



## SDG 5: GENDER EQUALITY

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**The Effects of Child Marriage on the Access to Education for Girls**

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## INTRODUCTION

Education plays a critical role in the development of children and adolescents. The right to education is laid down in Articles 28 and 29 of the Convention on the Rights of the Child (hereafter CRC). Under these provisions, states should ensure that education is accessible to all children, irrespective of gender.

Despite clear international provisions on the right of the children to education on the basis of equal opportunity, nowadays there are numerous reasons which arguably disrupt girls' right to access to education; among others, poverty, traditions and early child marriage. This paper will focus on the last factor. Even though countless authors have tackled the issue of child marriage, most of the literature is oriented on solving the problem through prevention mechanisms. Thus, the problems that the high percentage of the already young married girls' face have been overlooked, including their involvement in education.

Child marriage refers to any legal or customary union involving a boy or girl below the age of 18. Nevertheless, broadly speaking, this phenomenon affects mostly girls.<sup>1</sup> After marriage, young girls' access to formal and even non-formal education is severely limited because of domestic burdens, childbearing and social norms that view marriage and schooling as incompatible.<sup>2</sup>

As previously stated, this contribution seeks to address the barriers faced by married girls in accessing education. The first section explores the cultural and social context of the settings where child marriage is considered a common practice. The following part assesses the major drawbacks of access to education for married girl children, and whether the existing policies are effective in responding to them. The last part provides conclusions and recommendations to generate and increase inclusive education systems for marriage girls.

## SOCIAL AND CULTURAL CONTEXT

The practice of child marriage is widespread across the least developed countries. The latest rates estimate that 45% of women aged 20-24 were married before they were 18 years old, and 15% before they were 15 years old.<sup>3</sup> These high rates respond to a cultural phenomenon. As a matter of fact, there are several societies in which girls are expected to get married at an early age, otherwise they would be stigmatized and compromised irretrievably their family honor.

Furthermore, some cultural and religious norms set up that the unique role considered appropriate for women is to be a spouse and a mother. Thus, a woman is first and foremost valued only after a child is born.<sup>4</sup> Indeed, in many settings, childbearing soon after marriage is integral to a woman's social status.

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<sup>1</sup>UNICEF, <http://data.unicef.org/topic/child-protection/child-marriage/#>, last visited: 08-10-2016.

<sup>2</sup>Mathur, S., Greene M., and Malhotra A., Too Young to Wed: The Lives, Rights and Health of Young Married Girls, <https://www.icrw.org/files/publications/Too-Young-to-Wed-the-Lives-Rights-and-Health-of-Young-Married-Girls.pdf>, 2003.

<sup>3</sup>UNICEF, [http://www.icrw.org/sites/default/files/publications/Child\\_Marriage\\_Adolescent\\_Pregnancy\\_and\\_Family\\_Formation.pdf](http://www.icrw.org/sites/default/files/publications/Child_Marriage_Adolescent_Pregnancy_and_Family_Formation.pdf), last visited 08-10-2016.

<sup>4</sup>ICRW, [http://www.icrw.org/sites/default/files/publications/Child\\_Marriage\\_Adolescent\\_Pregnancy\\_and\\_Family\\_Fo](http://www.icrw.org/sites/default/files/publications/Child_Marriage_Adolescent_Pregnancy_and_Family_Fo)

Therefore, early married girls in developing countries do not have access to contraception, nor would delayed pregnancy necessarily be acceptable to many husbands and in-laws. In almost all Asian countries for instance, the family exerts strong pressure on the newly-married couple to begin childbearing quickly.<sup>5</sup>

In social environments where women are expected to be focused on their role as mother and wife, education is considered effectively incompatible with marriage, given the new set of responsibilities that require girls to care for a new household and, possibly, for children.<sup>6</sup> Child marriage -and early pregnancy- is a significant and influential predictor of attendance outcomes; married girls are dramatically less likely to attend school than their unmarried peers.<sup>7</sup>

Like the above, the Committee on the Elimination of Discrimination against Women and the Committee on the Rights of the Child also emphasize that Child marriage is often accompanied by early and frequent pregnancy and childbirth. In addition, Child marriage also contributes to higher rates of school dropout, especially among girls.<sup>8</sup> In this case, the practice of social norms, culture and traditions can be one of the main reasons for the higher rates of school dropout of married girls.

As pointed out above, education is inextricably linked to the social norms, culture and traditions of society. However, social norms often occur behind the veil of culture, and traditional practices have a tremendous effect on a girl's child participation in education.<sup>9</sup> Those married girls who want to go further with their education usually face a series of structural and logistical obstacles, although, several of the countries with high rates of child marriage have already enacted domestic laws and policies to support them -whether to keep them in schools or to reintegrate those who have dropped out- in different ways.

It is therefore, important to address the obstacles faced by married girl children in the local education systems, and assess the real impact of the domestic frameworks and policies to address those problems.

## **POLICIES AND LOCAL SETTINGS**

To date, many countries have enacted binding norms to increase access education for child brides. For instance, over the past two decades, several sub Saharan African countries have instituted a variety of policies intended to address pregnancy-related school dropouts by giving adolescent mothers the legal

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[rmation.pdf](#), last visited 08-10-2016.

<sup>5</sup> UNICEF, <https://www.unicef-irc.org/publications/pdf/digest7e.pdf>, last visited: 08-10-2016.

<sup>6</sup> [http://www.ungei.org/resources/files/EPDC\\_EarlyMarriage\\_Report.pdf](http://www.ungei.org/resources/files/EPDC_EarlyMarriage_Report.pdf), last visited: 08-10-2016.

<sup>7</sup> [http://www.epdc.org/sites/default/files/documents/EPDC\\_EarlyMarriage\\_Report.pdf](http://www.epdc.org/sites/default/files/documents/EPDC_EarlyMarriage_Report.pdf), last visited: 08-10-2016.

<sup>8</sup> Joint general recommendation/general comment No. 31 of the Committee on the Elimination of Discrimination against Women and No. 18 of the Committee on the Rights of the Child on harmful practices, 14-11-2014, at 7.

<sup>9</sup> J Sloth-Nielsen & L Mwambene 'Benign Accommodation? Ukuthwala, 'Forced Marriage' and the South African Children's Act, 11 African Human Rights Journal, 2011, at 5.

right to return to school after giving birth. Such measures include extra classes to keep girls up with their studies while they are away from school, guaranteed childcare, and financial support.<sup>10</sup>

In practice, one of the most common issues which affect the access to education for young girls in child marriages is their husbands' disapproval about combination of their education and domestic responsibilities after marriage. In child marriages, the wives are seen as their partners' belongings; thus, their views do not necessarily carry much weight.<sup>11</sup> The lack of laws establishing girls' schooling as mandatory<sup>12</sup> - including in some countries that have ratified the CRC - promote the invisibility of the married girls who want to study.

On the other hand, in cases where girls are allowed to attend formal education after marriage and pregnancy, they still have to combine their new status as wives and mothers with their studies. Issues related with birth, recovery and childbearing will lead to the absence of the girls from some classes and extra-curricular activities. Therefore, for a young girl being a wife, a mother and an active participant in classes, will be overwhelming.<sup>13</sup> Married girl children should be able to find assistance in their own schools to handle their new marriage life without affecting their opportunity to study. While the legal framework establishes some of the supportive measures above-mentioned, the reality is quite far from the theory. The embedded cultural and religious view of the local societies is echoed in the educational community as well. Several administrative staff and teachers strongly support gender roles in which girls should be involved in household chores and babysitting. For instance, instead of monitoring and encouraging married and mother girls to remain in school, they stigmatize and expel the girls from the education system.<sup>14</sup> In other words, the schools provide unsupportive environments for pregnant learners and parenting students, forcing them to desist from continuing their studies.

Furthermore, if married girls - by themselves or through NGO's - decide to demand legal support from the local governments to the recognition of rights and their enforcement, they will be confronted with another obstacle. At governmental level, many places noted a lack of awareness of the policies, even among Ministry of Education officials, and a lack of guidelines on implementing them.<sup>15</sup> While the central government enacts the policies, the local government has to implement them in the local settings. Therefore, the state's obligation does not end once a piece of law has been enacted. The state should do a long-term investment in training their governmental officials about the implementation aforementioned policies and organizing or supporting programmers to extend the social use of those policies.

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<sup>10</sup>An assessment of the impact of Zambia's school re- entry policy on female educational attainment and adolescent fertility, [https://repository.library.georgetown.edu/bitstream/handle/10822/760968/McCadden\\_georgetown\\_0076\\_M\\_12949.pdf?sequence=1](https://repository.library.georgetown.edu/bitstream/handle/10822/760968/McCadden_georgetown_0076_M_12949.pdf?sequence=1), last visited 29-09-2016.

<sup>11</sup> <http://www.girlsnotbrides.org/child-marriage/india/>, last visited: 07-10-2016.

<sup>12</sup> [http://www.equalitynow.org/sites/default/files/Protecting\\_the\\_Girl\\_Child.pdf](http://www.equalitynow.org/sites/default/files/Protecting_the_Girl_Child.pdf), last visited 09-10-2016.

<sup>13</sup> <http://www.girlsnotbrides.org/themes/education/>, last visited: 07-10-2016.

<sup>14</sup> <https://www.hrw.org/news/2015/12/09/ending-child-marriage-africa>, last visited: 07-10-2016.

<sup>15</sup> Addressing child marriage and adolescent pregnancy as barriers to gender parity and equality in education.

Another issue to tackle is the adverse consequence of some laws and policies which are supposed to be in favor of education for married girls. To mention one case, in some cultures, the practice of confinement is still usual - traditional postnatal practice aimed at helping a new mum recover through absences of visitors apart from close family members -,<sup>16</sup> and some local legislations have adopted this cultural tradition under the name of “mandatory leave”. This piece of law establishes the period of absence from school for children mothers after birth, creating an unnecessary barrier for girls married mothers who wish to return to school earlier but who are not allowed to do so.<sup>17</sup> In this respect, the reassessment and rebuilding of law and policies should be a permanent work for governments. It is necessary to reinforce the framework which improves the married girl’s education access, and to remove those which have the opposite effect.

## **CONCLUSIONS AND RECOMMENDATIONS**

From this analysis, it can be concluded that gender equality in education continues to be a challenge that needs to be addressed because it is leading to married girl children being left behind. The practice of social norms, culture and traditions, as explained above, is one of the main reasons for the high rate of dropouts among married girls. These girls are facing limitations to continue their education. It is of utmost importance to address the obstacles faced by married girl children in the local education systems, and to evaluate the real impact of the domestic frameworks and policies to address those problems.

When it comes to policies, it can be concluded that they only are not enough to guarantee the access of education for married children. The main drawback with those policies is that they have overlooked the reality of the local settings where they need to be enforced, and the actors involved in their implementation. The reference to the educational system includes several stakeholders such as government officials, school boards, teachers, students - married and unmarried -, and the communities at large. Both a top – bottom approach and bottom - up approach are needed. At a minimum, governments have a responsibility to ensure that domestic policies are in line with international human rights conventions. However, governments should also guarantee that policies are evidence-based and implemented as intended.<sup>18</sup> It is ineffective to enact a policy in order to fulfill the international community standards without taking the realities of the local setting into account.

It is recommendable that governments start with an accurate, compulsory and consisting data collection of child marriages under their jurisdictions, and the percentage of the married girls outside the educational system. The database should be gathered with help not only of local authorities but also NGO’s, teachers, students - surveys at schools, for instance - among others. The point of this is to have a realistic overview of the lack of education for married girls, including the voiceless, such as the one who are forbidden by their husbands or in-law family to study.

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<sup>16</sup> <http://www.babycenter.com.my/a1021145/confinement-practices-an-overview#ixzz4M9Fb9jZg>, last visited: 07-10-2016.

<sup>17</sup> [https://repository.library.georgetown.edu/bitstream/handle/10822/760968/McCadden\\_georgetown\\_0076M\\_12\\_949.pdf?sequence=1](https://repository.library.georgetown.edu/bitstream/handle/10822/760968/McCadden_georgetown_0076M_12_949.pdf?sequence=1), last visited: 07-10-2016.

<sup>18</sup> Addressing child marriage and adolescent pregnancy as barriers to gender parity and equality in education.

Regarding training, it is important to stress two points. A concerted effort should be made to address negative attitudes that some teachers and administrators appear to hold toward married girls who want to remain in or return to school. A long-term national training program should be implemented, emphasizing the teachers' professional responsibility to treat and educate all students equally. The second point is the training of governmental officials, which are crucial actors in both the widespread in the local communities about the implementation of the policies to keep married girls at schools or their return, and the monitoring of those policies.

It is also recommended that the governments constantly review and update their processes and policies, taking into account the contributions of all the stakeholders involved in education, before they enact, rebuild, review any piece of law regarding the access to education of married girl children. In this way, ineffective regulation will be avoided.

All those measures need long-term investment from governments. Studies show that girls and women who are educated are more likely to earn an income. Women will invest that income into healthcare, food, education, childcare, and household, contributing directly to their country's economy and development, and therefore, helping to end the perpetual cycle of inequality, discrimination, abuse and poverty.<sup>19</sup> Consequently, all the efforts made by countries to improve the education for married girls are an investment for development.

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<sup>19</sup> [http://www.equalitynow.org/sites/default/files/Protecting\\_the\\_Girl\\_Child.pdf](http://www.equalitynow.org/sites/default/files/Protecting_the_Girl_Child.pdf), last visited 09-10-2016.

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