of the Iran Initiative on FGM/C in Iran project 230 showed not only how much more needs to be done in terms of addressing the obvious facts but also the need for government action. Usually cultural considerations have always been taken into account when general policies decisions are made. ECM as an urgent public and social issue has yet to be publically acknowledged and discussed freely with authorities. This is even more urgent and poignant when one considers that high-level Iranian decision makers are uniquely positioned to identify and address some of the systemic and underlying factors that ECM poses to reproductive health and human rights. Governmental researchers and officials are encouraged to initiate

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<sup>227</sup> Report "Early Marriage: Child Spouses" -[www.unicef-irc.org/publications/Early marriage child spouse](http://www.unicef-irc.org/publications/Early%20marriage%20child%20spouse)

<sup>228</sup> Gaffney-Rhys, Ruth (2011). "International Law as an Instrument to Combat Child Marriage". *The International Journal of Human Rights*. 15: 359–373

<sup>229</sup> <http://www.scoda.ir>

<sup>230</sup> Kameel Ahmady, 2015-"in the name of tradition" Uncut voices, oxford 2016

research in this area by raising awareness and promoting ECM's abandonment. Scholars and policymakers' endeavours and efforts must prioritise ECM by recognising its existence.

From a legal, religious and conventional perspectives, marriage is the only acceptable form of concepts of social life 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 society<sup>231</sup> and often there can be an assumption of a shared understanding of the term.<sup>232</sup> In traditional societies such as Iran, marriage is the only acceptable form of creating a family. It is time that ECM is seen as an unacceptable form of creating a family.

When addressing ECM and its accompanying social issues such as divorce, curtailed education and the depressing rates of child widows, data and government sponsored research must be allocated in order to provide and guide appropriate policies decisions for the Iranian government. Instead ECM is either normalised, neglected, de facto legitimately recognized or brushed aside. Meanwhile this silent emergency continues to wreak havoc on the lives of young innocent girls.

## ECM IN IRAN

Child marriage with all of its causal complexities and indications can be evaluated from various competing points of view. Legal aspects, religious beliefs, gender aspects and also customs and social norms play 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.

## 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.<sup>233</sup> 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 disproportionally 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

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<sup>231</sup> Kağıtçıbaşı, İ. (2007). Family, self, and human development across cultures: Theories and applications. Hillsdale, NJ: Lawrence Erlbaum

<sup>232</sup> Walsh, M., Stephens, P., & Moore, S. (2000). Social policy and welfare. Cheltenham, UK: Nelson Thornes.

<sup>233</sup> [eige.europa.eu/fgender-based-violence/2fwhat-is-gender-based-violence](http://eige.europa.eu/fgender-based-violence/2fwhat-is-gender-based-violence)

is this more explicit when seen within 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 that ECM 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 their ability to make decisions about their own lives and bodies Child brides are more likely to describe their first sexual experience as forced.<sup>234</sup>

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 from a gas pipe with her grandmother's veil. 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.<sup>235</sup> Consequently the epidemic demographical slogan "the less the number of children, the better the life" became the hallmark policy for families' reproductive decisions. Assisted by and coordinated with the UN, a vast population control propaganda was diffused on every corner, in every district, on brochures, leaflets and books, on television, radio and in community speeches, so that this slogan became increasingly popular. The early 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 started to dwindle in the 1990s after the government initiated this major population control program.<sup>236</sup>

Corresponding to these decades of the government's push for reduced birth rates was its corresponding decline in the marriage age rates. The number of older woman 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" actually had a prominent profound effect on population growth and family reproduction.

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<sup>234</sup> [www.girlsnotbrides.org](http://www.girlsnotbrides.org) Why is child marriage a form of violence against women and girls?

<sup>235</sup> 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.

<sup>236</sup> MSN Encarta Encyclopedia entry on Iran - People and Society, CIA World factbook 2007

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 its previous position of population control to population growth. Political policies to increase the population took place and marriage became the only legal way of having children. The marriage age adapted to comply with the new policy.

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.<sup>237</sup> 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 essence, this policy rolled back years of efforts to boost the economy by reducing the country's once runaway population growth.<sup>238</sup>



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 24<sup>th</sup> 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 were influence by this religious integrated mandate.

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<sup>237</sup> Iran encourages population growth - International...[www.jpost.com/.../Iran-encourages-population-growth](http://www.jpost.com/.../Iran-encourages-population-growth)

<sup>238</sup> IBID

## AGE OF CONSENT/ MARRIAGE AGE IN IRAN

The term *age of consent* rarely appears in legal statutes.<sup>239</sup> 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 competent to consent to a marriage.<sup>240</sup> 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 any sexual activity outside of marriage is considered an illegal act.<sup>241</sup>

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 interim government was nullification and replacement with 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 married but conditional on the consent of their father and the permission of a court judge.<sup>242</sup> In addition, if the child's guardian (father or grandfather) 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.<sup>243</sup>

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

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<sup>239</sup> Waites, Matthew (2005). *The Age of Consent: Young People, Sexuality and Citizenship*. Palgrave Macmillan. ISBN 1-4039-2173-3. OCLC 238887395

<sup>240</sup> Oxford English Dictionary, entry for "age of consent"

<sup>241</sup> Dhami, S., & Sheikh, A. (2000). The Muslim family: Predicament and promise. *Western Journal of Medicine*, 173, 352.

<sup>242</sup> 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."

<sup>243</sup> Iran - Child Marriage Around The World. Girls Not ...[www.girlsnotbrides.org/child-marriage/iran](http://www.girlsnotbrides.org/child-marriage/iran) Violations of girls' rights: child marriage and FGM in the I.R. Iran

(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 defined as 15 and 13 with the approval 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 and annulled. The amended context of the relevant law recognized the legitimacy of such a marriage provided that a competent court considers it to be in the best interest of the child.<sup>244</sup>

Child early marriage and divorce in Iran is viewed according to its official statistics.<sup>245</sup> The total amount 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.<sup>246</sup> 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 in comparison 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 discontent and violence within ECM.

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 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 that an agreement and acceptance of marriage can be pronounced by the man or the women themselves, or by a person on the child's behalf who legally has the right to marry them.<sup>247</sup>

Although the legal marriage age is not and cannot be the reason that triggers this increase of ECM in Iran it can be considered as an influential factor in encouraging and persuading the decision maker. Nevertheless, marriage can take place even for children as young as 13 and 15, as there are other means under Islamic law in which children even younger than these above cited ages can be married with the father's consent and approval. In essence young girls below

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<sup>244</sup> General Assembly UN GeA/69/356 Sixty ninth session

<sup>245</sup> Supra at 153

<sup>246</sup> Ibid.

<sup>247</sup> Civil code

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 potential 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 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 family social fabric and implicitly approves of 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.<sup>248</sup> 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 and its persistence and prevalence in Iran underscores that social norms are more powerful than laws in Iran. Laws that forbid marriage under the age of 13 and the legal punishment for parents who marry their children under the legal age are not enough in itself to prevent ECM. 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. One of the easiest way to do so is simply delay the official registration of the marriage

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 marriage by paying for her age. This has been referred to as the “buying age” as observed with 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. The amount of the money being paid ranges 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 the girl is queried as to which one is genuine gold or what is the current market value of gold.

In today's Iranian gold-craving society it seems that purchasing gold is one of the most important issues for a woman. Gold, femininity 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, because of the general interpretation and acceptance that it is permissible for women to wear gold.<sup>249</sup> Consequently asking these sorts of questions, whilst at first does seem juvenile and preposterous, show that the only measurement that used to gauge a women's mental health is the price of gold or materials which is considered feminine. This procedure, which only takes few minutes to complete, seems to be more of a simple game of personalization rather than a true psychological assessment.

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<sup>248</sup> Iran - Child Marriage Around The World. Girls Not ..[www.girlsnotbrides.org/child-marriage/iran](http://www.girlsnotbrides.org/child-marriage/iran) Violations of girls' rights: child marriage and FGM in the I.R. Iran

<sup>249</sup> Islamqa info/en r 11886: Ruling on women wearing gold rings

## 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, 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 renders them as a man. Before fulfilling this military service boys are deemed too young to get married.

This political-military policy has created changes in the marriage culture. What was observed during the field work of this project was the dual occurrence of early marriage with 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.

***"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 (clergy) Alireza  
HajiAbad Village, Khaf, Razavi Khorasan province

## ROLE OF RELIGION IN PROMOTING CHILD MARRIAGES

Under the Iranian constitution which adheres to Imamieh's jurisdiction, the ages between childhood and adulthood are defined as adolescence<sup>250</sup>. Imamieh's early jurists believe that it is necessary for girls to be married<sup>251</sup>, which cannot be annulled before puberty. However, some of the later sjurists believe that if the interests of the premature female are neglected, this matrimony can be annulled.<sup>252</sup>



Lobbing with Molana Abdolhamid Ismaeelzahi to preach  
and support on raising child marriage  
Photo by: Molana Abdolhamid office

<sup>250</sup> Ebadi, Shirin, Regard for children rights in Iran, Tehran, Roshangaran Publication, 1990

<sup>251</sup> Allameh Helli, 1414 Hijri, Vol 2, p 856

<sup>252</sup> Hamedani, Vol 2, P186

Nevertheless, a few states such as Saudi Arabia, Yemen, and Iran still follow Sharia law, which specifies that once someone reaches puberty age, they are now deemed mature. The statements from religious community leaders often yield clout and influence as exemplified in the quote from a community leader from 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 influenced by religious leaders especially by the province top clergy Imam Molana Abdolhamid.<sup>253</sup> He is not only regarded as the senior Imam and religious leader in the province but also he is highly respected and regarded as the head of Iran Sunni minorities of south East and West of Iran.

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 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 beneficial 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 outlooks. During this meeting, week long workshops, with his permission, took place in the province's top religious schools (madrasa). Staff and clerics in charge of teaching in such school received training on the medical, mental, and social disadvantages of ECM so that this information could 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 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 an integral part of the daily life, ECM may not be on the list of urgent social priorities competing for governmental attention. This is misplaced as an educated female

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<sup>253</sup> **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.

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 a 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 on the age of marriage overrides Iran's commitment to the legal age of marriage. In response to efforts made by UNICEF Representative of Iran in October 2012, and other efforts by civil society and the human rights communities, several Islamic Republic authorities, including the judiciary spokesperson Golem Reza Mohseni, or Tehran Province Population Registry Office Director General, Ahmad Gheshmi, 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."<sup>254</sup> Considering that ECM is a serious human rights crisis and one of the most pressing developmental concerns in the world today government and policy makers must act against it.

## CONCLUSION

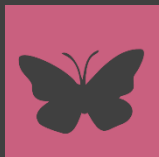
Despite the various conventions and universal condemnation, ECM still thrives. For many families although the practice may initially appear attractive it comes at an enormous price Eradicating ECM must take a pre-eminent priority in order to stem its damming consequences.

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<sup>254</sup> Iran - Child Marriage Around The World. Girls Not ...[www.girlsnotbrides.org/child-marriage/iran](http://www.girlsnotbrides.org/child-marriage/iran)Violations of girls' rights: child marriage and FGM in the I.R. Iran

## CHAPTER 3

### Survey results and findings



**“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

## CHAPTER 3: Survey results and findings

### 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 Iran<sup>255</sup>. 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 not only was the international community was unaware of FGM's existence but even within Iran, Iranians were unaware of FGM's existence.<sup>256</sup> In part, due to the study on FGM, it became glaringly obvious that a study was warranted to raise awareness of ECM existence in Iran.



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 range 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 turn the world's attention to this chronic baseless trampling on the human rights and dignity of vulnerable young children in Iran. ECM and , 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 overall effects on the implications of early marriage and an analysis of the risks of being married as a child. What little has been mentioned is superficial, confined to university theses, media, internet activism reports and/or in some reports of a non-analytical nature regarding the statistics about the registered

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<sup>255</sup> 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](http://kameelahmady.com/fgm-in-iran)**

<sup>256</sup> Ibid.

rates of ECM. In most cases the study of ECM in Iran has gone no further than a local micro-level analysis. What was sorely needed was a practical problem-centred and issue-oriented research based on ECM specifically on Iran.

During the history of ECM research in Iran, what became apparent was this absence of an in-depth approach in order to bring the discussion of ECM in Iran 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 information, facts and statistical data that could readily be available for the public.

From the onset it was quite difficult to obtain accurate data on the true extent of early marriages as some marriages were 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 interests<sup>257</sup>. Moreover, not registering a marriage can lead to a lack of legal protection for the spouse and future children.<sup>258</sup>

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 behind each data that went far beyond the available general data.

As previously mentioned, either the descriptive statistical studies from university theses have failed to trigger possible solutions. The academic efforts were mostly ignored and despite its pervasiveness, failed to attract governmental authorities' attention. In recent years many Iranian governmental officials were more focused on increasing population growth and offering incentives to youth to marry quickly and procreate. Additionally individual concerns were not successful in securing NGO's financial support to carry out further research.

During the previous study on FGM/C in Iran<sup>259</sup>, the study unearthed the non-coincidental relation between 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 undergone FGM. This fact was

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<sup>257</sup> UNICEF, Child marriage in Jordan, 2014, p 1

<sup>258</sup> Amani Campaign, Interagency child protection and gender based violence campaign, Jordan 2014 p 12, [data.unhcr.org/syrianrefugees/](http://data.unhcr.org/syrianrefugees/)

<sup>259</sup> 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>

immediately observed during the 10 years of FGM/C study in all districts that were selected for sampling. ECM and FGM are not accidental occurrences. These two gender oppressive 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 research, a research study must implement an objective approach in all stages. 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.<sup>260</sup> Shifting to the next stage, all judgmental presumptives had to be put aside as an objective qualitative approach was needed to assist in understanding the concept of early marriage in rural areas within its cultural-religious-legal framework. This 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 arranged ECM on their own. Additionally, social stigma and taboos such as premarital relationships and sex contributed 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 the manner of evaluation is not a human rights approach but a problem-centred and impartial approach.

Given that as with any method of data collection, our study has its limitations. As qualitative research, subjectivity is an issue and some bias on behalf of the researcher is unavoidable. Time and budget restrictions, also meant 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 much as possible. The rigorous and participatory method in which the questions were designed meant that the data collected are rich and informative. The participants were

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<sup>260</sup> Ahmady, K. 2016. *In the Name of Tradition. Female Genital Mutilation in Iran*. Frankfurt am Main: UnCUT/VOICES Press..

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 realities of child brides, to provide better elaborations on the subject and to include people's own exact words 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 remains limited and piecemeal. Consequently, the first requirement in addressing ECM is that more research and understanding is needed. Comprehensive data as provided in this study are essential for making significant progress in understanding the risks associated with ECM and the dynamics of ECM. Forthcoming surveys would significantly increase the amount of available information available, and would contribute to the dire need of more empirical data on ECM.

Field visits and discussions exposed a multitude of factors that help sustained and even endorsed 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 are encourage by the practice as it helps to send off a girl children early, whilst marriage of a boy brings an additional hand to assist and contribute to the household and economic activities.

Thirdly, members from practicing child marriage communities 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



Questions & discussion with locals in East Azerbaijan province which has high rate of ECM  
Photo by: Kameel Ahmady

"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 provided a 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 or express whatever they assumed was important.

As trust and confidentiality were 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 noted down their opinions in the exact way they responded meaning that in some cases we have shared their names, and in some, only information that they allowed 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.



Arab family in Khuzestan province  
Photo by: Kameel Ahmady

## RESEARCH METHODOLOGY

The methodological approach adopted by this research is designed as a qualitative large-scale method. As no previous sort of research or known methodology was available to use as a point of reference or as a comparative analysis, existing research methodology compatible to the subject matter was absent. This clearly points to a need for additional data analysis and studies on the issue of early child marriage in Iran. What is sorely lacking is a comparative study of the high prevalence rates of child marriage within Iran that would assist in identifying the social similarities and differences that lead to child marriage. Additional comprehensive analysis and studies are essential in order to strive for significant progress in fully understanding the causes and risks of ECM.

Considering that hardly any research on this dimension of ECM in Iran been undertaken the task was highly challenging and the methodology evolved was dynamic. Methodological decisions were completely flexible depending on the different obstacles and variations that the research encountered in each phase. 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 within the province. Considering all the variations and differences, the methodology of research was adopted and adapted 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 practice of ECM in Iran, the study narrowed the search to selected designated areas of interest by using data from the National Organization for Civil Registration.<sup>261</sup> Seven provinces with the highest rates of registered child marriages were selected.

The provinces were chosen by analysing the recent 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 similar to lists previously published by the government, as the ranking order is was based on selecting 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 classified by three age groups that were selected and ranked: less than 10', '10 to 14' and '15 to 19' years of age. Seven ranked lists of marriage events (categorized by age groups, gender and total numbers of each) within the last ten years were drawn upon.

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<sup>261</sup> 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 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.

Girls' Marriage in 2014				Boys' Marriage in 2014				total Marriage in			
	Younger than 10	10-14	15-18		10-14	15-18		10-14	15-18		
1	Sistan and Baluchestan 33	Razavi Khorasan 7629	Razavi Khorasan 24362	1	Khuzestan 65	Razavi Khorasan 4797	1	East Azabaijan 4257	Razavi Khorasan 31994		
2	Khuzestan 31	East Azarbaijan 4244	Khuzestan 15354	2	Sistan and Baluchestan 36	Khuzestan 2956	2	Khuzestan 2352	Khuzestan 18310		
3	Zanjan 11	Khuzestan 2256	East Azarbaijan 12566	3	West Azarbaijan 31	Sistan and Baluchestan 2991	3	Hormozgan 1901	East Azarbaijan 14516		
4	Kohgiluyeh and Buyer Ahmad 10	Hamedan 1893	Fars 11475	4	Zanjan 28	West Azarbaijan 2031	4	Fars 1857	West Azarbaijan 13308		
5	Kermanshah 9	Sistan and Baluchestan 1841	West Azarbaijan 11277	5	Razavi Khorasan 21	East Azarbaijan 1950	5	West Azarbaijan 1640	Sistan and Baluchestan 13287		
6	Fars 8	Fars 1829	Sistan and Baluchestan 10296	6	Fars 20	Golestan 1443	6	Ardebil 1601	Fars 12717		
7	-----	West Azarbaijan 1604	Isfahan 10147	7	Golestan 19	Fars 1242	7	Zanjan 1420	Isfahan 10905		
8	-----	Ardebil 1596	Mazandaran 7814	8	-----	Kerman 1211	8	Mazandaran 1359	Golestan 8420		

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

The broadness of the program areas, budget and time constraints, and limitation of funding necessitated the use of cluster sampling functional.<sup>262</sup> 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) questionnaires<sup>263</sup> a significant part of the questions were designed by the researchers. The study utilized household survey data from DHS to assess child marriage levels by country and to 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.<sup>264</sup>

<sup>262</sup> Cluster sampling is the sampling method where different groups within a population are used as a sample.

<sup>263</sup> <http://dhsprogram.com/>

<sup>264</sup> For more information about DHS refer to [www.measuredhs.com](http://www.measuredhs.com)

DHS questionnaires are considered as flawless arranged sets of questions requiring maximum standards of reliability and validity. However based on the specific cultural differences and variations in each district, adjustments were necessary. In order to use DHS standard questionnaires in this study, it was vital to make some changes and modifications in order to translate the questions into local languages and make it user friendly. 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 by 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. Thus 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. Based on the dissection of data from the questionnaires, the third and last parts are the analytical results and descriptive and inferential statistics that are discussed and explained in detail.

## PROVINCE WISE RESEARCH



### 1. RAZAVI KHORASAN

- **Geographical Span of the Research**

The Razavi Khorasan province was the study's first target. The Razavi Khorasan province is located in the northeast of Iran with a population of 6,262,000 people.<sup>265</sup> 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 centre of attraction in Iran, and the capital for Shiite Islam as the Shiite Muslims' Imam Reza, shrine in Mashad is located there. 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.<sup>266</sup> This religious shrine has contributed to the province's strong religious and political influence. It is of no coincident that this region corresponds strikingly with a higher incidence of ECM. People of various religions and sects support early marriage, which is practiced within many religious communities<sup>267</sup> and Mashad presents the most extreme scenario. 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'. 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

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<sup>265</sup> The National Organization for Civil Registrations, 2014.

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

<sup>266</sup> The Islamic Seminaries At The Holy Shrine". Imam Reza (A.S.) Network. Retrieved 2009-05-26.

<sup>267</sup> CRFSupra

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 exhibited differences. The domination of Shiite Islam in the province and its political power over the Sunni sect was a source of friction for some of the conflicts. Despite this friction, ECM prevalence is seen within both provinces, in both religious belief systems, and 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 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. 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 on having their children married to a Shiite Muslim has driven many to conclude 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 the resulting 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.<sup>268</sup> 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. We saw that

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<sup>268</sup> CRF supra at

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 drug 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 family marriages where the 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.

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.<sup>269</sup>

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<sup>269</sup> Bride Price And Dowry; the Difference And..www.nairaland.com/89673

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.<sup>270</sup> 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.<sup>271</sup> Bride price can vary depending upon the circumstances. For example, the bride price depends on knowing the groom's family. If the groom 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.

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.

As the family ties in ECM are a means of consolidating powerful relations between families<sup>272</sup> 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

***"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

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<sup>270</sup> Council on Europe

<sup>271</sup> **Care Report** Vows of Poverty Child Marriage Report | CARE  
vowsofpoverty.care.org

<sup>272</sup> "Marrying Too Young: End Child Marriage" (PDF). UNFPA.

anecdote of a man who bought a young girl for 100 million tomans <sup>273</sup> (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.

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.<sup>274</sup> 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.<sup>275</sup> Other studies have shown this correlation between the age gap difference and its consequences. The younger a female respondent was when she got married, the larger the gap between her age and her partner's age.<sup>276</sup> 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.<sup>277</sup>

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<sup>273</sup> The oman is the unit of the official currency of Iran, the rial.

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

<sup>275</sup> [www.girlsnotbrides.org](http://www.girlsnotbrides.org), why-is-child-marriage-a-form-of-violence-against-women-and-girls -

<sup>276</sup> Child Marriage | Early Marriage | Plan...[plan-international.org/.../child-marriage](http://plan-international.org/.../child-marriage)

<sup>277</sup> CRF supra

In contrast, the divorce rates are noticeably high in Torbat-e Jam (Nashtifan) and one of the most dominate reasons that is attributed to girl's lack of 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 played a 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.

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 risking harsh punishments or familial rejection but in other places such as Torbat-e Jam (where divorce rates are also high) running away from home is not viewed this harshly. After returning to the community, couples are welcomed and lured with a furnished house to help them start their marital life and to encourage 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.

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

***“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

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 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.<sup>278</sup>

Often these young girls continue to face highly discriminatory social structures that greatly hinder their capabilities and overall wellbeing. 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 household, submissiveness to the in laws and husband, no interaction with outsider male, less mobility, being good to neighbors' and being modestly dressed (i.e. wearing traditional clothing).<sup>279</sup>

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.<sup>280</sup> 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 and helps to sustain and endorse the custom of child marriage.

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<sup>278</sup> [www.girlsnotbrides.org](http://www.girlsnotbrides.org), Why does child marriage happen?

<sup>279</sup> Change and continuity in social norms. [www.odi.org/sites/odi.org.uk/files/odi-assets/...](http://www.odi.org/sites/odi.org.uk/files/odi-assets/...)

<sup>280</sup> What is Conformity? | Simply Psychology [www.simplypsychology.org](http://www.simplypsychology.org)

### • 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 numbers there is a tendency to declining. The percentage of ECM is alarmingly high for girls rather than boys.

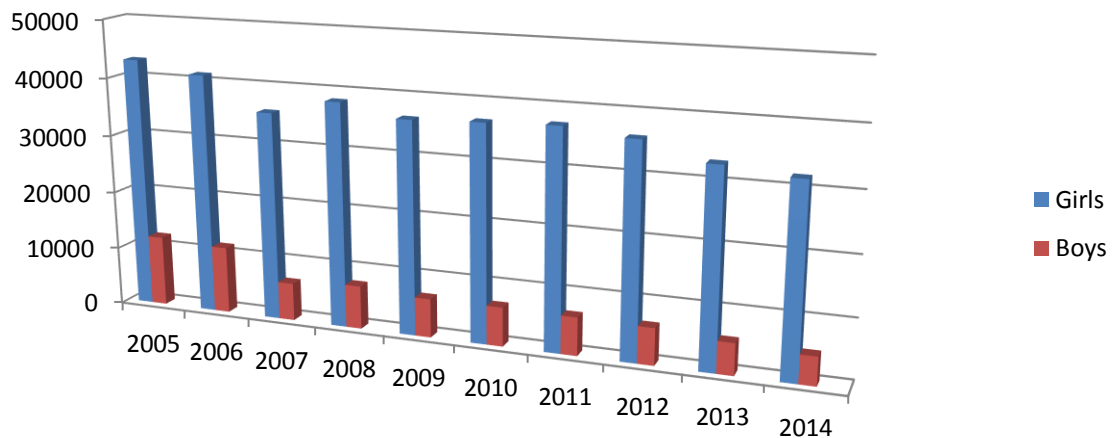


Diagram 1. Marriage under the age of 18 in Razavi Khorasan province

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

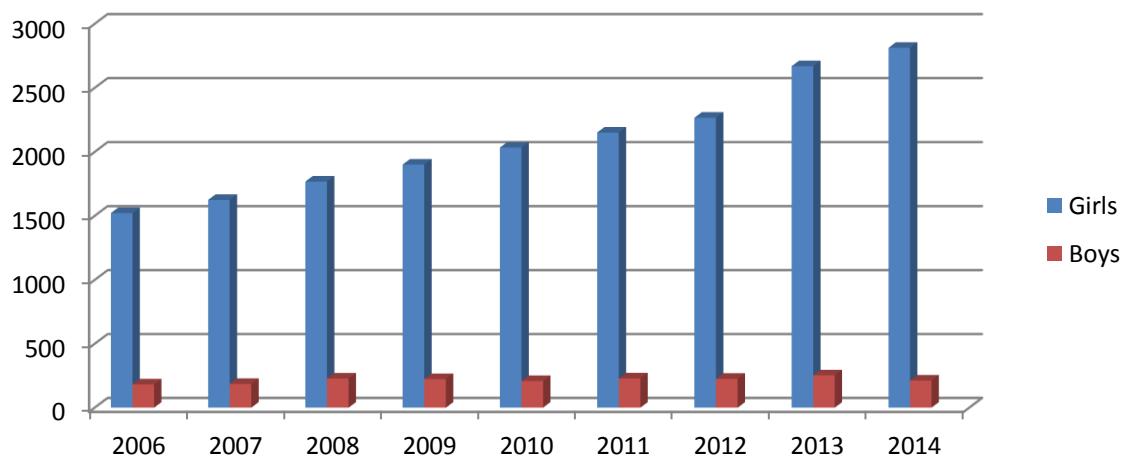


Diagram 2. Divorce under 18 years of age in Razavi Khorasan province

A close analysis of both diagrams reveals that ECM has a dramatic effect on girls than boys. Whilst boys are subjected to early marriage, girls are disproportionately affected and form the vast majority of the victims of child marriage.<sup>281</sup> For girls the affects go well beyond

<sup>281</sup> Girls Not Brides - Official Site [www.girlsnotbrides.org](http://www.girlsnotbrides.org)

adolescence.<sup>282</sup> Many aspects of their lives are controlled by older men who considered the girls little more than 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 arriving home with their babies, where they were frequently abandoned by their husbands.<sup>283</sup>

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.<sup>284</sup>

Similarly, divorce rates have 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. Annually, divorce rates are 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 wife, then 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.<sup>285</sup> 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.<sup>286</sup> In addition as ECM is considered as 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.<sup>287</sup>

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<sup>282</sup> Q & A: Child Marriage and Violations of Girls' Rights - Human Rights Watch". hrw.org.

<sup>283</sup> 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

<sup>284</sup> Save the Children UK, Rights of Passage, 2003

<sup>285</sup> Q & A: Child Marriage and Violations of Girls' Rights, supra at 24.

<sup>286</sup> Child Marriages: 39,000 Every Day | Press centre | ...www.unicef.org/media/media\_

<sup>287</sup> www.cfr.org, peace-conflict-and-human-rights / child- marriage

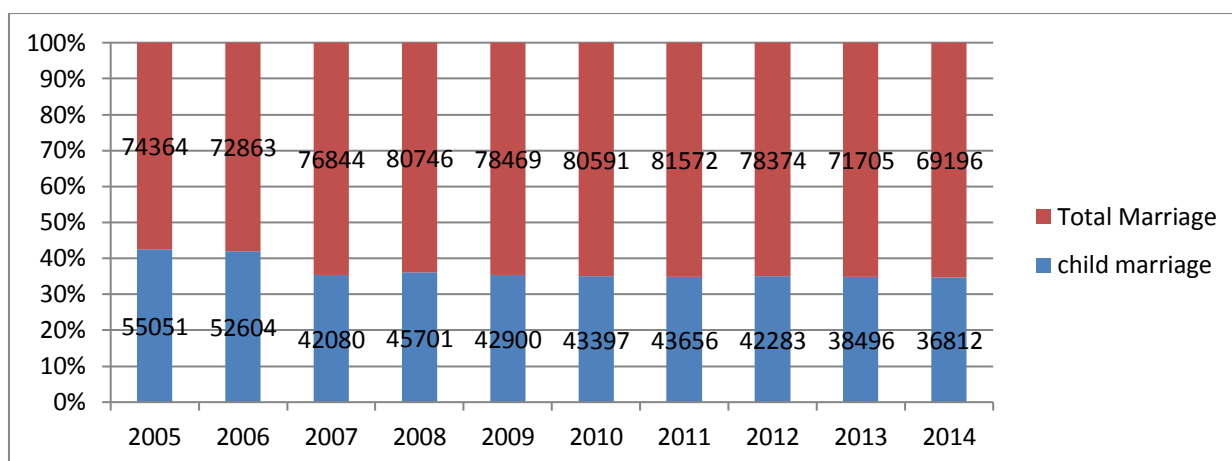


Diagram 3. ECM ratio in Razavi Khorasan province

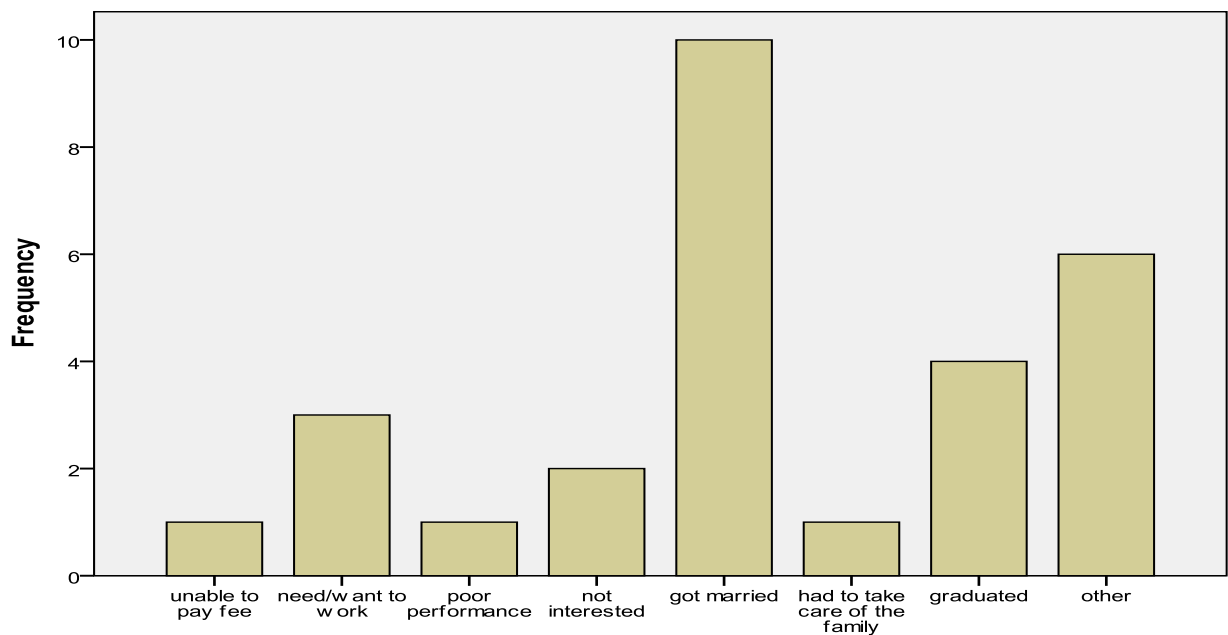


Chart 1. Reason for leaving school in Razavi Khorasan province

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.

### • 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 practicing religious for 62.5 % of the respondents was 9.

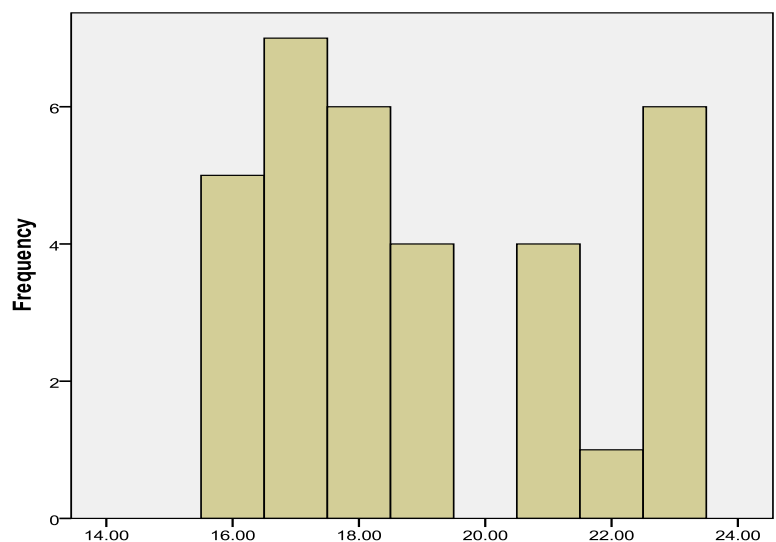


Chart 2. Women's age at first delivery in Razavi Khorasan province

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 that is necessary for their personal development and their effective contribution to the future wellbeing of the society. Usually girls are pulled out of school early 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 be 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 as 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.<sup>288</sup> 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 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 a girl is young her small pelvis and birth canals are under developed. Teen pregnancy, particularly below age 15, increases the risk of developing obstetric fistula, since their smaller

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<sup>288</sup> Field, Erica; Ambrus, Attila (2008). "Early Marriage, Age of Menarche, and Female Schooling Attainment in Bangladesh" (PDF). *Journal of Political Economy*. 116: 881–930.

pelvises make them prone to obstructed labour.<sup>289</sup> 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 what they had actually experienced was 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 them did not have knowledge about delivery or pregnancy dangers and most of them (42.9 %) viewed 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.

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<sup>289</sup> Nour, Nawal M. (2006), "Health Consequences of Child Marriage in Africa", *Emerging Infectious Diseases*, 12 (11): 1644–1649,

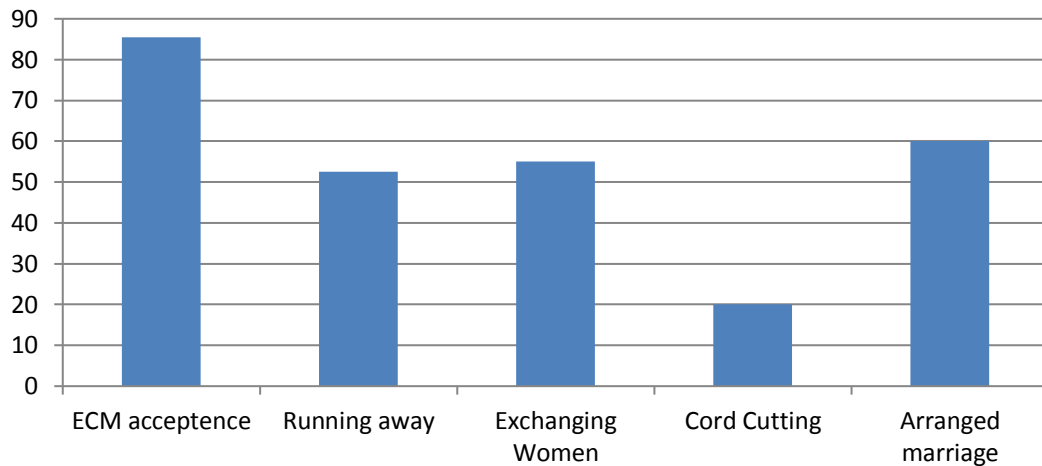


Diagram 4. Prevalence of marriage forms in Razavi Khorasan province

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.

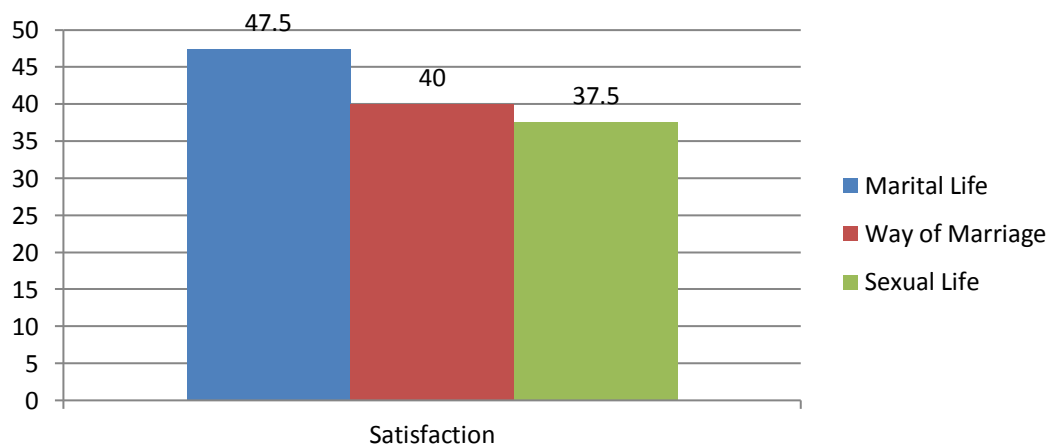


Diagram 5. Satisfaction with marriage in Razavi Khorasan province

- **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 halted 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 be married and they assumed that the ideal age to be 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

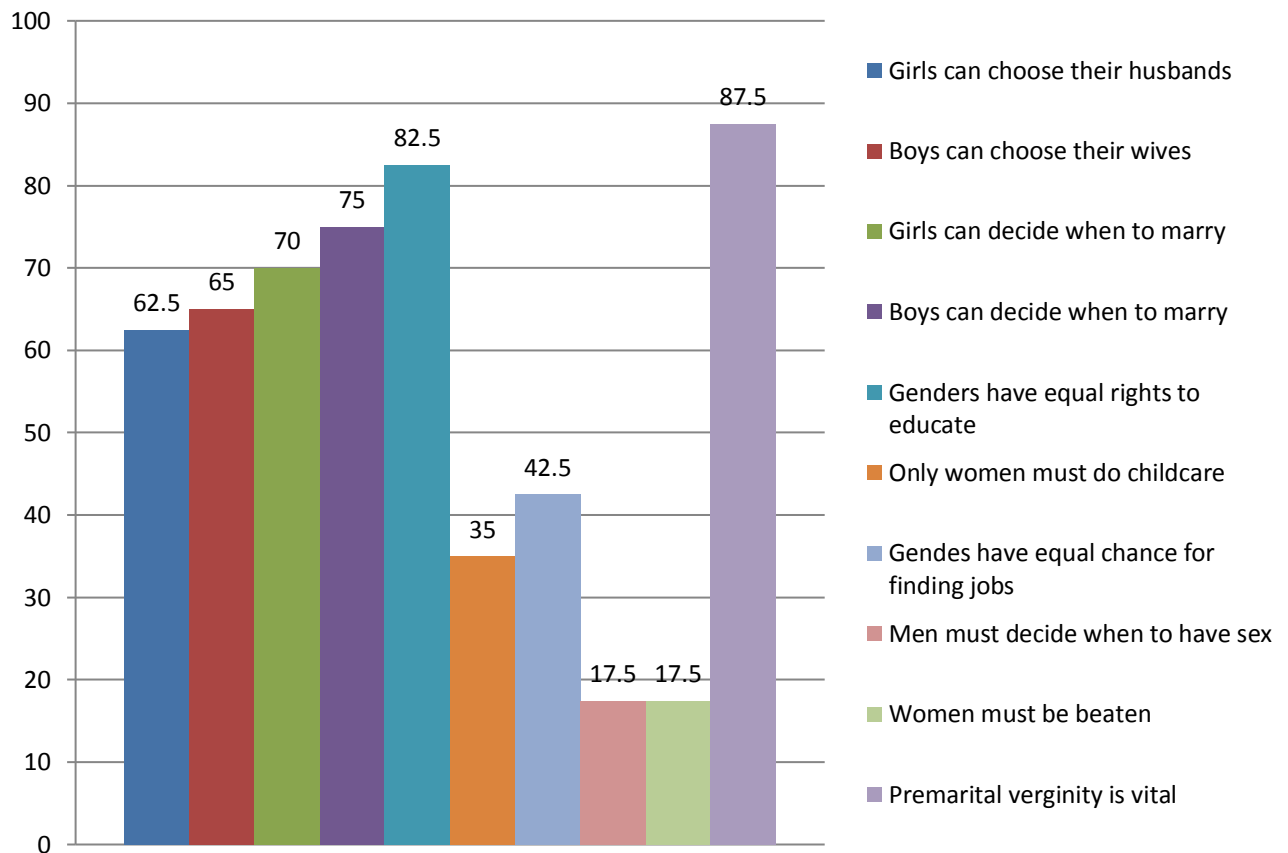


Diagram 6. Agreements on Gender attitudes in Razavi Khorasan province

The diagram 6 shows the percentage of gender attitudes in Razavi Khorasan. A very positive aspect that was witnessed was the opinion on 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.

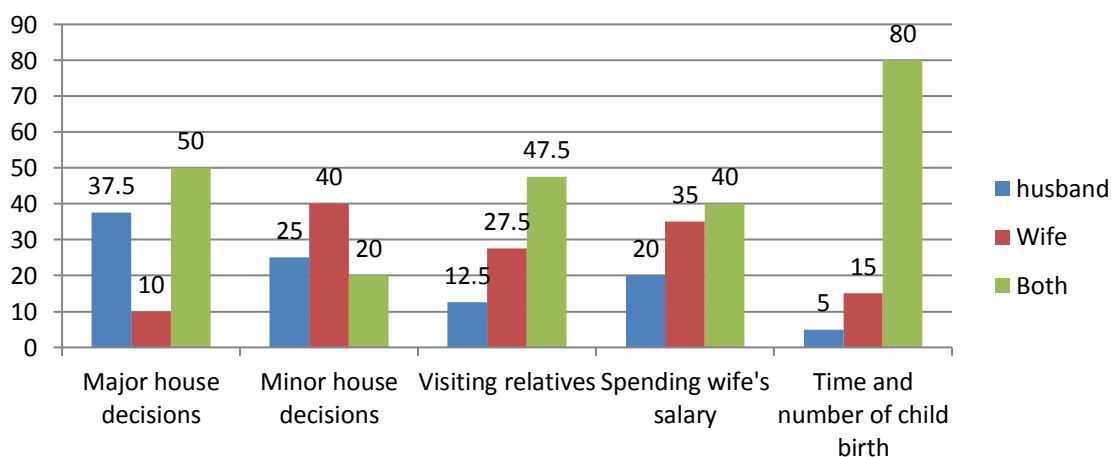


Diagram 7. House decision making in Razavi Khorasan province

Diagram 7 shows the decision making capacity at household levels, which surprisingly presented a balanced picture. In most cases husband and wife make joint decisions, whilst in some cases the wife is the more dominant spouse rather than her husband in areas such as her spending allowances, visiting relatives, and minor house decisions.

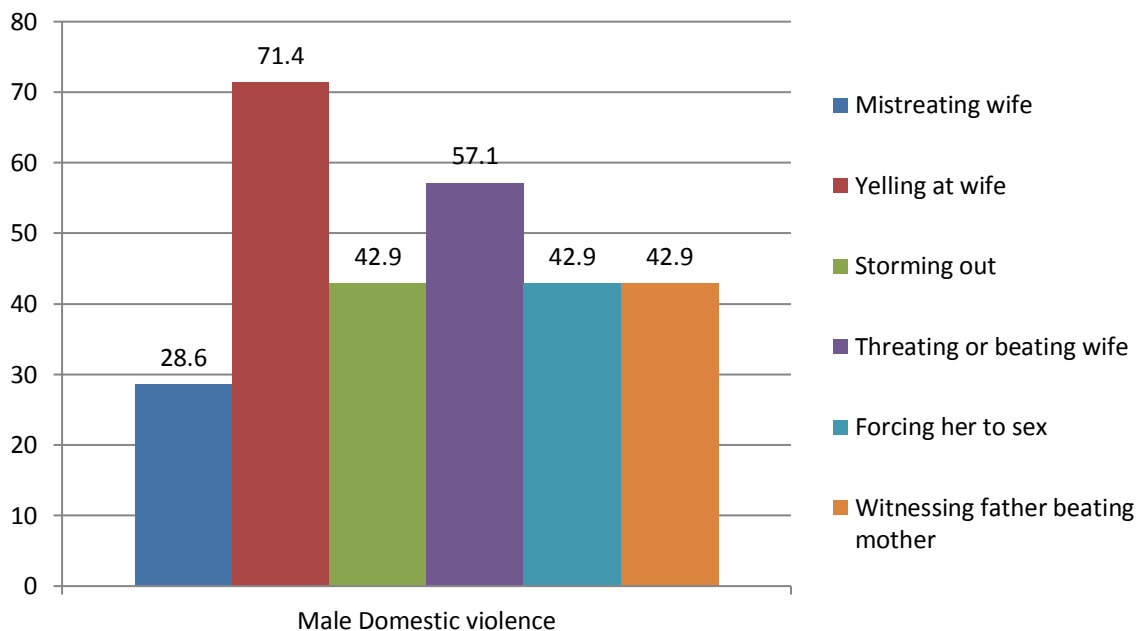


Diagram 8. Male domestic violence in Razavi Khorasan province

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 small 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 province<sup>290</sup>. 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 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



Some villages of Sarab town marry their children as young as 10 years of age-Photo by: Kameel Ahmady

<sup>290</sup> The National Organization for Civil Registrations, 2014.  
<https://www.sabteahval.ir/Upload/Modules/Contents/asset99/salnameh93.pdf>

War in 1918. The majority hold Shiite Islam beliefs. East Azerbaijan province holds the third rank in girls' marriage in the ages of 15-19, 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 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 the practice is mostly 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.<sup>291</sup> 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.

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<sup>291</sup> 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.

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 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 within family and the child's will and decision was not taken into consideration at all. 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.

***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

### • 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.

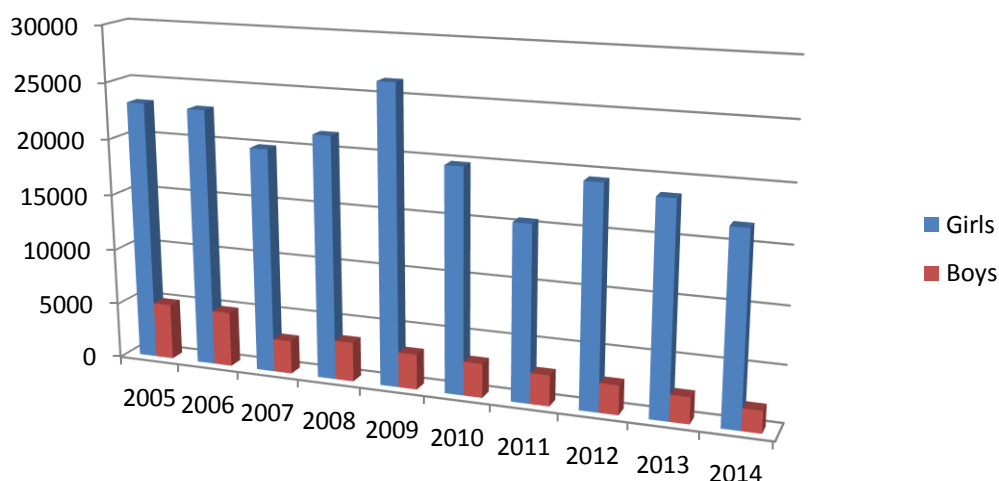


Diagram 9. Marriage under the age of 18 in East Azerbaijan province

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.

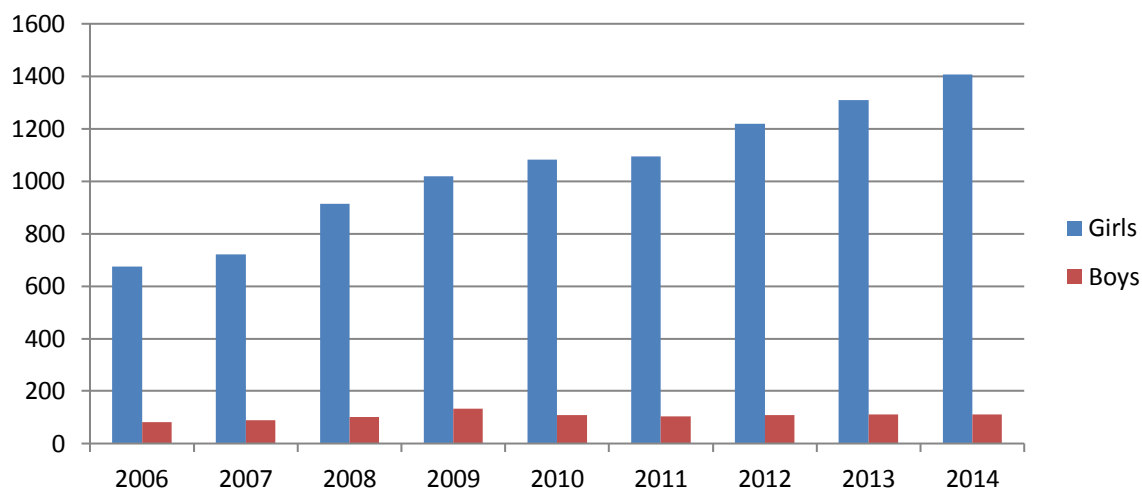


Diagram 10. Divorce frequency less than 18 years of age in East Azerbaijan province

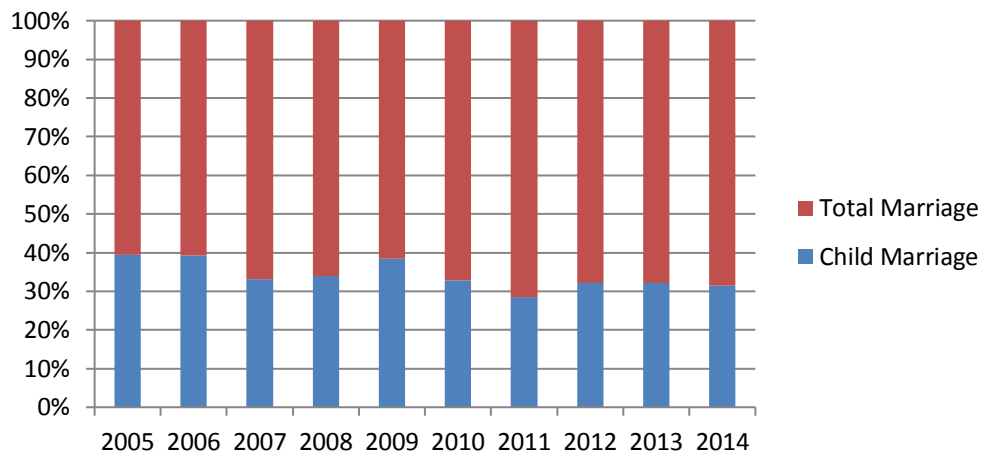


Diagram 11. ECM ratio in East Azerbaijan province

### • 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

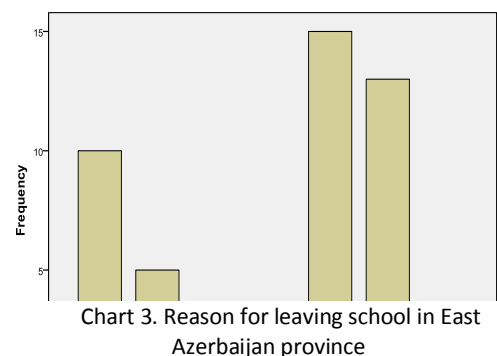


Chart 3. Reason for leaving school in East Azerbaijan province

interview. In most cases the main reason for leaving school was to get married. The majority of women and girls depended 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 %).

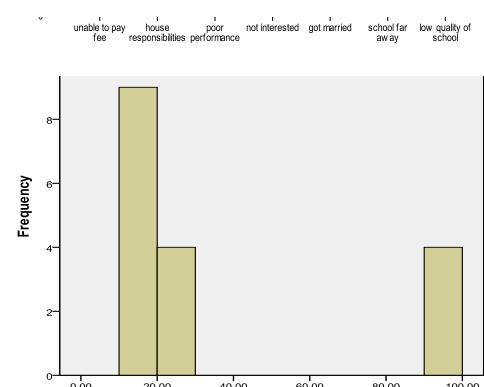


Chart 4. Women's age at first delivery in East Azerbaijan province

### • 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 only in 32.3 % of cases. The general knowledge about child birth and delivery problems was seemly 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.

### • Male reproduction

In East Azerbaijan, most of the male respondents were 16 years old when their first baby was born (29.4 %) and had fathered 6 children (29.4 %) at 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.

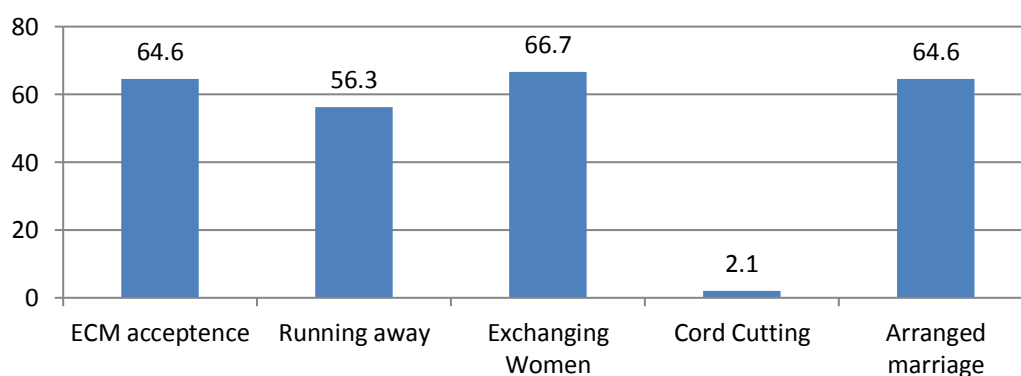


Diagram 12. Prevalence of marriage forms in East Azerbaijan province

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.

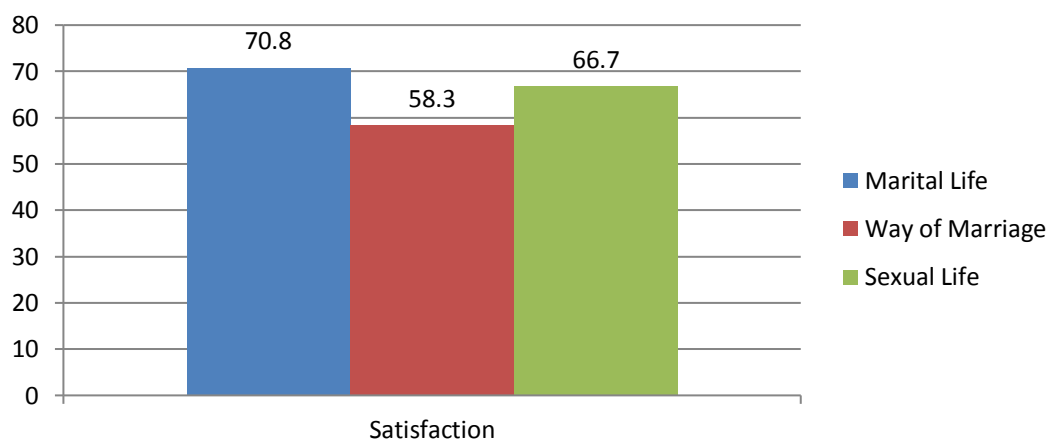


Diagram 13. Satisfaction with marriage in East Azerbaijan province

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 exposed 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. 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 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 felt they had the right to decide about the appropriate age to be married (79.2%). Gender differences were reflected in the sexual division of labour that was divided between the productive and reproductive activities. The child care responsibility is completely on women (77.1%). A very limited number of people were convinced that beating women if she argues (16.7%) is acceptable as this can be construed as an extension of "the rights" of the husband.

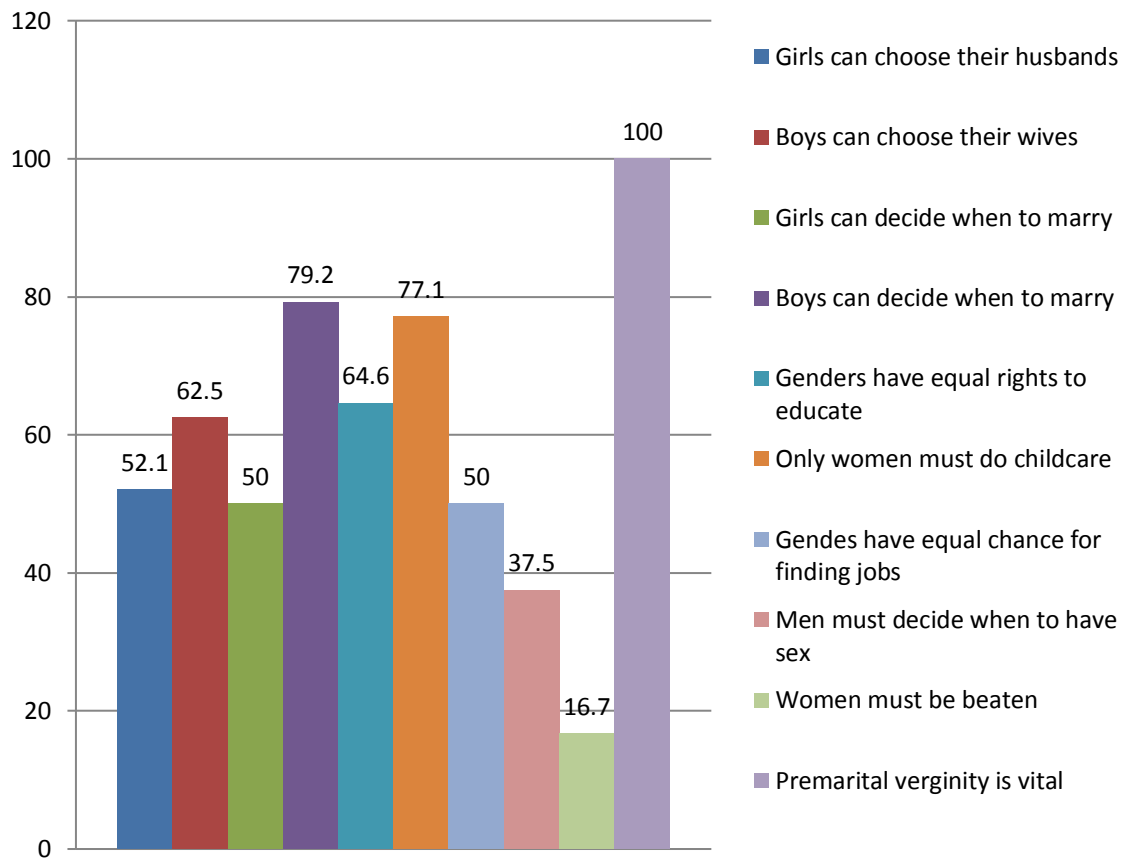


Diagram 14. Agreements on Gender attitudes in East Azerbaijan province

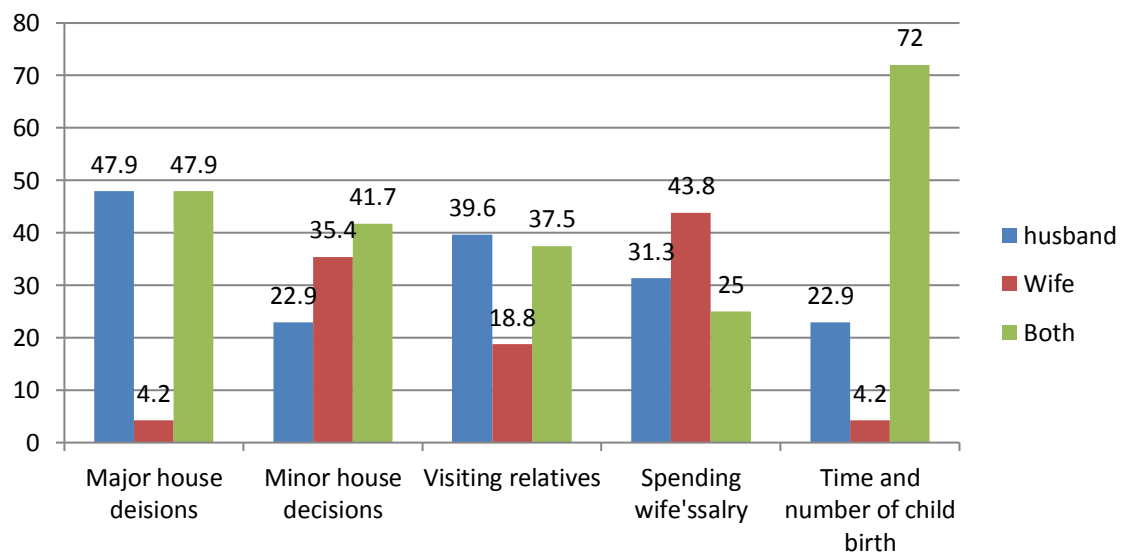


Diagram 15. Household decision making in East Azerbaijan province

### • Male Domestic Violence

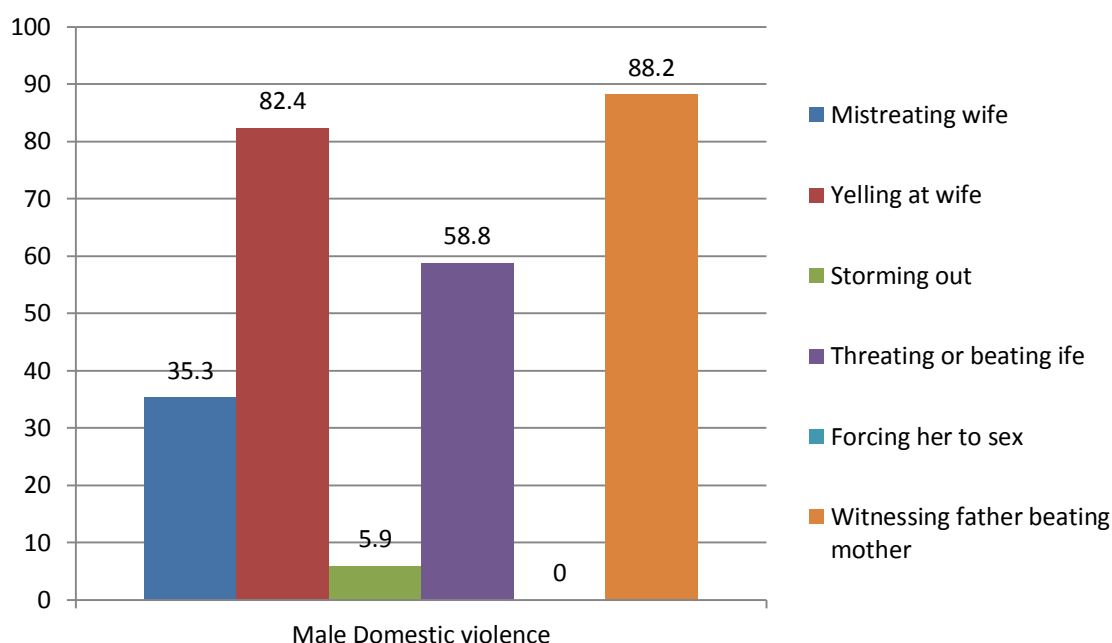


Diagram 16. Male domestic violence in East Azerbaijan province

Bearing in mind that domestic violence is a massive global public health concern affecting approximately 30 per cent of women worldwide <sup>292</sup>one serious consequence of ECM is physical abuse in the form of domestic violence. Young 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. <sup>293</sup> 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. 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. Similarly, the ratio of yelling at one's 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.

<sup>292</sup> 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."

<sup>293</sup> 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 census<sup>294</sup>. 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 characterisations. 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



Children play cards-Photo by Kameel Ahmady

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<sup>294</sup> The National Organization for Civil Registrations, 2014.  
<https://www.sabteahval.ir/Upload/Modules/Contents/asset99/salnameh93.pdf>

the first cluster: Abadan, Ahwaz, Dezful, 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.

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 that had a lingering negative effect for decades to come. 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 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.<sup>295</sup> 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.<sup>296</sup> 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.

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<sup>295</sup> Rojansky N, Brzezinski A, Schenker JG 1992 Seasonality in human reproduction: an update. Hum Reprod 7:735–745 Medline

<sup>296</sup> 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

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 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. Thus families' work hours are limited to the early mornings and late evenings, when the temperature decreases. This accelerates the need for more workers and manual labours within the family, abetting the necessity and encouragement of ECM.

At its core 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 responses. 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. 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. 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 consider being the ultimate purpose in a women'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.

Marriage rituals, mostly arranged amongst 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 relationship and family ties 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).

The Moghadam and the Moakhar expenses form the total bride price and the amount can change depending on the tribe. 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.

According to the local informants in regions around Abadan there is also a common practice of what's locally called 'buying age'. As the bride price is often a reflection of the amount paid by the groom to the brides 'parents, in order to receive the consent to marry their daughter, in some countries, the younger the bride, the higher the price she may fetch.<sup>297</sup> 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 each year depends of the number of years lacking and can vary from 100 to 500 thousand Tomans (31 to 159 USD).



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

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<sup>297</sup> 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,

### • Survey Results

As seen in the marriage chart that depicts 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 there is a yearly decline.

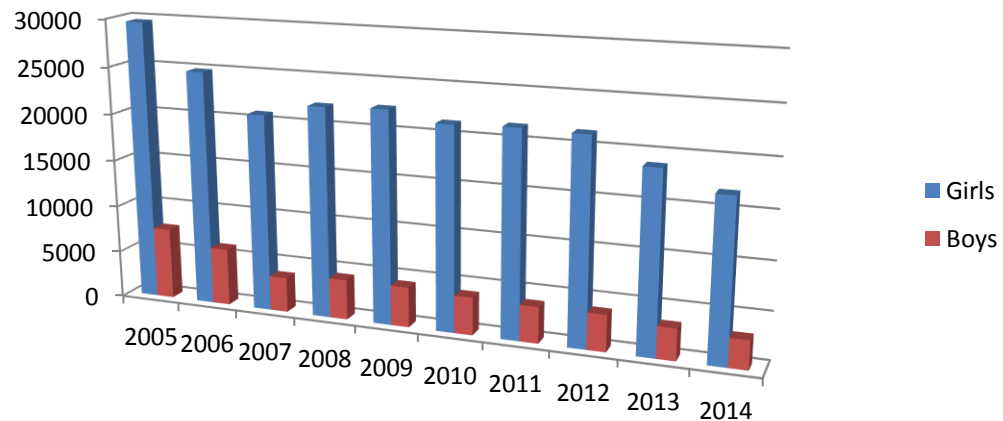


Diagram 17. Marriage under the age of 18 in Khuzestan province

In contrast to the marriage ages, the divorce ages are increasingly targeting younger children. Each year there are higher amount of children in the age groups under 18, who 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.

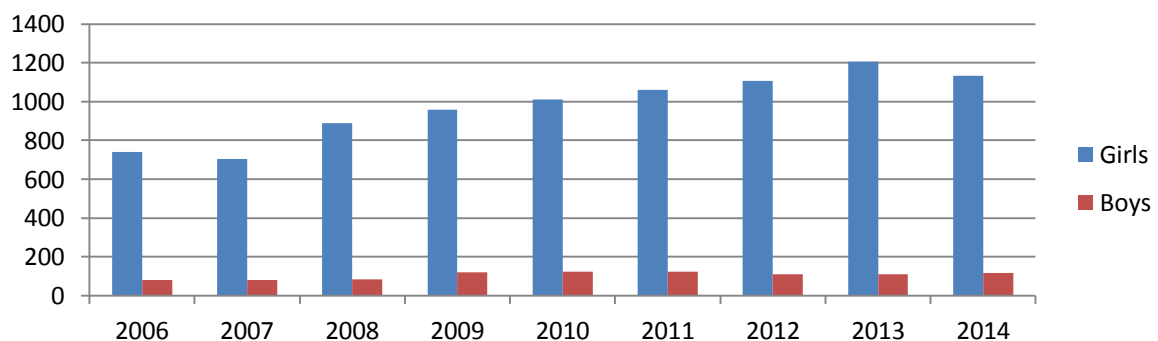
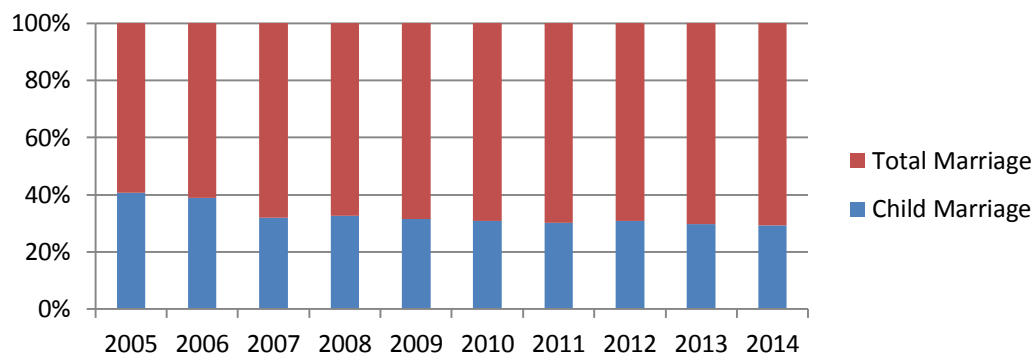


Diagram 18. Divorce frequency under 18 years of age in Khuzestan province

ECM in Khuzestan province shows a yearly decline as the general percentages of ECM's prevalence that has 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 %. All respondents were literate but only 4.9 % of them were still studying. Most of them had successfully finished their high school (19.5 %).

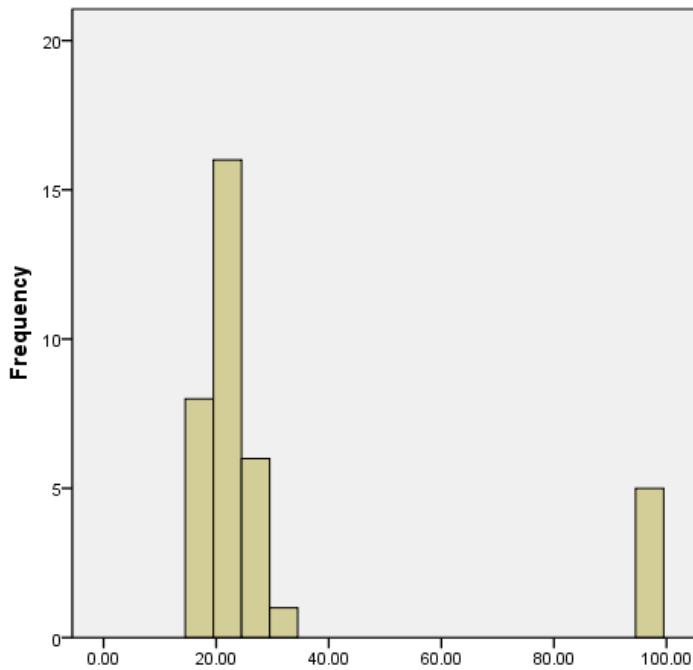
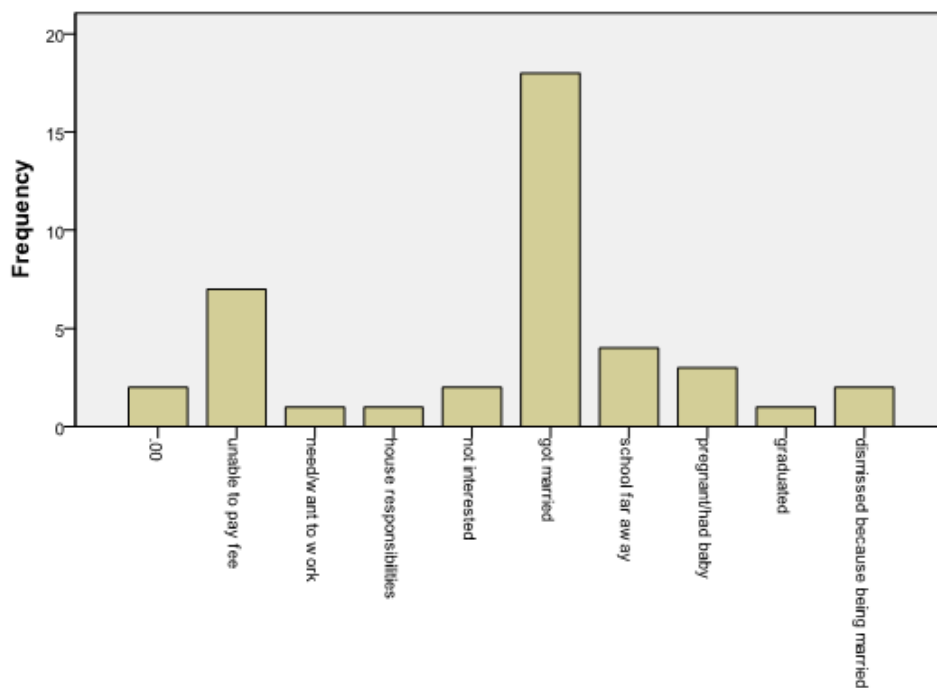


Chart 6. Women's age at first delivery in Khuzestan province



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

Chart 5. Reason for leaving school in Khuzestan province

for the community as a whole, and for future generations.<sup>298</sup>

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.<sup>299</sup> Most of the respondents' job was the housework and 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 %). In most cases, their post-natal care was provided by their husband's family (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 as 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 at that time and 25 % did not 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 were 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 marriage ceremony whilst 51.2

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<sup>298</sup> Newsletter No 7 Enabling Education Network Title: Early Marriage and Education

Author: Lewis, IPublisher: EENETDate: 2006

<sup>299</sup> <http://data.unicef.org/child-protection/child-marriage>

% of their marriages were arranged by an outsider. 48.4 % of them did not have formal engagement planned or arranged by their families.

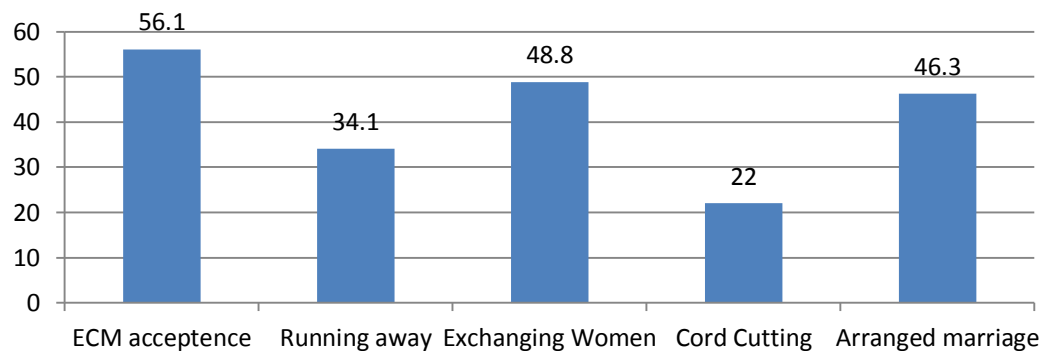


Diagram 20. Prevalence of Marriage Forms in Khuzestan province

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, 22 % indifference and 12.2 % sadness. 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.

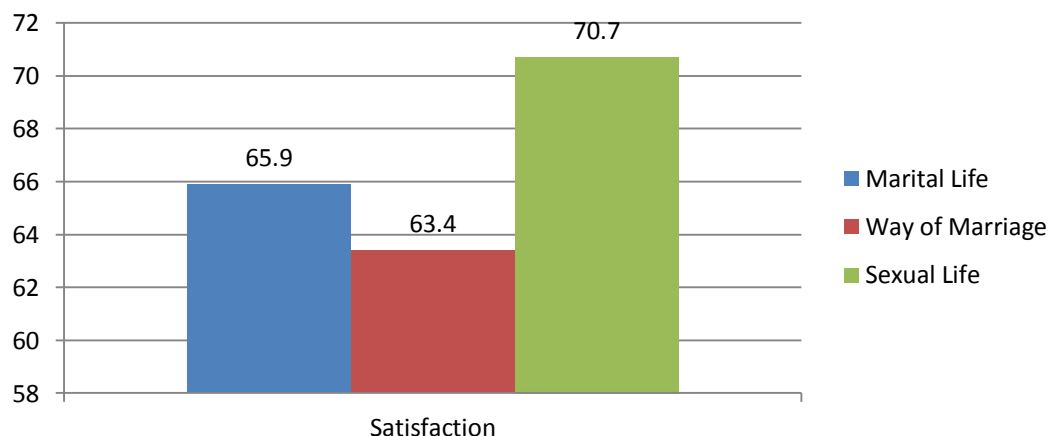


Diagram 21. Satisfaction with marriage in Khuzestan province

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 surrounding these subjects.<sup>300</sup> Sexual orientation plays a vital role in shaping the marital life structure. The level of sexual education was found to be limited amongst the respondents. The survey in Khuzestan exposed a total of 51.2 % of respondents who received their sexual education from family counsellors before being married whilst 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 avoiding pre-marital sex as an advantage of ECM. Late marriages were viewed negatively as (26.8 %) considered it as reaping no benefit for couples 43.9 % of the respondents said they have never been exposed to 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 simultaneously 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 %).

### • 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.<sup>301</sup> "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 halts the privileges of childhood, while precluding access to powers granted to adult members of their communities."<sup>302</sup> The research in Khuzestan tells reveals this.

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<sup>300</sup> Arranged Child Marriage | One Child [onechild.ca/.../about-csec/arranged-child-marriage](http://onechild.ca/.../about-csec/arranged-child-marriage)

<sup>301</sup> Child Marriage: Facts, Causes and Consequences. [Middleeast.about.com](http://Middleeast.about.com)

<sup>302</sup> THEMATIC REPORT:Unrecognised Sexual Abuse and Exploitation of Children in Child, Early and Forced Marriage

Sexuality and virginity is crucial. Girls' identity and life choices are defined by expectations regarding their sexual roles and behaviour<sup>303</sup>. 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.<sup>304</sup> 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. Pre-marital virginity was 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 Khuzestan people 58.5% of husband have the right and privilege of making 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.

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<sup>303</sup> Greene, ME, SM Perlson, and Child Marriage Research network. The Centrality of Gender and Sexuality to Understanding Child, early and Forced Marriage.

<sup>304</sup> Parikh, S. 2012. "They arrested me for loving a schoolgirl": Ethnography, HIV, and a feminist assessment of the age of consent law as a gender-based structural intervention in Uganda Social Science & Medicine, 74: 1774-1782: 1779

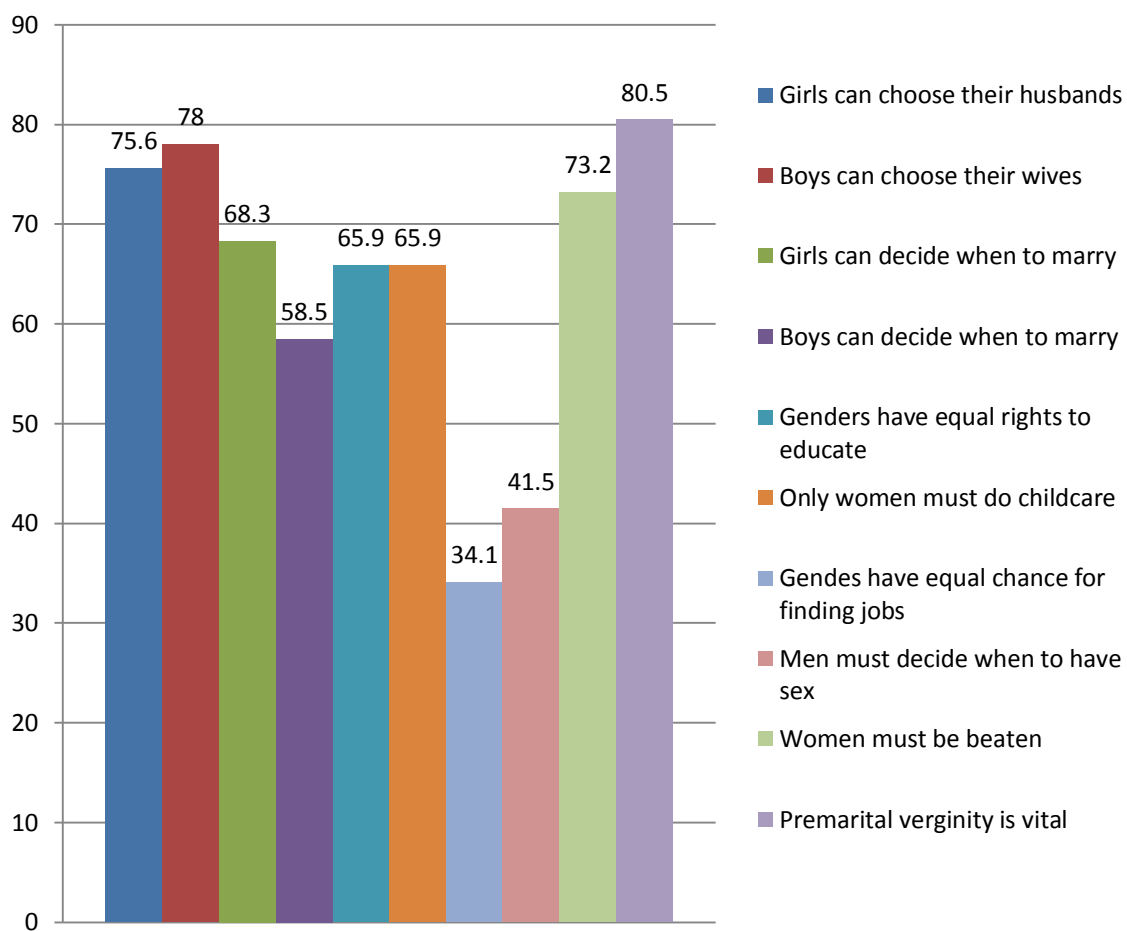


Diagram 22. Agreements on Gender attitudes in Khuzestan province

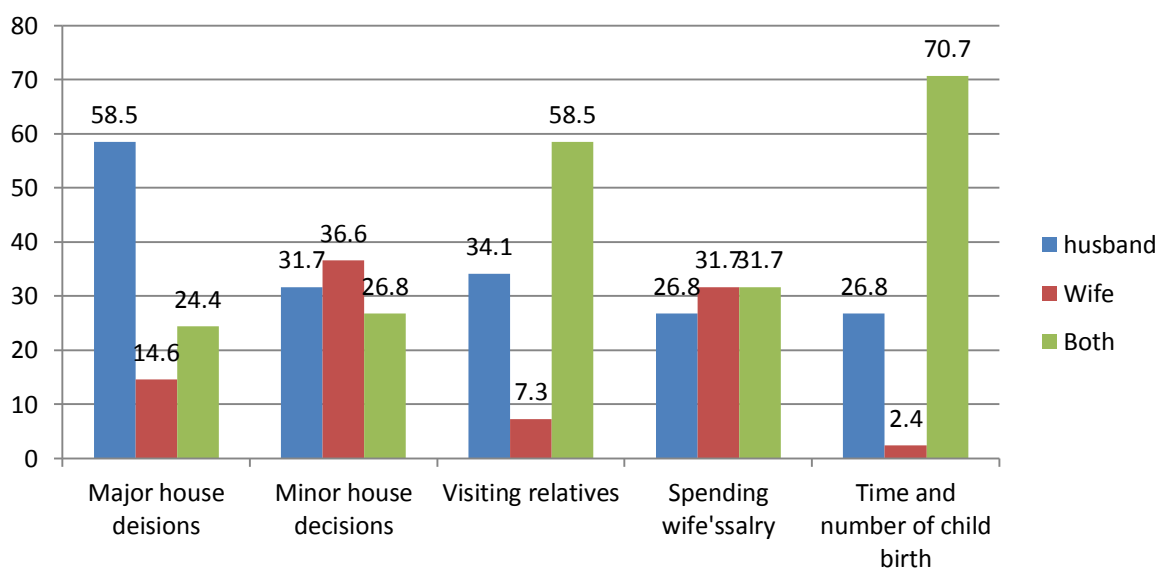


Diagram 23. House decision making in Khuzestan province

### • 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.<sup>305</sup> 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 from social and health services if they are available.

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.<sup>306</sup>

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.

### Feelings about Forced Sex

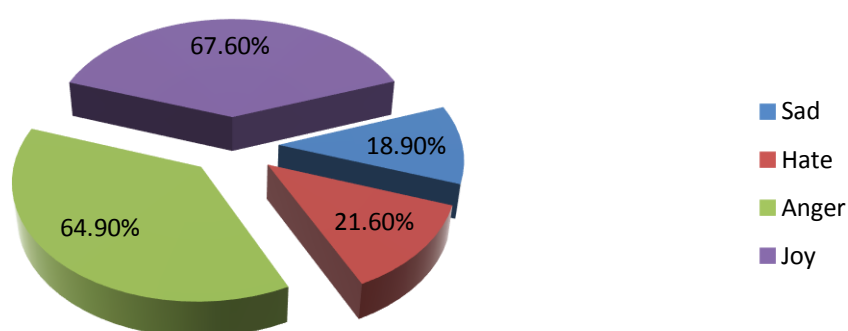


Diagram 24 Shows feeling about forced sex in Khuzestan province

<sup>305</sup> Girls' safety - Girls Not Brides [www.girlsnotbrides.org/themes/girls-safety](http://www.girlsnotbrides.org/themes/girls-safety)

<sup>306</sup> THEMATIC REPORT: Unrecognised Sexual Abuse and Exploitation of Children in Child, Early and Forced Marriage

- **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%.

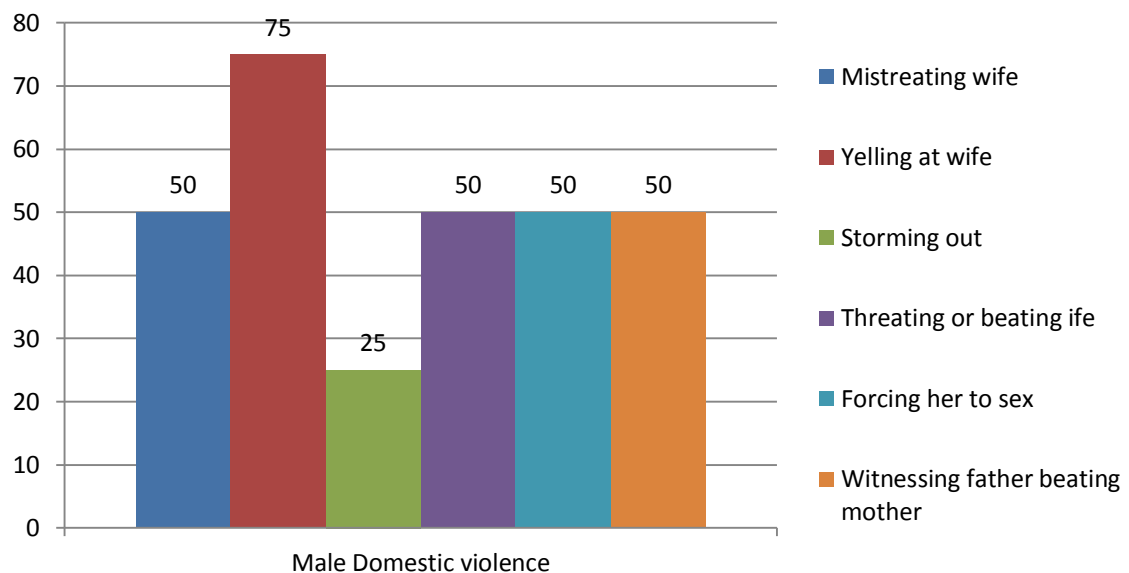


Diagram 25. Male domestic violence in Khuzestan province

#### 4. SISTAN AND BALUCHESTAN



- **Geographical Span of the Research**

Sistan and Baluchistan provinces are 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.<sup>307</sup> 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 Baluchistan province is ranked fifth with respect to the age group of '15 to 19'. A total of six 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.

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<sup>307</sup> The National Organization for Civil Registrations, 2014.  
<https://www.sabteahval.ir/Upload/Modules/Contents/asset99/salnameh93.pdf>

### • Observational scanning

Sistan and Baluchistan province share borders with Pakistan and Afghanistan. The two major conflicts 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 in this tribal and feudal system centres on kinship, 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 similarity of 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 minuscule. 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.

In this tribal and feudal system 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 marry off their children at an early age.



Some local tribes still live in tents, polygamy and ECM is common among them-Photo by: Kameel Ahmady

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 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 staggering health risks associated with early pregnancy and childbirth – just as their babies are more vulnerable to complications associated with premature labour.

The Population Health Fund reported that in 2010 in some of the provinces the maternal mortality rates were higher than the birth rates 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 mortality<sup>308</sup>. 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.<sup>309</sup> Sistan and Baluchistan have 3 % of the country's population, 7 % of birth rates and 7 % of maternal mortality in the country<sup>310</sup>.



Field work in rural areas of Baluchistan-Photo by: Kameel Ahmady

Compared to other areas, the role of societal pressure for marrying children was noticeably low. There was no strong advocacy for ECM in the province as it is so commonly prevalent that it had been normalised. 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 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 this traditional tribal and feudal system and to traditional ways of communicating, especially for women. ECM is viewed as a rational practice.

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<sup>308</sup> Population Health Fund 1389

<sup>309</sup> Hossein Rayisi, *Children and adolescents' rights: from birth to 18*, Electronic Academy of Tawana for civil society of Iran(2014). P.182

<sup>310</sup> Ibid, p.183.

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 customary in some tribes, until the younger son is engaged, the eldest son who has married cannot leave his parents and continue 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 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 Jezinki-  
clergyman  
Sistan and Baluchistan province

### • Survey Results

ECM has always seen to have increase in the Sistan and Baluchistan provinces. The diagram shows ECM's rise within the 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.

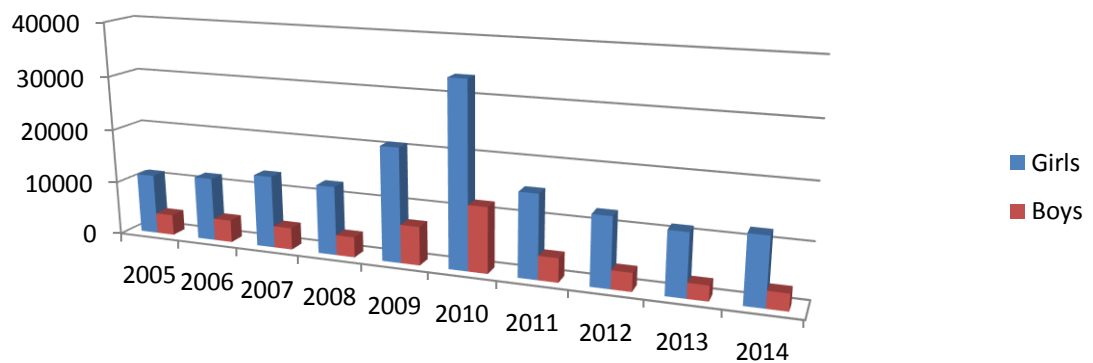


Diagram 26. Marriage under the age of 18 in Sistan and Baluchistan province

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 co existing with the tribal and feudal lifestyle has led to a minimum level of divorce prevalence in the area. These rates have been increasing within the last few years.

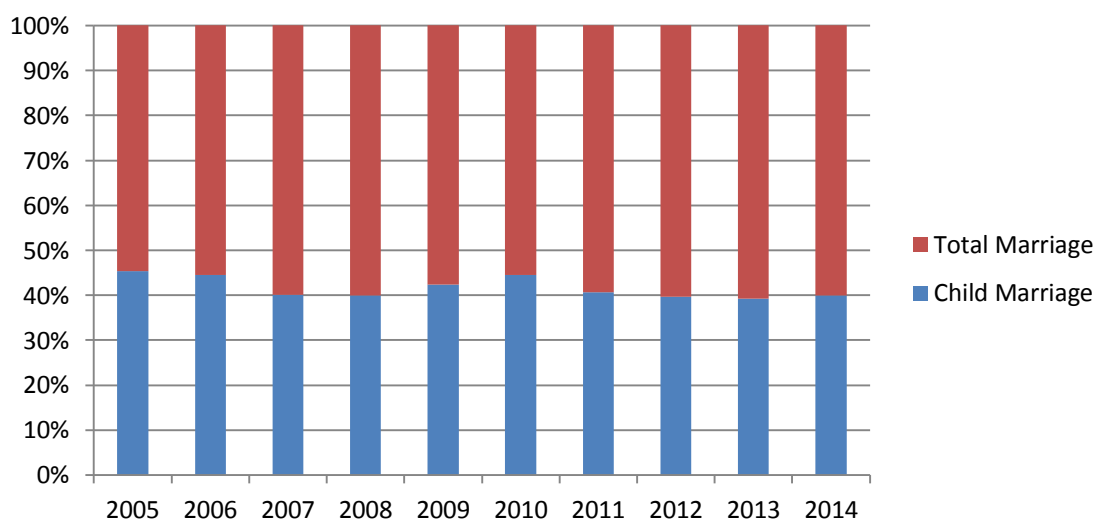
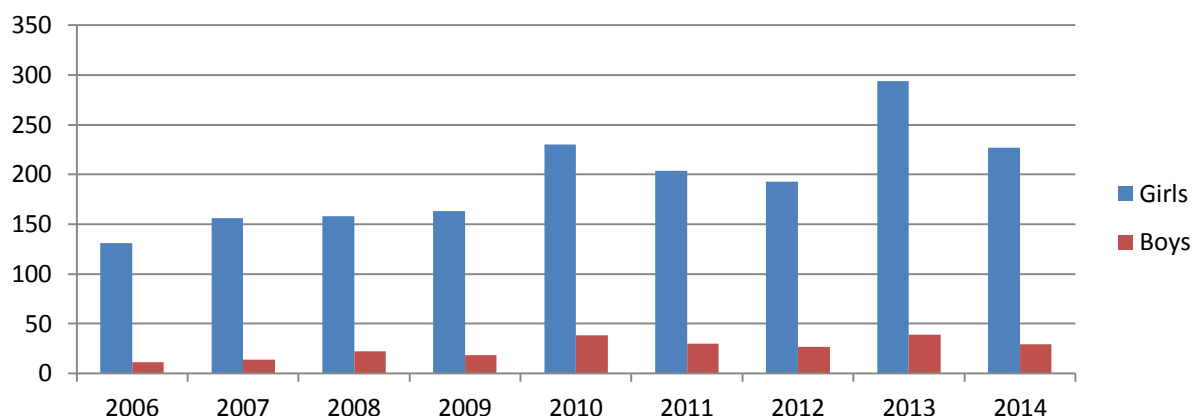


Diagram 27. Divorce frequency less than 18 years of age in Sistan and Baluchistan province

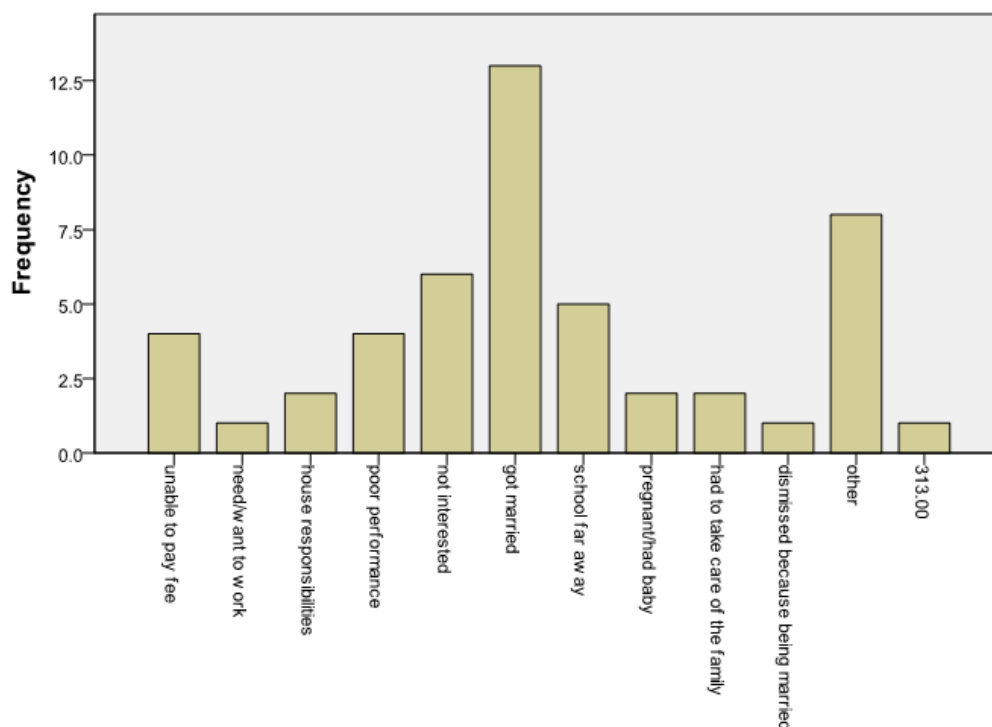
ECM rates in the total number of marriage rates in Sistan and Baluchistan provinces have never has been lower than 40 %. Marriages under the age of 18 form a considerable part of the total amount of marriage as seen in the decade's diagram.

Diagram 28. ECM ratio in Sistan and Baluchistan province



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 (18.4 %). The majority of respondents were Baluch (77.6%) and then 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 Baluchistan province



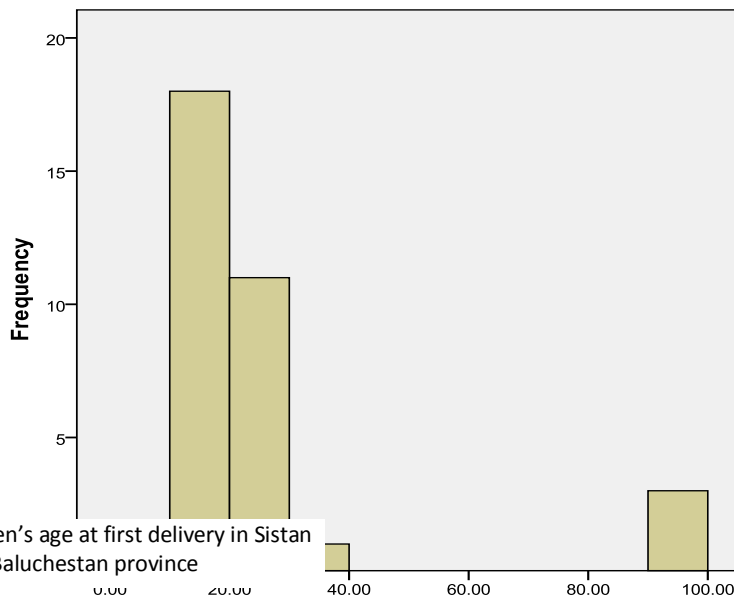


Chart 8. Women's age at first delivery in Sistan and Baluchistan province

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 %).

### • 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. Still 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.

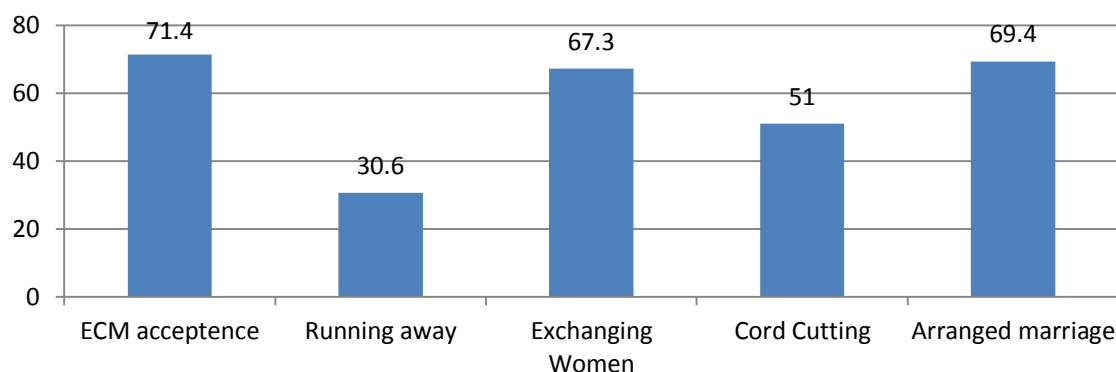


Diagram 29. Prevalence of marriage forms in Sistan and Baluchistan province

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.

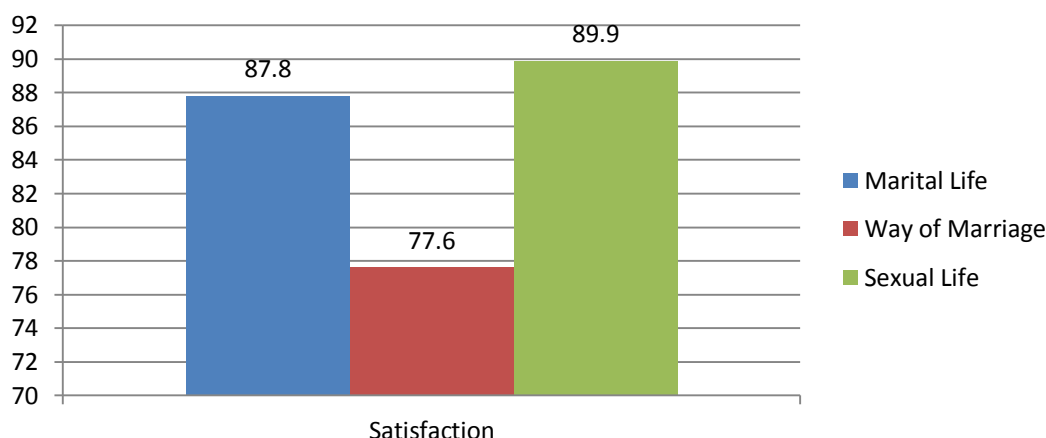


Diagram 30. Satisfaction with marriage in Sistan and Baluchistan province

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 or 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 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. Both boys and girls viewed the ideal marriage age to

### • Gender attitudes

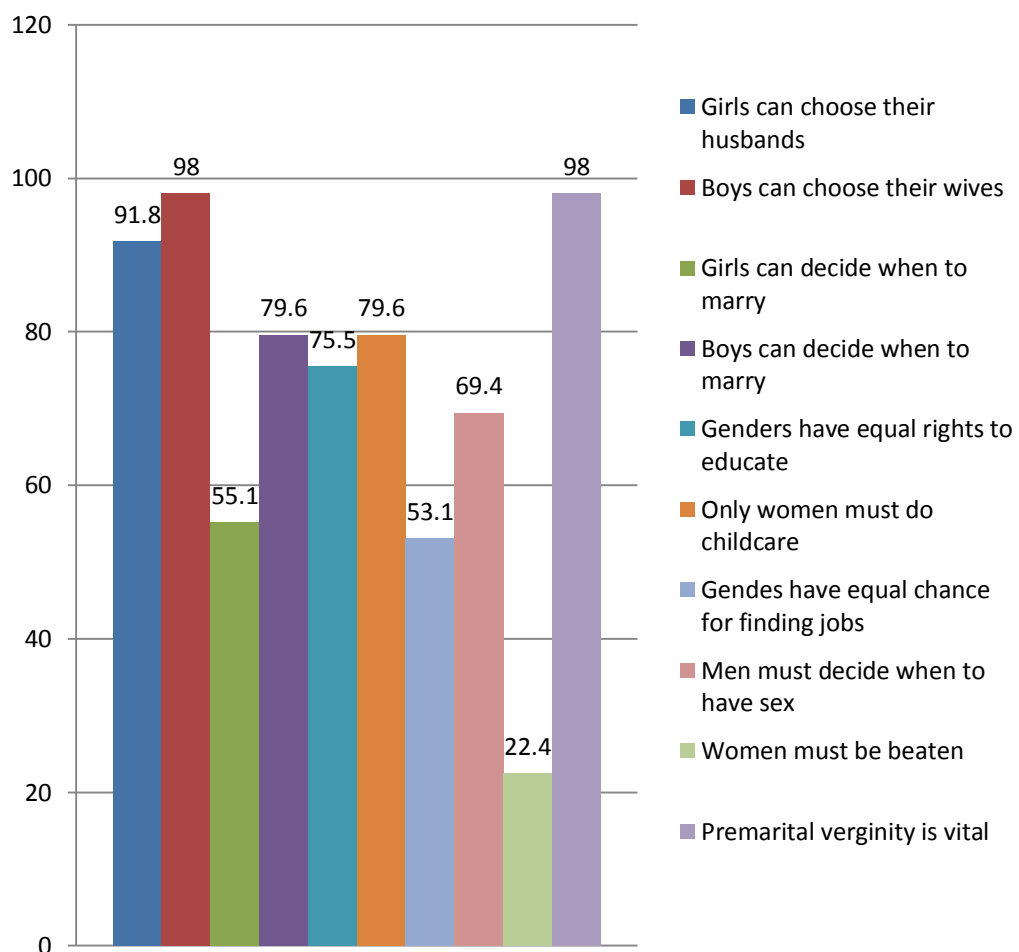


Diagram 31. Agreements on Gender attitudes in Sistan and Baluchistan province

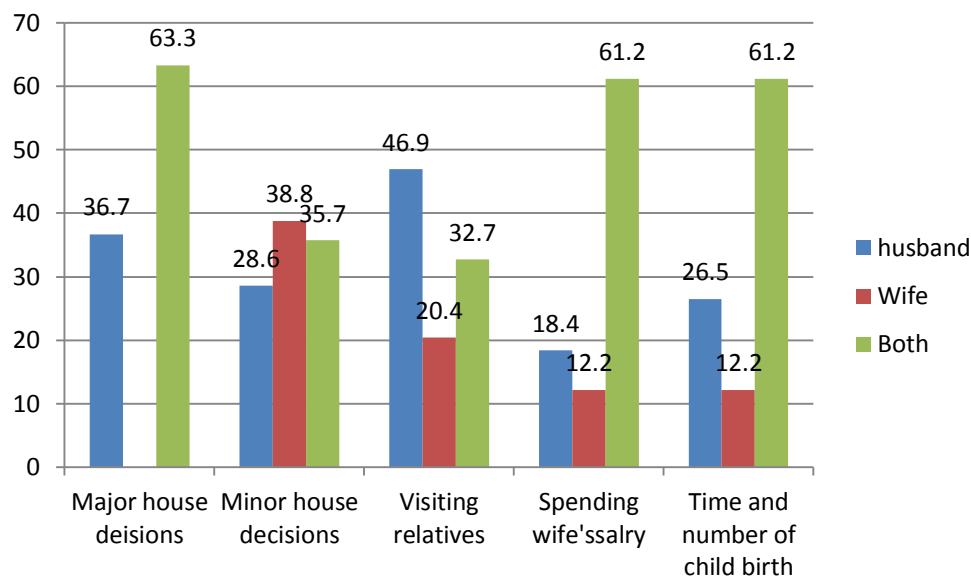


Diagram 32. House decision making in Sistan and Baluchistan province

### • 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

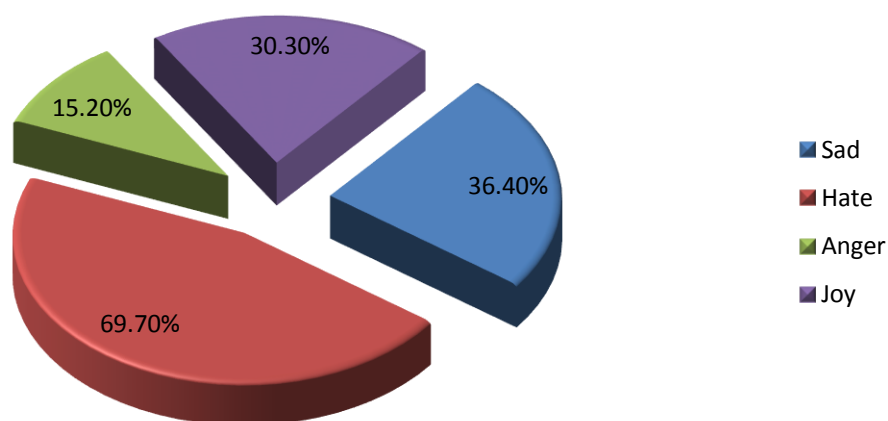


Diagram 33 Shows feeling about forced sex in Khuzestan province

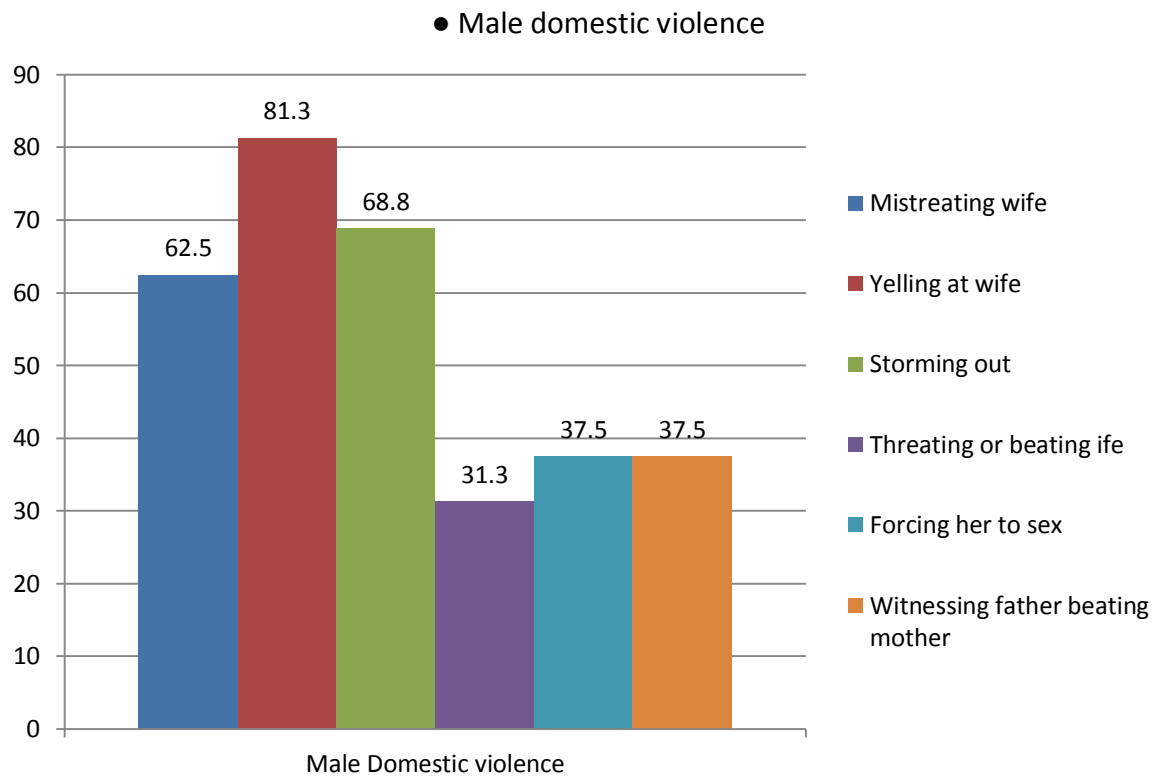


Diagram 34. Male domestic violence in Sistan and Baluchistan province



A glimpse of West Azerbaijan-Photo by: Kameel Ahmady

## 5. 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 people<sup>311</sup>. 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 included Boukan, Khoy, Mahabad, Miandoab, Salmas, Sardasht and Urumiyeh. More than 48 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

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<sup>311</sup> The National Organization for Civil Registrations, 2014.  
<https://www.sabteahval.ir/Upload/Modules/Contents/asset99/salnameh93.pdf>

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 her partner.

This custom was prevalent in other villages and cities albeit 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 beliefs did not seem to be an issue that would thwart marriage. In Torkan what was observed were the high levels of exchanging women and runaways. In these case prominent community leaders, religious leaders or clerics will assume the role of an intermediate or an arbitrator to settle the conflicts and in some cases to avoid potential honour killings.

The marriage age in all areas was similarly low, ranging from early childhood to teenage years. 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. In Bilvar (Khoy) for example, very young children were hastily married off and very often in reponse to technological sources of communication. Parents often resorted to blocking the use of cell phones and social networks to limit the influence on children's previous communications.

Social pressure for early marriages was the most common reason for parents not allowing 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 and limit their autonomy to make decisions. ECM flourishes within the context of the low value assigned to girls in society. In the West Azerbaijan province the social concerns and community pressures were the driving forces behind ECM's sustainability

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.



Bilvar (Khoy) village has high rate of ECM in the province-Photo by: Kameel Ahmady

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.<sup>312</sup> Learnt household skills overshadow formal education.

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

The province has mixture Kurdish and Turkish people-Photo by: Kameel AHmady

<sup>312</sup> 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.

male heads of the family who view education as a social deviation and therefore a threat to a girls' chastity.



***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

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 confines of the home. 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 their children young is an aspirational 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 easy 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 wave 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 with both genders the province has been experiencing a slow decline witnessed throughout the past ten years.

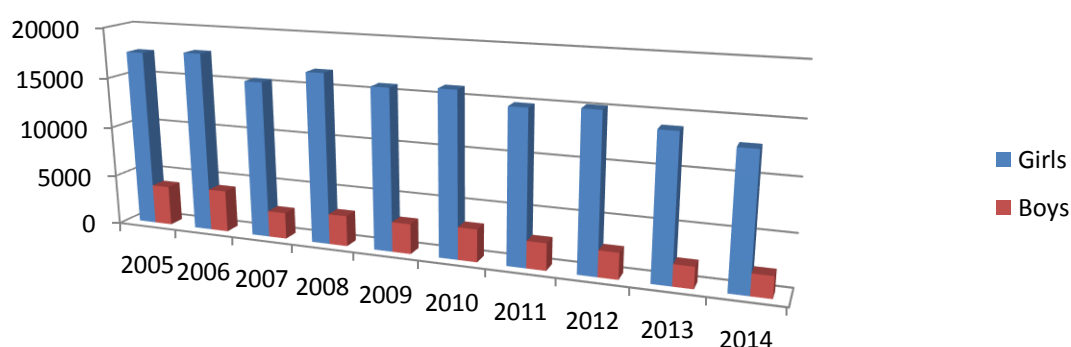


Diagram 35. Marriage under the age of 18 in West Azerbaijan province

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.

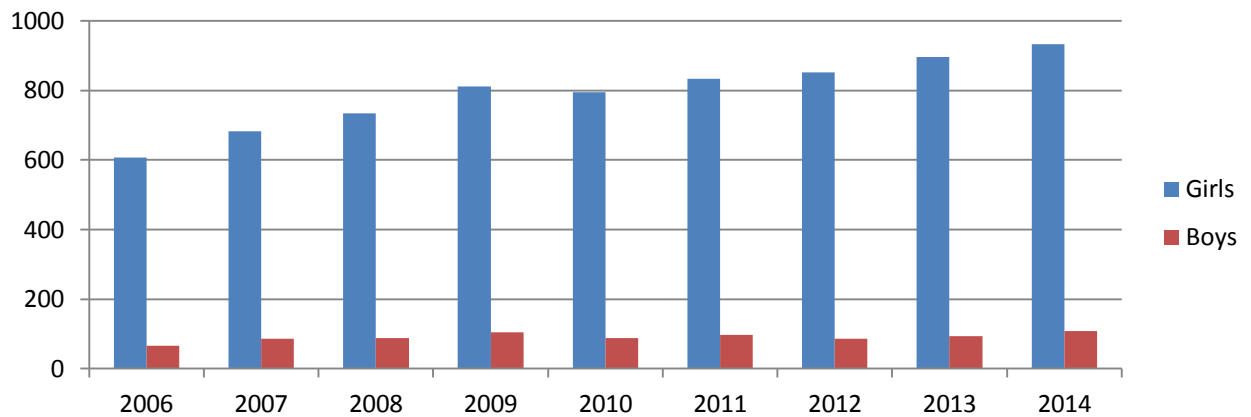


Diagram 36. Divorce frequency less than 18 years of age in West Azerbaijan province

Widowhood is one of the most neglected gender and human rights issues within ECM. 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 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.<sup>313</sup> 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.

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<sup>313</sup> Speech by Ruby Goddard Young Widows: A neglected Gender and Human Rights Issue  
[www.nawo.org.uk/wp-content](http://www.nawo.org.uk/wp-content)

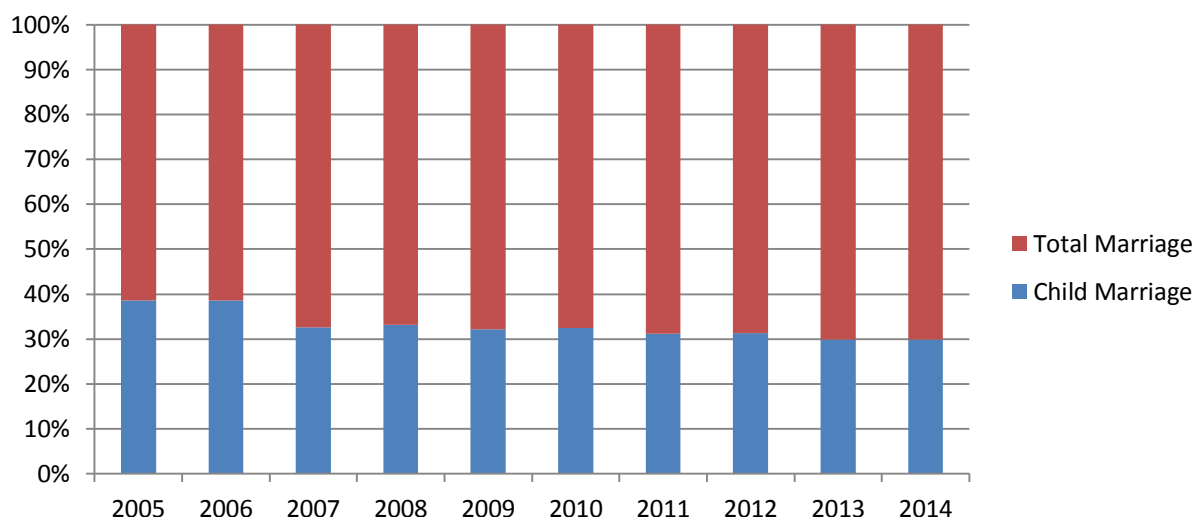


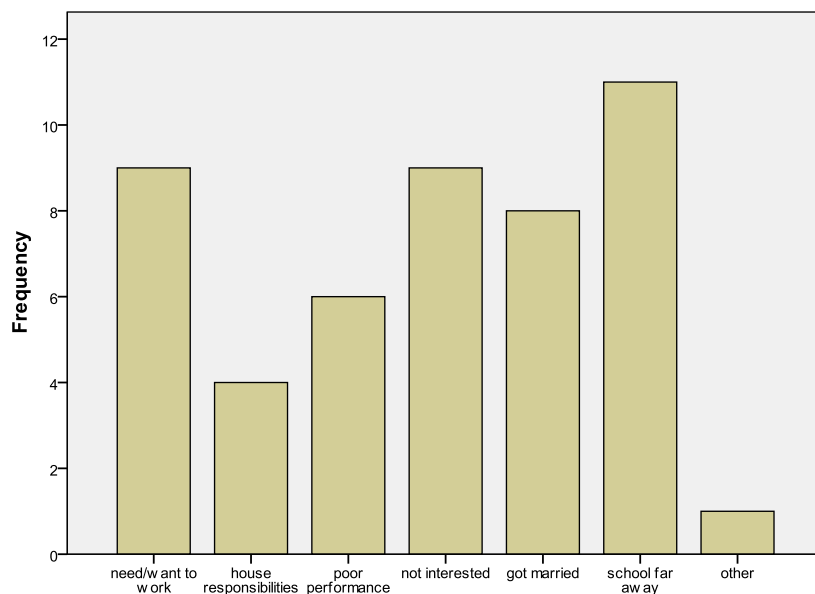
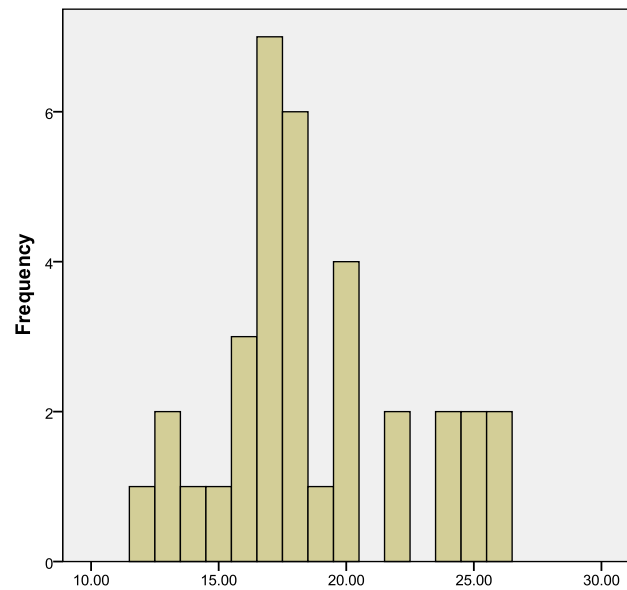
Diagram 37. ECM ratio in West Azerbaijan province

### • 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 their partner's family. By using a random sampling method, it was noted that the respondents represented Kurds (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

Chart 9. Reason for leaving school in West Azerbaijan province

education were grade 2 in primary school (12.5 %) and the fifth grade (12.5 %).



Amongst the respondents, those who prayed (62.5 %) and fast (77.1%), started practising their religion 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.

Chart 10. Women's age at first delivery in West Azerbaijan province

### • 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 was 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.

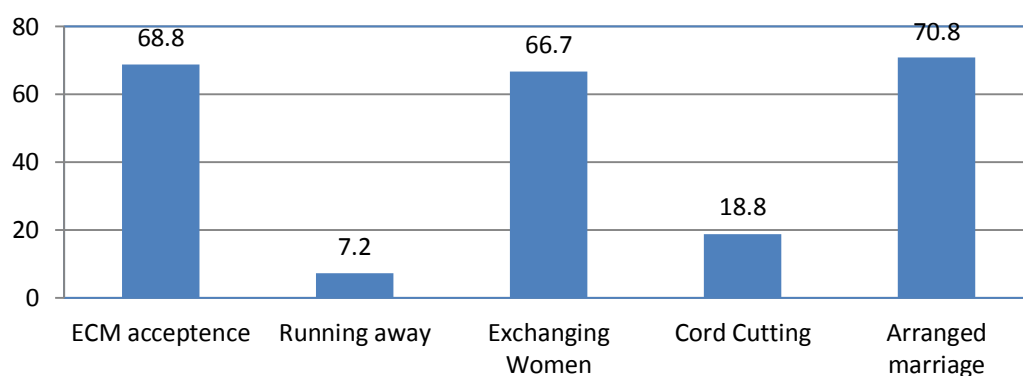


Diagram 38. Prevalence of marriage forms in West Azerbaijan province

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

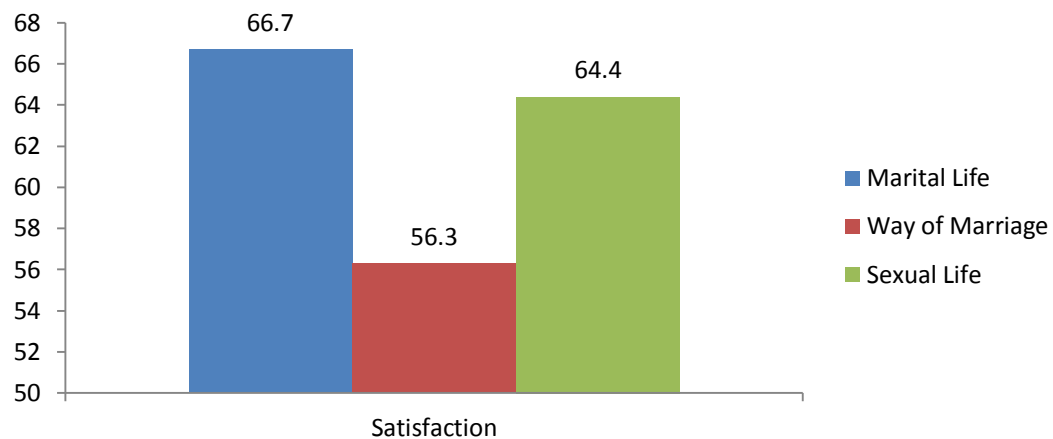


Diagram 39. Satisfaction with marriage in West Azerbaijan province

more than 10 years older than themselves (29.4 %). None of the women were in school before the marriage and almost none were promised that they could 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 cannot unilaterally make the decision when they want be pregnant or how many children they want. This has had 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%).

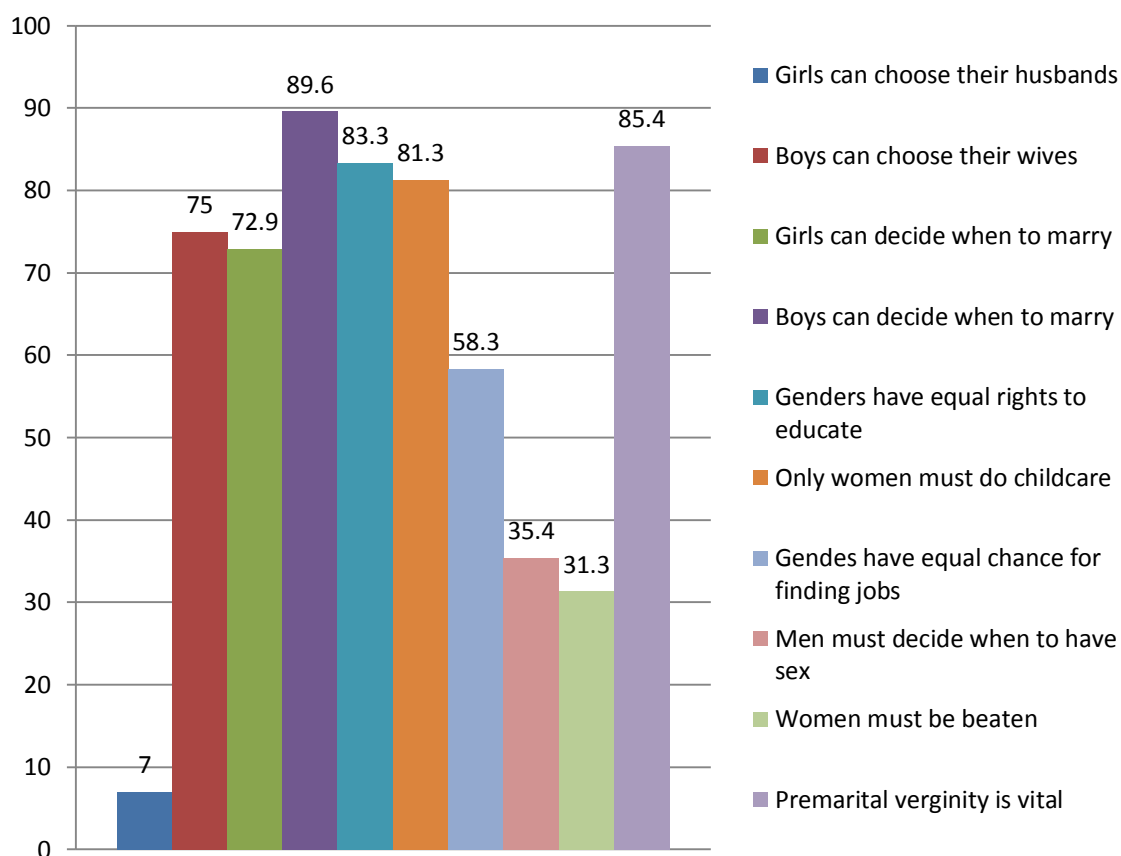


Diagram 40. Agreements on Gender attitudes in West Azerbaijan

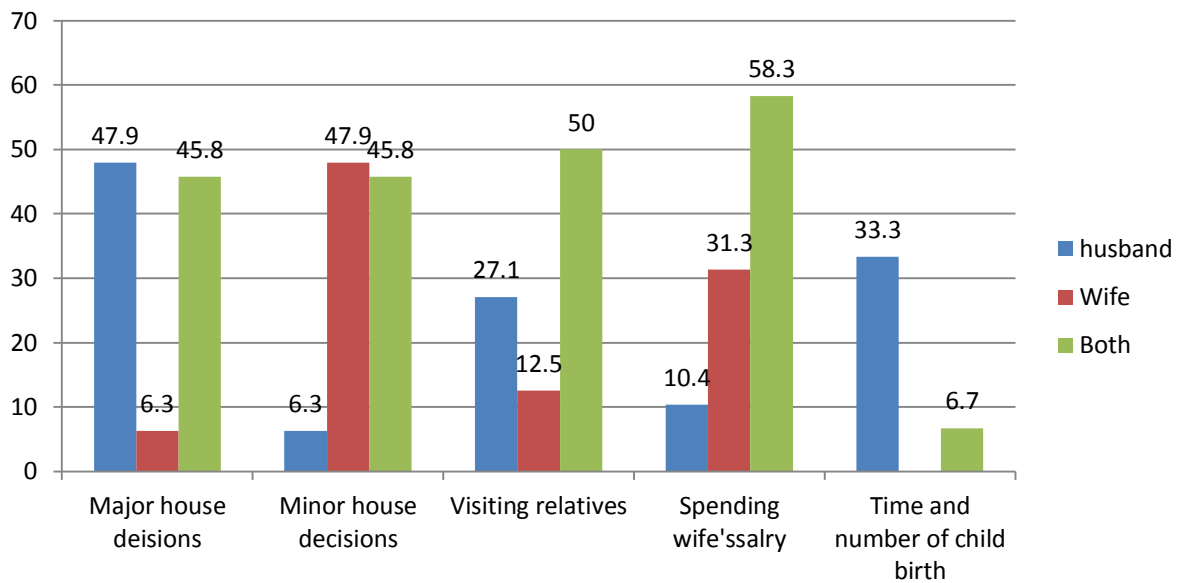


Diagram 41. House decision making in West Azerbaijan province

### • 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 to negotiate or express 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

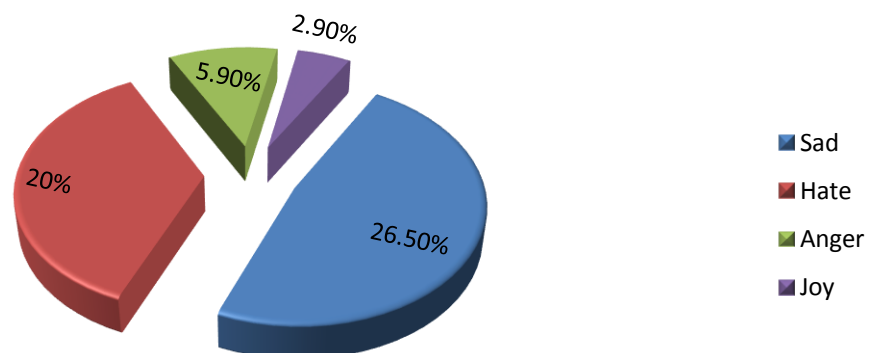


Diagram 42. Feeling about forced sex in West Azerbaijan province

### • Male Domestic Violence

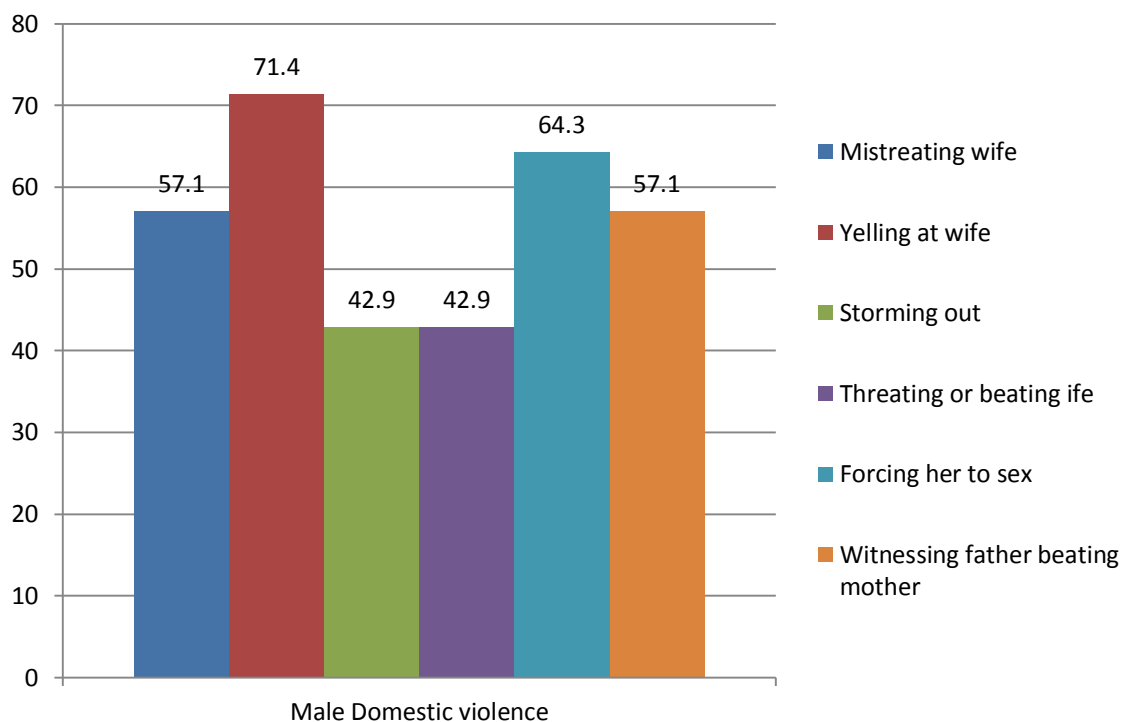


Diagram 43. Male domestic violence in West Azerbaijan province

As per the findings, yelling at women occurs in abundance in west Azerbaijan with the ratio of 71.4%. 64.3% of husbands forced women to have sex. The percentages of other variables in the diagram also expose the various social conditions of women living in the province.

## 6. HORMOZGAN



- **Geographical Span of the Research**

Hormozgan province is located in the south of Iran borders the Fars, Kerman, Oman and UAE provinces. The population has 1,676,000 people.<sup>314</sup> 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 with correspondingly high rates of maternal mortality.

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<sup>314</sup> 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 provinces in 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 an early age. 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.



Locals from Hormozgan province, highest rate of FGM and 5<sup>th</sup> province in ECM in Iran-Photo by: Kameel Ahmady

***“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



Hejleh room in Qesham Island Hormozgan Province-A  
Photo by: M Maarefvand

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 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.

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 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.

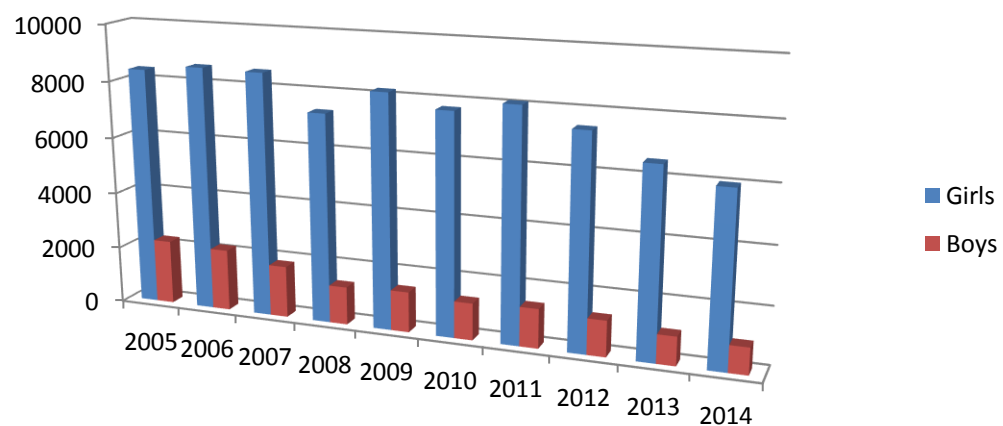


Diagram 44. Marriage under the age of 18 in Hormozgan province

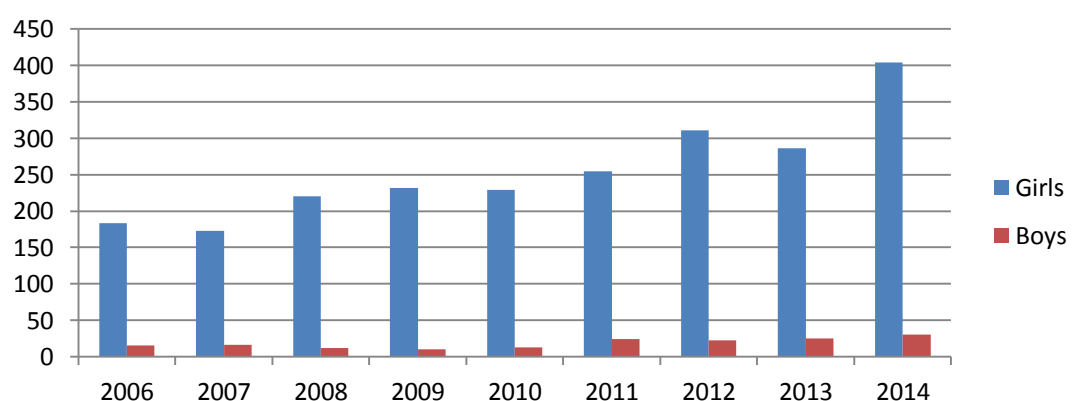


Diagram 45. Divorce frequency under 18 years of age in Hormozgan province

The following diagram shows the last decade's ECM ratio within the context of the total number of marriages to determine the ECM rates. 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.

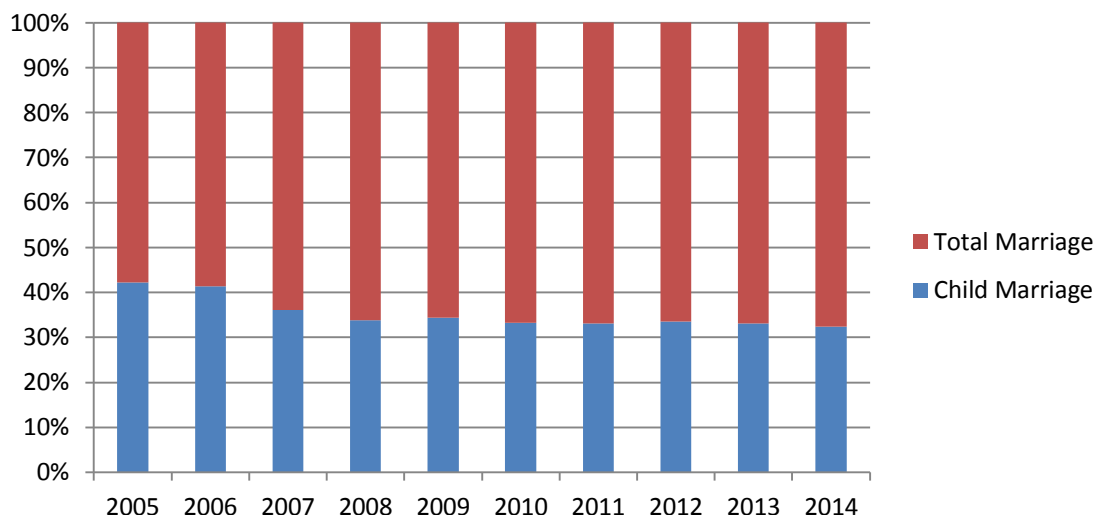
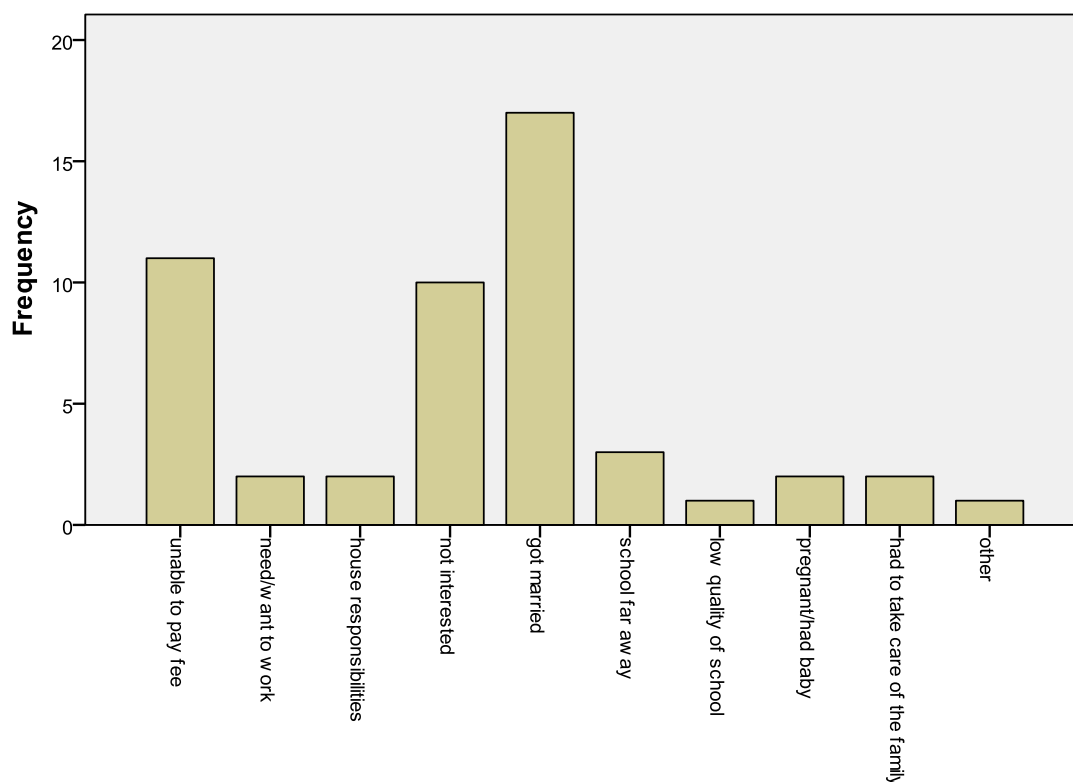


Diagram 46. ECM ratio in Hormozgan province

### • 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 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 %).

Chart 11. Reason for leaving school in Hormozgan



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 %).

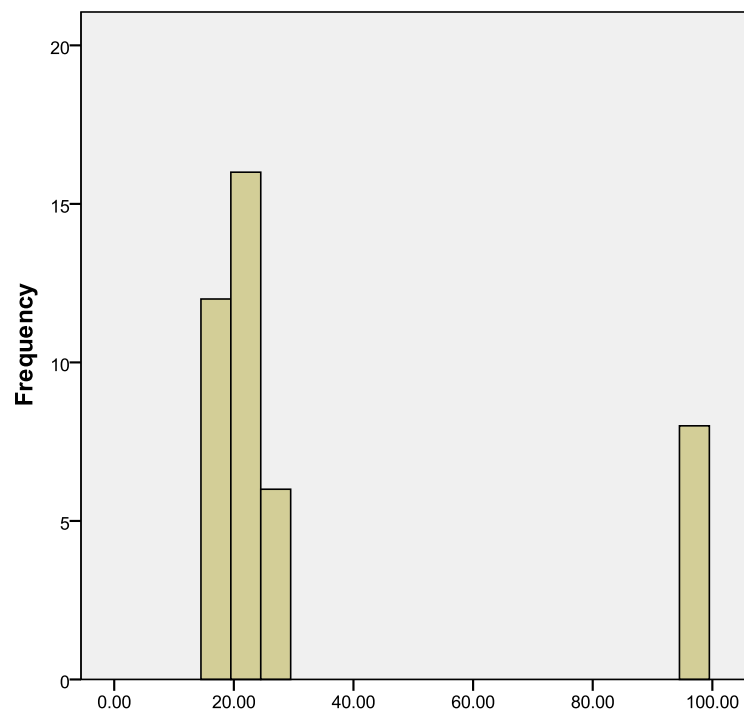


Chart 12. Women's age at first delivery in Hormozgan province

### • 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 as someone else was present 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 had a formal engagement planned by their family.

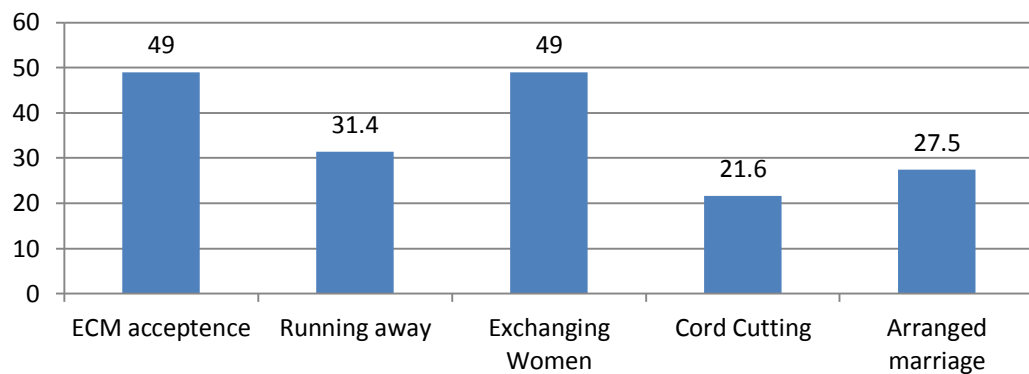


Diagram 47. Prevalence of marriage forms in Hormozgan province

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. Still 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

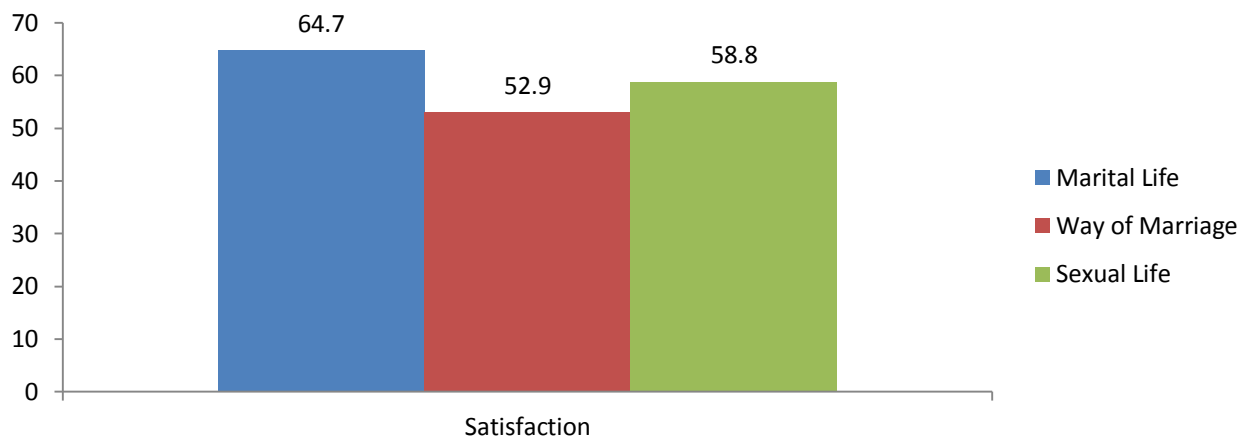


Diagram 48. Satisfaction with marriage in Hormozgan province

(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.

- **Exposure to sex education and or ECM preventive messages**

In most cases sexual education was received 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

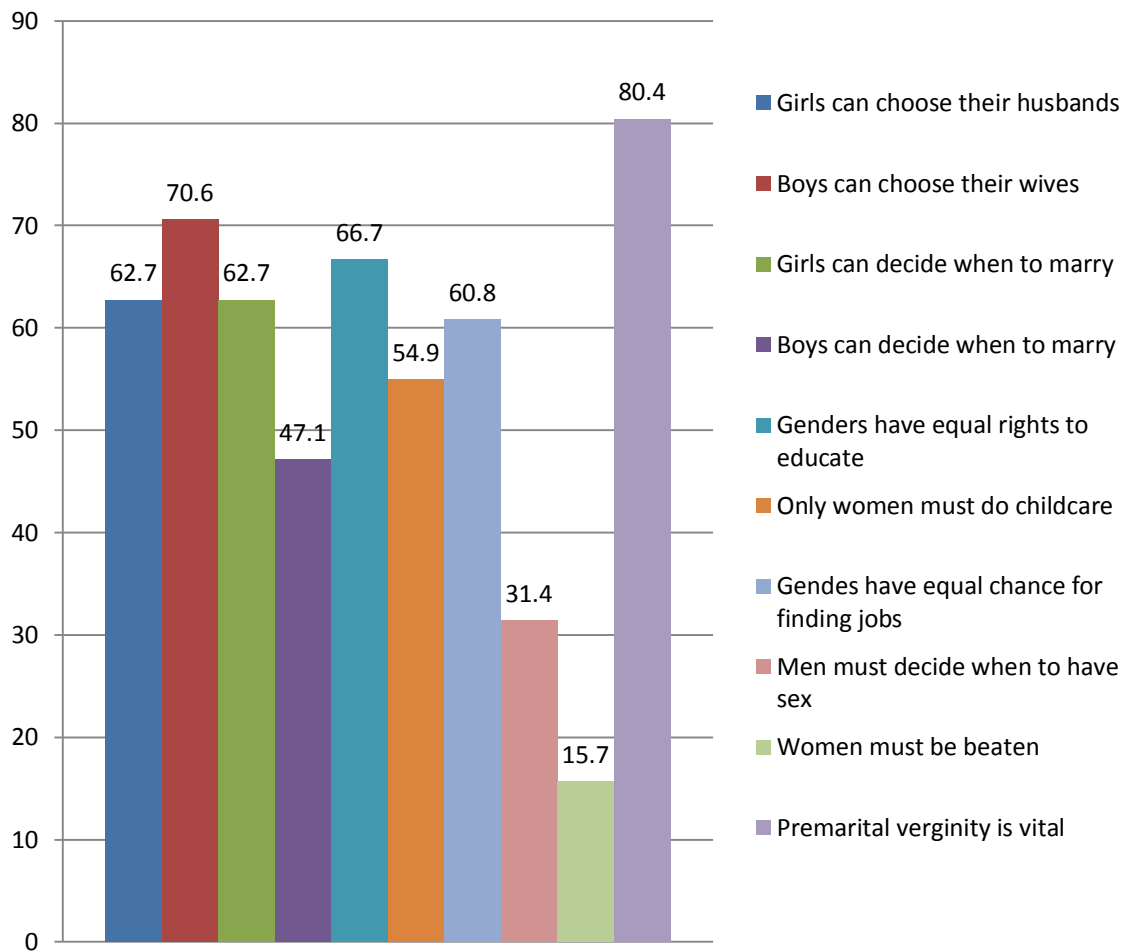


Diagram 49. Agreements on Gender attitudes in Hormozgan province

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%)

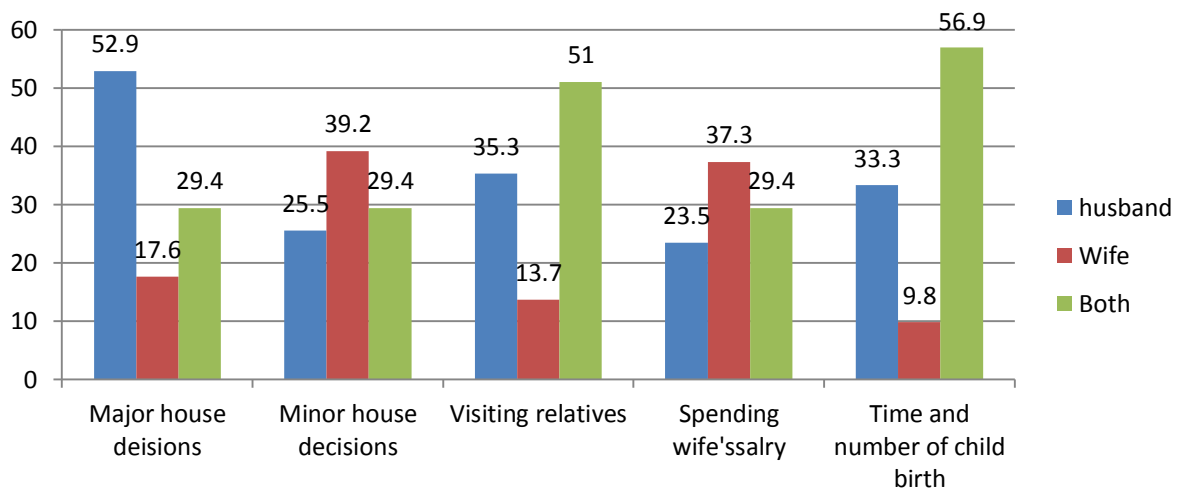


Diagram 50. House decision making in Hormozgan province

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 the final 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

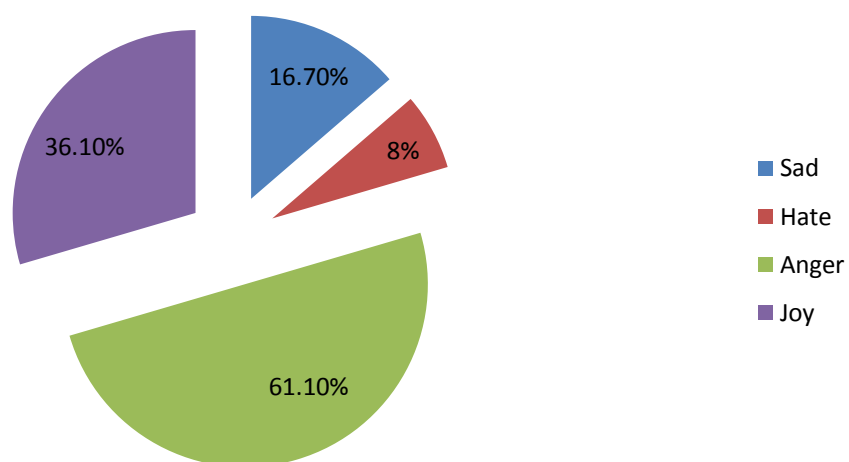


Diagram 51. Feeling about forced sex in Hormozgan

● Male Domestic Violence

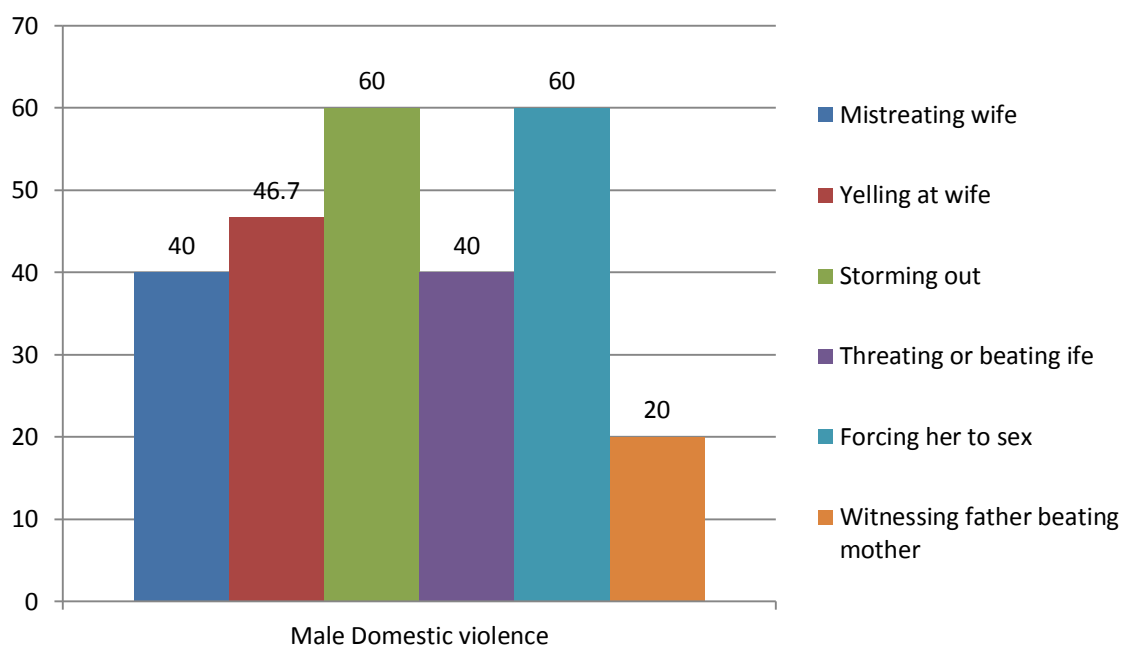


Diagram 52. Male domestic violence in Hormozgan province

## 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 Buyer 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 residents<sup>315</sup> and that the dominated nationality and language is Persian, 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 social 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



Filling questionnaire, interviewing Bakhtiari women  
Photo by: Kameel AHmady

<sup>315</sup> The National Organization for Civil Registrations, 2014.  
<https://www.sabteahval.ir/Upload/Modules/Contents/asset99/salnameh93.pdf>

witnessed the thousands of immigrants who came from the

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.

### • Survey Results

The following diagram shows the prevalence of ECM in Isfahan province over 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.

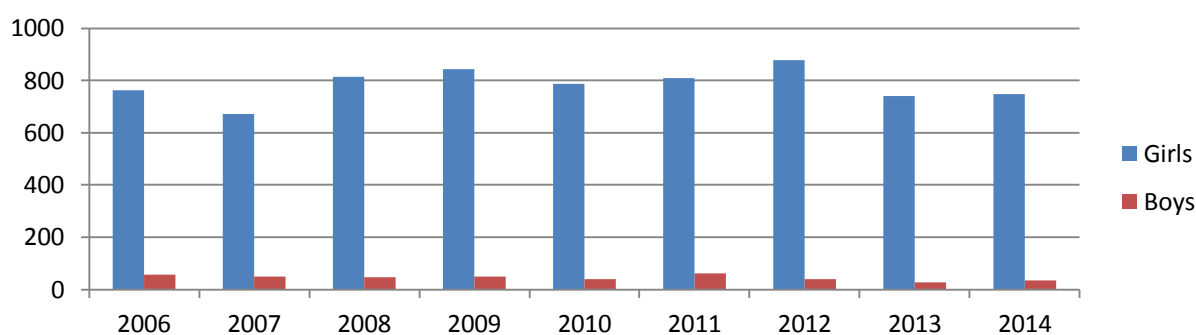
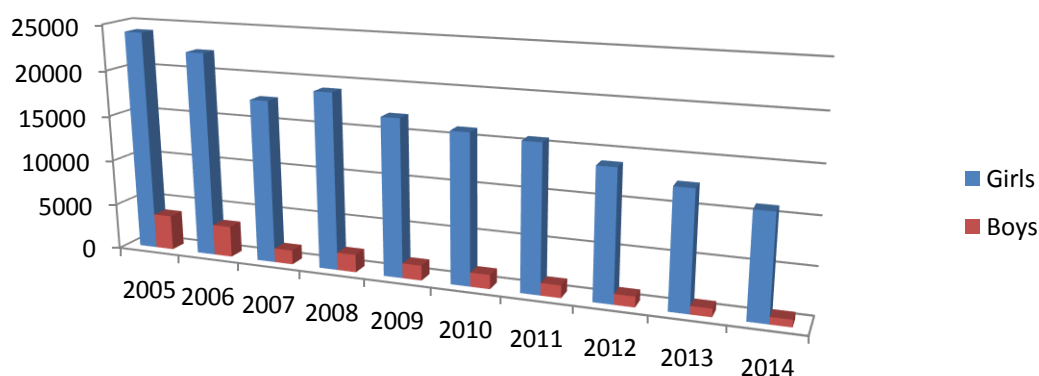


Diagram 53. Marriage under the age of 18 in Isfahan province

Diagram 54. 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.

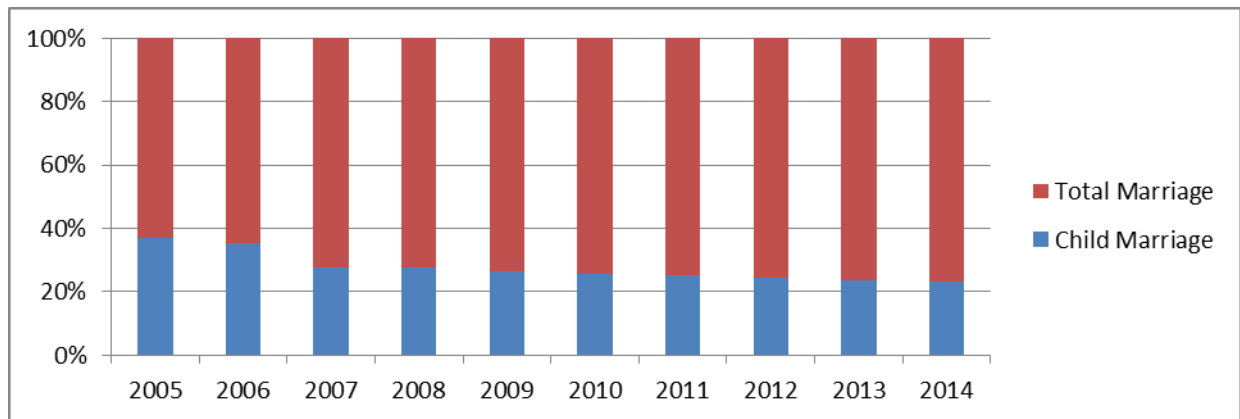
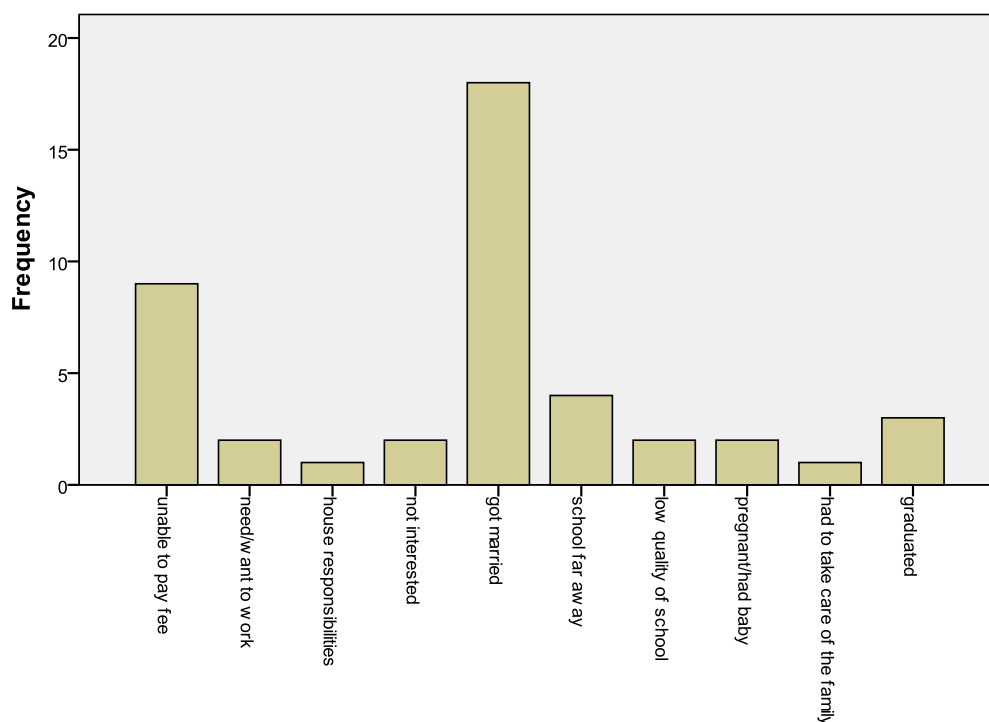


Diagram 55. ECM ratio in Isfahan province

### • 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 religious practice's starting at the age of 9 (38.6 %) for the respondents. 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 until the 8<sup>th</sup> grade.

Chart 13.  
Reason for leaving  
school in Isfahan  
province

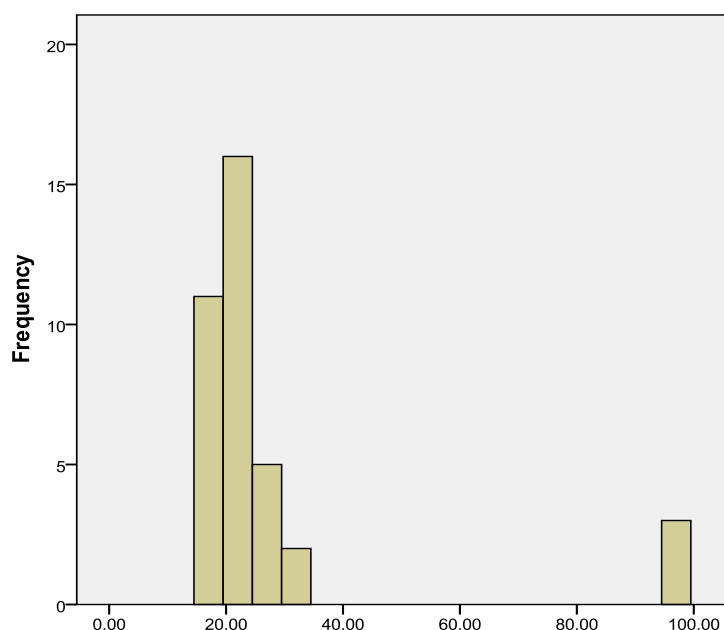


Chart 14. Women's age at first delivery in Isfahan province

### • Female reproduction

51.4 % of women, who have had at least one delivery (91.9 %), were taken care of by their own family, mainly 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 away, 14.3 % wanted a baby 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 reproductive danger systems.

### • 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

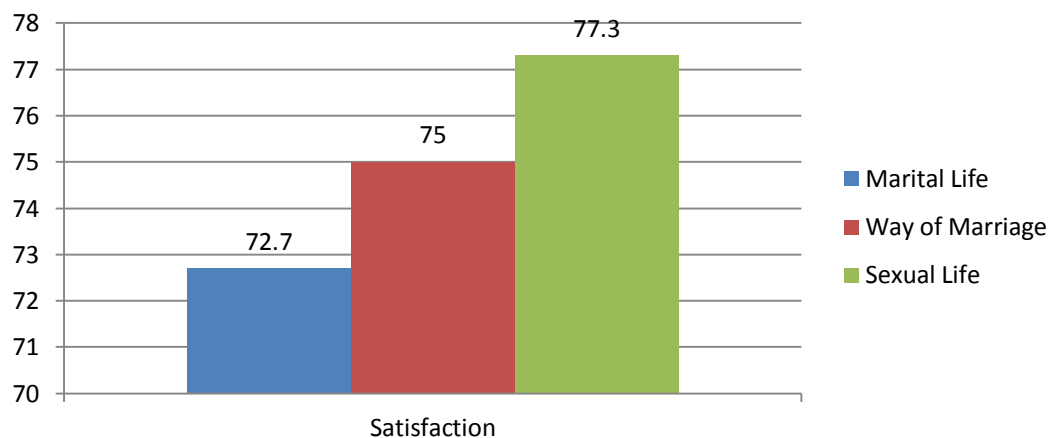
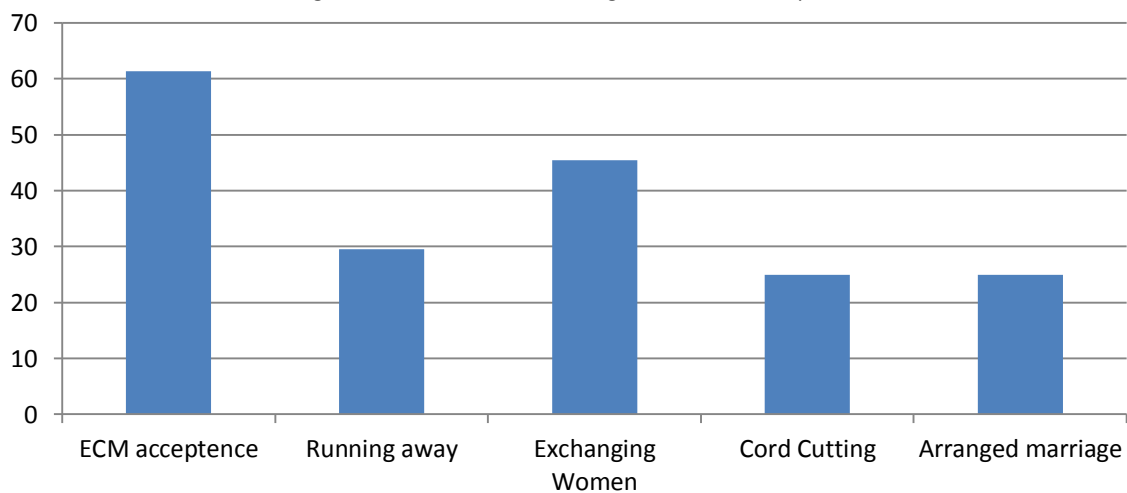


Diagram 58. Satisfaction with marriage in Isfahan province

- **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 %).

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 ECM 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 their ability to discuss and negotiate their lack of sexual interest. 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

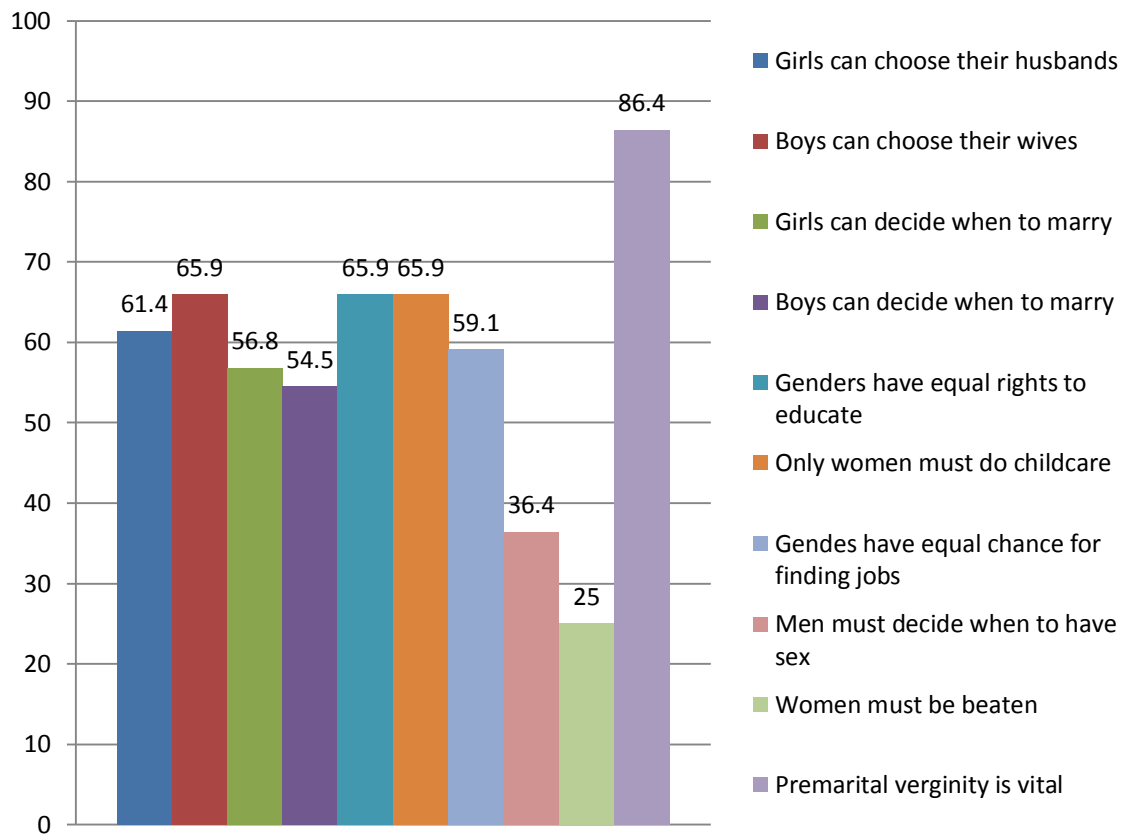


Diagram 59. Agreements on gender attitudes in Isfahan province

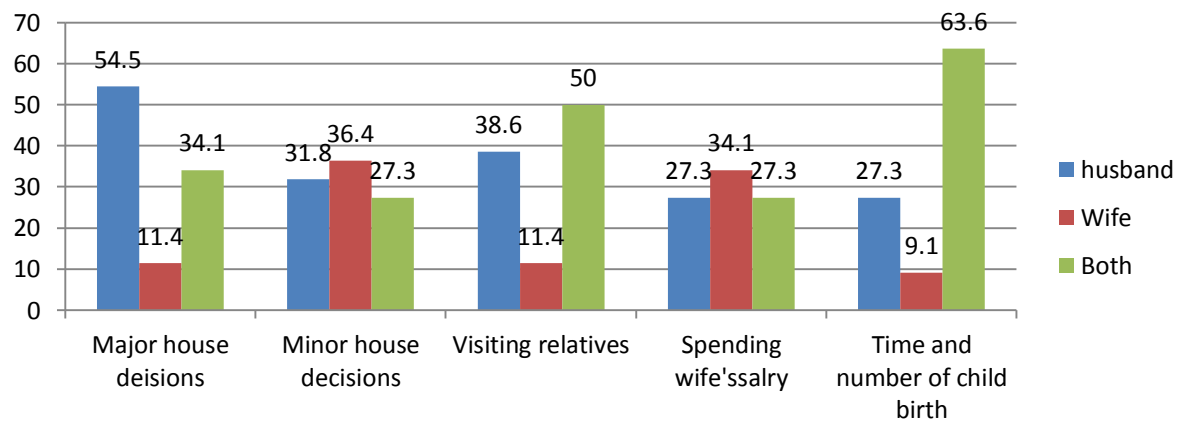


Diagram 60. House decision making in Isfahan province

### Male domestic violence

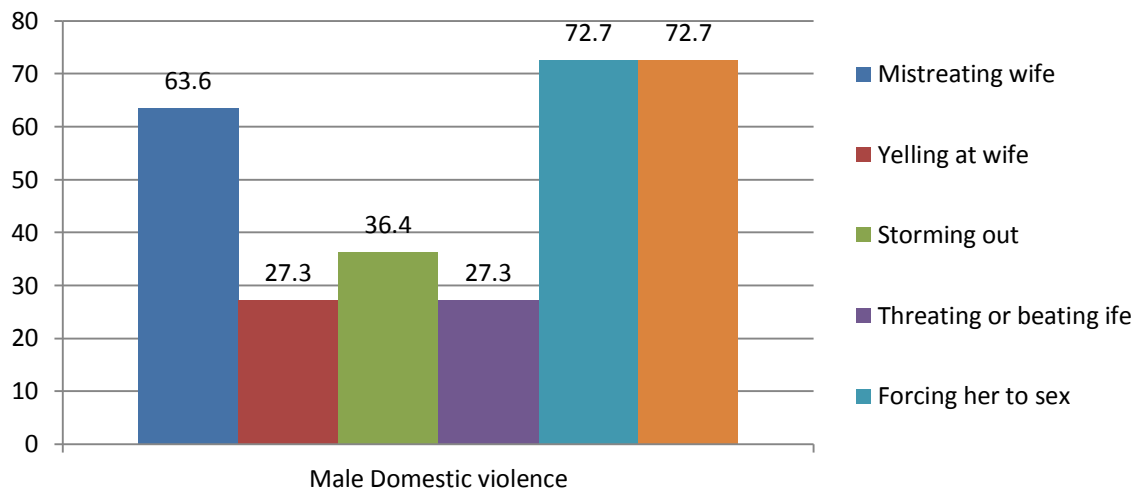
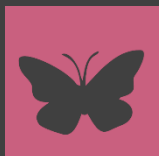


Diagram 61. Male domestic violence in Isfahan province

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% respectively.

## CHAPTER 4

### Solutions and recommendations



**“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

## CHAPTER 4: Solutions and recommendations

### 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'.<sup>316</sup>

However, glaringly missing in discussions and debates about ECM, is the loud silence about its occurrence and 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.

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 has remained quite peripheral in the literature on child marriage. 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.



Balochi children near Pakistan border-Photo by M Maarefvand

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<sup>316</sup> 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

The findings of this comprehensive study that centred on seven main provinces, shows that 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 have chosen 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, female and male respondents about reproduction, , 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 that pave the way for ECM. Its roots, causes, effects 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.



The main decision makers in some rural areas are tribal leaders and male member of the family- Photo by: Kameel Ahmady

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 when 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 compelling 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. Unless programmes of action are under taken to address early marriage, ECM will continue to be a significant obstacle and major stumbling block to the achievement of human rights. 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 new 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 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 a 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.

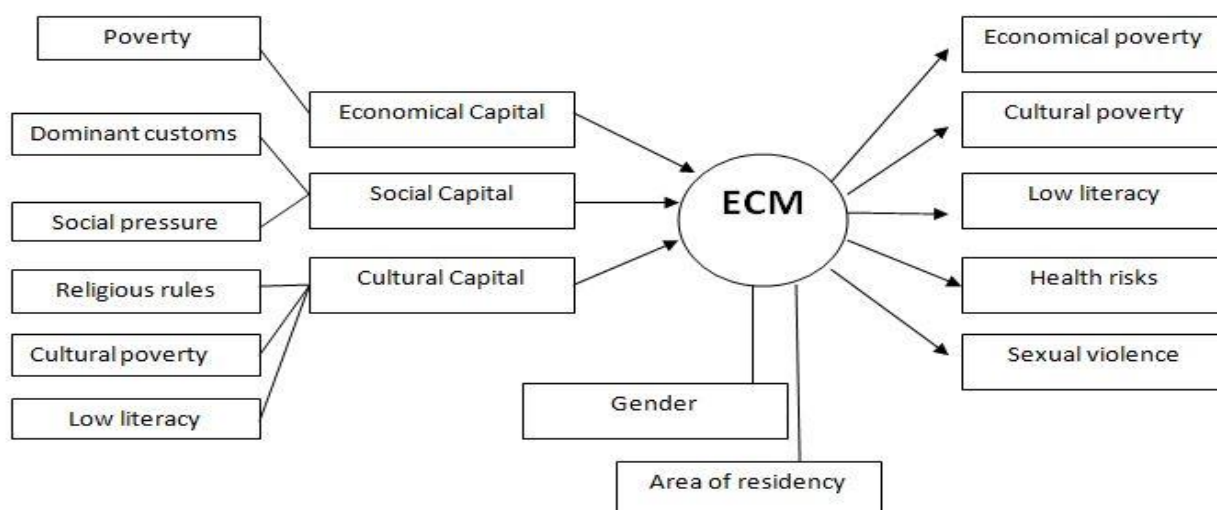


Chart 15. Analytical model of the study

Responses to ECM may geographically and culturally vary. What may efficiently work in some provinces 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. ECM's preventive message could be easily and more efficiently transmitted to the populace via media and TV programmes. 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 is the vital need to include religious leaders. Religious leaders 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.

***“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

## ECM'S ACCEPTABILITY

However, the essence of the underlying reasons 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.

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 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 sanctioning the sexual violence that often takes 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 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.



Religious school with over 4000 thousand student in Khorasan Rezavi-Photo by Kameel Ahmady

Marrying girls young is seen as a means to minimise 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 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 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 age 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, and she is exploited in performing 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 is 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 over its 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, 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 opportunities, 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 one generation to the next 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 manner 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.

***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

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.









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

Millennium Development Goal	Links to Preterm Birth	Millennium Development Goal	Links to Preterm Birth
 <b>1</b> <b>ERADICATE EXTREME POVERTY AND HUNGER</b>	<ul style="list-style-type: none"> <li>Poverty is a risk factor for preterm birth</li> <li>Women who were underfed or stunted as girls are at higher risk of preterm birth</li> </ul>	 <b>5</b> <b>IMPROVE MATERNAL HEALTH</b>	<ul style="list-style-type: none"> <li>Family planning to avoid adolescent pregnancy and promote spacing births reduces the risk of preterm birth</li> <li>Effective antenatal, obstetric and postnatal care for all pregnant women saves lives of mothers and babies</li> </ul>
 <b>2</b> <b>ACHIEVE UNIVERSAL PRIMARY EDUCATION</b>	<ul style="list-style-type: none"> <li>Education especially of girls reduces adolescent pregnancy, which is a risk factor for preterm birth</li> <li>Age appropriate health education may reduce preconception risk factors</li> </ul>	 <b>6</b> <b>COMBAT HIV / AIDS, MALARIA AND OTHER DISEASES</b>	<ul style="list-style-type: none"> <li>Prevention and treatment before and during pregnancy of infectious and non-communicable diseases known to increase risk of preterm birth</li> </ul>
 <b>3</b> <b>PROMOTE GENDER EQUALITY AND EMPOWER WOMEN</b>	<ul style="list-style-type: none"> <li>Gender equality, education and empowerment of women improve their outcomes and their babies' survival</li> </ul>	 <b>7</b> <b>ENSURE ENVIRONMENTAL SUSTAINABILITY</b>	<ul style="list-style-type: none"> <li>Ensured access to improved water and sanitation facilities to reduce transmission of infectious diseases</li> </ul>
 <b>4</b> <b>REDUCE CHILD MORTALITY</b>	<ul style="list-style-type: none"> <li>Newborn deaths account for 40% of under-5 mortality, which is the indicator for MDG4. Deaths from preterm birth have risen and now are one of the leading causes of under-5 deaths.</li> </ul>	 <b>8</b> <b>A GLOBAL PARTNERSHIP FOR DEVELOPMENT</b>	<ul style="list-style-type: none"> <li>Identification of actions that key constituencies can take individually and together to mobilize resources, address commodity gaps and ensure accountability in support of RMNCH and preterm birth prevention and care</li> </ul>

Adapted from: Bhutta et al. Preterm: Creating a Case for Attention at this Summit

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.<sup>317</sup> 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 1995<sup>318</sup>.

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 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.<sup>319</sup>

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.<sup>320</sup> 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 developmental process. The convoluted deeply entrenched social trap of ECM that operates in a male dominated power structure is a major cause of increase poverty levels, health risks and gender inequality, social expectations and culturally-embedded sexual norms that further GBV.

It is worth mentioning that the Millennium Development did not address child marriage as a target even though ECM directly hindered progress on each of the eight goals.<sup>321</sup> 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 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

<sup>317</sup> Mukherjee, S. (2006). Using Legislative Assembly for Social Reform: the Sarda Act of 1929

<sup>318</sup> Malhorta, Warner, McGonagle&Lee-Rife (2013) Solutions to End Child Marriage: What the Evidence Shows. International Center for Research on Women.

<sup>319</sup> 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](http://www.un.org/ga/search/view_doc.asp?symbol=A/70/L.1&Lang=E), accessed 9 October 2015

<sup>320</sup> Sustainable development goals: why ending child... [www.theguardian.com](http://www.theguardian.com)

<sup>321</sup> Protecting the Girl Child Using the Law to End Child, Early and Forced Marriage and Related Human Rights Vi

discriminatory social norms. Although 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 colossus impact in the above cited areas, this unfortunate omission was a missed opportunity.<sup>322</sup>

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.”<sup>323</sup>

Similarly, there is a fundamental link between ECM and education (goal two).<sup>324</sup> 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 poverty.<sup>325</sup> 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 absence of 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.”<sup>326</sup>

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.<sup>327</sup>

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<sup>322</sup> Millennium Development Goals | ICRW [www.icrw.org/taxonomy/term/29](http://www.icrw.org/taxonomy/term/29)

<sup>323</sup> Uprati, Melissa, Why Ending Child Marriage is a Critical Part of the Post-2015 Development Agenda, See also Sustainable development goals, supra note 5

<sup>324</sup> Sustainable development goals, supra note 5

<sup>325</sup> Ibid

<sup>326</sup> Population Reference Bureau (2005). 2005 World Population Data Sheet. Population Reference Bureau: Washington D.C.

<sup>327</sup> Sanlaap, “Child Marriage: West Bengal Scenario”, (n.d.), p.4.

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 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.<sup>328</sup> 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.<sup>329</sup> 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 important target within the SDGs<sup>330</sup>. 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."<sup>331</sup>

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

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<sup>328</sup> Nour, N. Child Marriage: A Silent Health and Human Rights Issue Rev Obstet Gynecol. 2009 Winter; 2(1): 51–56.

<sup>329</sup> International Parenthood Federation and the Forum on Marriage and the Rights of Women and Girls, "Ending Child Marriage", (2007), p.12

<sup>330</sup> United Nations Sustainable Development Solutions Network (2014) Proposed Sustainable Development Goals (SDGs) and Targets

<sup>331</sup> 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](http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/.../A-HRC-24-2_en.doc)- Accessed September 16<sup>th</sup>, 2016

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.<sup>332</sup>

## RECOMMENDATIONS

Although these findings from the study concentrated on Iran, nonetheless ECM is not limited to any particular area, level of economic development, or 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 <sup>333</sup> and in the orthodox communities in Israel for example.<sup>334</sup>

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 the 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 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.

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<sup>332</sup> THEMATIC REPORT: Unrecognised Sexual Abuse and Exploitation of Children in Child, Early and Forced Marriage

<sup>333</sup> NICEF, "Ending Child Marriage: Progress and Prospects", (2014).

<sup>334</sup> Ruth Halperin-Kaddari, "Finally in Israel: A Girl Is a Girl, Not a Bride", The Jerusalem Post, 2 December 1

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.



Women and girls attending religious and Quran lessons-Photo by: Kameel Ahmady

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 must 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 as a tool to increase 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 percent. Women now comprise 60% of university students in Iran."<sup>335</sup> 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. Thus a free and obligatory educational 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

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<sup>335</sup> Child Marriage in Southern Asia-A Policy report by the Australian Aid, P 14

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 harm 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. Men are agents of change. 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 are also 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 put in place in training and consulting 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, play 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 assisted 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 accepted 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'"<sup>336</sup>. 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."<sup>337</sup>

Nevertheless, the laws on restricting child marriages are few and the level of punishment is not draconian enough 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 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

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<sup>336</sup> Child Marriage in Southern Asia-A Policy report by the Australian Aid, P.13

<sup>337</sup> Child Marriage in Southern Asia-A Policy report by the Australian Aid, P.13

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 religion and social norms in ECM.

The Iranian government urgently needs to develop comprehensive social safety net programs, reduction of poverty level and proving 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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Early marriage, also referred to as early child marriage, is defined as the marriage before age 18. In the eyes of many, Early Child Marriage (ECM) affects and complicates young children's lives boys and girls, brings harmful consequences to their health, and affects their future development on every level.

Abased on 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.

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.

For the first time this comprehensive 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' and boy's human rights. This study is an effort to bring to the surface the problem of early marriage in Iran.

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