

# CHILD MARRIAGE/BETHROTAI IN NIGERIA

**FIHRM**

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## **FIGHTING FOR EQUALITY MODERN SLAVERY CHILD MARRIAGE/BETROTHAL IN NIGERIA**

In many cultures, including that of Nigeria, Marriage is regarded as a legitimate way for two people of opposite sex to be united as husband and wife. Parents often look forward to witnessing the celebration of their children's marriage as an honour and blessing. The sanctity of the marriage union is further validated by a divine backing as well as documented in the Christian Holy Bible at Genesis 2:22-24. The honour in marriage becomes contentious when what is supposed to be a mutually satisfying arrangement becomes shallow and casual, as if it were a toy, as child marriage tends to portray.

Because child marriage is robbed of fundamental human rights, dignity, respect and honour, it is deemed to be a form of modern slavery. People are shocked at the mention of slavery as they often look out for the familiar images of shackles, whips and auctions. But these features are not typical of servile marriage as a contemporary form of slavery. True, the vast majority of victims of child marriage are not sold at public auctions, but they are really no better off than their predecessors. In some cases their lives are even more tragic.

With many declarations, numerous conventions and acts of outlawing slavery and its vestige, many people think that slavery no longer exists. For instance Chapter 4 of the 1999 Constitution of the Federal Republic of Nigeria guarantees fundamental human rights and freedom from any form of discrimination. It is sad that we still talk of slavery as regards child marriage, even in the face of modernity and enlightenment..

## CONCEPT OF CHILD MARRIAGE

As a concept, child marriage is any marriage contracted with persons below the recognized age of 18 stipulated by the United Nations as being the age of adulthood. Interestingly, the Nigerian nation also recognizes age 18 as the legal age for voters registrations and National Identification Programme, among others.

Although the trend towards early marriage has occurred in many societies, it has proceeded much further in rural areas and among the poor and vulnerable with the girl child being the major victim

## DIVERGENT VIEWS ON THE AGE OF MARRIAGE

Beyond the legal age of 18, the ideal age for the female child to marry has been a subject of debate and many raising the vital question: When is the right time to marry out the girl child? Despite divergent views, there is a consensus in the reality of Ecclesiastics 3:1. For everything there is an appointed time, even a time for every affair under the heavens". Implied in the scriptural counsel is the ideas that every person should have the right to decide when to marry. I am lending my voice to the view that the girl child needs time for a number of important things before plugging into marriage.

- a. Personality development
- b. Education and self-discovery - to be better equipped to make the right decision and choices.
- c. Cultivating and building of solid friendships and relationships since marriage should be a union of two good friends for ever.

Keeping a clear head in matters of romance and marriage requires time and maturity. Hence, forcing the girl child to marry before she is ready is like being forced to take a final examination for a course you have barely started. Obviously that would not be fair

## THE CAUSES OF CHILD MARRIAGE

A combination of cultural and socio-economic factors can be ascertained.

- **Poverty:** Life-threatening poverty compel parents to marry their girl children to rich and affluent men to secure a living for both parents and children.
- **Bonded Treatment:** At the instance of life-threatening illness, the girl child is betrothed to the herbalist or traditional medicine men able to cure the ailment and thus save her life
- **Loan Redemption:** The girl child may be held in bondage to a husband because of the inability of her parents to pay back loans.
- **Ritual Sacrifice:** Female offspring of rape or incest are dedicated to gods where their responsibilities include household chores and provision of sexual services to the local fetish priest.
- **Social Norms:** Many parents believe that early marriage helps to prevent and manage the promiscuity of the girl child.

# CONSEQUENCES OF CHILD MARRIAGE

- **Teenage Pregnancy:** For some parents, rather than consider abortion, they opt for marriage as a way of sparing themselves and the girl child some embarrassment in the society.
- **Sexual Perversion of the Rich and Affluent:** The appetite for virgins and AIDS free partners drives some people, especially the rich and affluent to immorally condescend, to catch them young, thus promoting child marriage.
- **Self - Esteem:** Some parents eager to boost their self-esteem through production of grand children, see child marriage as a fast way to boost their ego.

## CONSEQUENCES OF CHILD MARRIAGE

Child marriage takes a heavy toll on the girl child, as the days roll by.

- **Loss of Childhood:** Childhood is easily lost, obliterating opportunities for education and preparation for happy and productive married life as they become mothers too early.
- **Rights Violation:** The right to self-determination is undermined as parents pressure their children to yield to men who are not right for them. Due to immaturity and ignorance, the right to negotiate for sex and number of children is compromised.

- **Impaired Reproductive Health:** Lack of sexuality education, often leads to indiscriminate sex, abortion, delivery through operation, child/maternal mortality and exposure to diseases such as STDs, HIV and the dreaded Vesico-Vaginal Fistula (VVF) now ravaging the land.
- **Stigmatization and Abandonment :** Reproductive health impairment often brings shame, stigmatization, divorce and eventual abandonment.
- **Bleak Future:** It's a circle deception of frustration, slavery, prostitution, quarrels, broken homes, deaths, crime and general dissatisfaction..

## AFRICAN PERSPECTIVE.

A report by Plan International in the Guardian Newspaper page 26 of September 2011 has indicated that Africa, below the Sahara desert has 2nd highest rate of early and forced marriages, with 14.3 million girls married before the age of 18.

According to Xinhua, the Survey published in the report titled "BECAUSE I AM A GIRL", indicates that the girl-child in Africa is still held back by some harmful traditional practices such as early Marriages, forced female circumcision and sex for food mostly in draught-hit eastern Kenya.

Plan International reiterates that it is impossible to achieve gender equality without dealing with the long- held belief about gender role in the society. Survey shows that 39% of girls in Africa are forced into marriages. The report focused on the

# THE HUMAN RIGHTS PERSPECTIVE OF CHILD MARRIAGE

ulnerability of girls in RWANDA, where a survey of boys and girls aged between 12- 14years concluded that "women are weak in their nature".

The report argued that such beliefs create disparities in career choices for both boys and girls and leads to widening the gender gaps. "Boys can choose to be in politics, doctors, engineers etc because boys have more powerful brains than girls", the report said.



The International Center for Research on Women now estimates that there are 51 million child brides now living on planet earth. Twenty-nine percent of these child brides are regularly beaten and molested by their husbands in Egypt; twenty six percent receive similar abuse in Jordan.

Every year, three million girls are subjected to genital mutilation, according to UNICEF. This practice has not been outlawed in many parts of America

## THE HUMAN RIGHTS PERSPECTIVE OF CHILD MARRIAGE

It is pertinent to ask this virtual question. Has slavery actually resurfaced in modern form with child marriage as a manifestation?. The answer is in the affirmative in so much as slavery is identified by an element of ownership or control over another's life by coercion and restriction of movement. By nature, children are docile and too frightened to complain. When a 13-year-old girl is told that her family has arranged her marriage to a 60-year-old man, what does she do? Ostensibly, she has the right to refuse. But in practice does she have the opportunity to exercise that right? Is she aware that she can do so? How is it that the girl child marriage continues to despise, subjugate and debase children and motherhood in the face of constitutional, human and child rights provisions? The answer is complex. The prevalence of poverty, social norms and cultural concepts does not mean that nothing can be done to stem the tide.

## RECOMMENDATIONS

To ameliorate and progress to complete eradication of child marriage, requires the domestication of human and child rights, which at the moment, seems abstract or confine to the statute books. The under mentioned are suggested for consideration.

- **Educational Institution:** The curriculum of our educational institutions at Primary, Secondary and Tertiary Institutions leads should be reviewed to emphasize the teaching of human and child rights and thus enhance the affective domain of the national educational objectives



# RECOMMENDATIONS

- **Federal Ministry of Women Affairs:** The Ministry needs to design a programme that focuses on child marriage eradication. Such focus should expose and explain the provision of the human and child rights acts, employing the vernacular language, among other tools to mount enlightenment campaigns at the grass root levels.
- **Other Relevant Agencies:** The National Human Rights Commission, Women and Child Labour Eradication Foundation, National Agency for prohibition of Trafficking in persons and other related matters, National Council of Women Societies, Federation of Women Lawyers, UNICEF and the civil societies should synergies and forge a common and realistic front aimed at designing and implementing programmes of action free of rhetoric and playing to the gallery.
- **Law Enforcement Agents:** Child marriage underscores the said state of injustice and inequality as the laws protecting children's rights are abused with impunity, without invoking the rule of law as enshrined in the Constitution which law enforcement agents swore to uphold. It is time to realize that unless there is equity, justice and respect for human right, peace and development would remain elusive. Human rights offenders need to be promptly brought to book without any hindrance.
- **The Mass Media** The mass media need to hold government and relevant agencies accountable for their actions and inactions, as regards the eradication of child marriage in

the land. In this respect, there is no doubt that issues relating to child marriage and child rights abuse are under-reported. Because the media is more or less urbanized, rural journalism suffers - depriving us the much needed complete data and statistics on incidences of child marriage and child abuse. This deprivation needs to be corrected.

— **Economic** and Social Emancipation Efforts to eradicate child marriage should benefit from economic emanation by granting the girl child equal access to education and economic opportunities just like her male counterpart. While university education be made to facilitate the acquisition of basic skills that would improve the economic status and well-being of the girl child which would eventually make her marriage fulfilling and enjoyable. Equally important is the need for the girl child to enjoy sexual and reproductive rights so that her health would not be in perpetual jeopardy.

— **Cultural Agencies And Traditional Institution** These agencies and institutions should collaborate and organize programmes and activities to discourage child marriage. Traditional rulers should use their positions to organize parents and community Fora to provide enlightenment on human and child rights as well as explain the disadvantage of child marriage.

Cultural agencies should endeavour to incorporate into their programmees, activities that encourage women empowerment and economic well-being. In this sense, the initiative of the National Council for Arts & Culture (NCAC) in involving woman in the

promotion of the Crafts Industry for poverty alleviation should be emulated by other agencies in the culture sector.

— **The Government** The United Nations Office of the High Commissioner for Human Rights (OHCHR) states that “slavery is a state of mind” - providing a clue that effecting a change of thinking and attitude requires teaching and educating people to respect one another’s dignity, as well as abide by moral standards. Who is to provide such education and direction? The OHCHR says that everyone has a contribution to make to a world over which no longer tolerate inhuman exploitation” such is the resolve expected of the Government at Executive, Legislative and Judicial arms. Our Government(s) need to show through their body language that they abhor child marriage and are ready to expose and punish perpetrators of the act. Such repudiation is long overdue on the part of our government functionaries.

**Religious Institutions:** Religious leaders need to shun hypocrisy but remind their followers that we are all born with an inherent need and desire for dignity and freedom suffice to state that no one can claim to be a true Christian and by extension, a true Moslem and share in the inhuman exploitation and oppression of any of his fellow humans which child marriage represents.

# CONCLUSION

Child marriage thrives because of a combination of factors including poverty, socio-economic environment, cultural beliefs and laws that wink at the malpractice. We need to increase public awareness in order to emancipate its victims and thus promote an egalitarian society. If increased protection does not come the way of the girl child, quickly it could result in the decline in the quality of not only mother hood but of citizenship, of leadership and of development that we expect of our future generations. What a tragedy! It therefore behooves one and all, to work concertedly to reverse the trend and avert the impending disaster.

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