



DETAILED REPORT OUTLINE:

WOMEN'S RIGHTS AND GENDER SECTION'S BACKGROUND RESEARCH ON THE ISSUE OF CHILD, EARLY AND FORCED MARRIAGE

Pursuing Global Justice Through Grassroots Change

Submission by American Jewish World Service

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I. **AJWS and our approach to early and child marriage**

American Jewish World Service (AJWS) combines grants to human rights advocates in developing countries with our efforts to persuade the United States government to adopt laws and policies that benefit people in the developing world. Through our grants, AJWS provides financial support to more than 500 local advocacy organizations in 19 countries in Africa, Asia, Latin America and the Caribbean that are working to end poverty and advance the rights of some of the poorest and most oppressed people in the world.

AJWS has a multi-prong global strategy on early and child marriage (ECM) that combines a deep programmatic/grantmaking engagement in areas of high ECM in India, with strategic and participatory research and learning that is used to inform advocacy at the country and global level as well as improve our grantmaking. At the global level, AJWS is working to influence the conversation about child marriage by conducting strategic research, monitoring and evaluation of ECM programs and sharing critical findings.

II. **Developments at the global level**

Since the release of the Office of the High Commissioner for Human Rights' report on ending child, early and forced marriage in April 2014, the international community has adopted the Sustainable Development Goals (SDGs), which importantly includes the target of eliminating child, early and forced marriage (target 5.3). Although indicators for the SDGs are still to be adopted by the UN Statistical Commission in March 2016 (including the potential indicator focused on girls married by the age of 15), it is highly likely that the indicator of success for achieving target 5.3 will be the percentage of women aged 20-24 who were married by the age of 18. While delaying the age of marriage is important, AJWS believes that early and child marriage can only be properly addressed and target 5.3 met by 2030, if the international community, particularly the UN and its member states, adopt the following approaches:

A. Policy, programs and funding on ECM should understand the practice as a consequence of gender inequality and related sexuality norms. Underlying the practice of CEFM is the control of women and girls' lives by families and communities, particularly the control of their sexual and reproductive lives. Sexuality and gender are central concerns of early and child marriage. The social and cultural construction of sexuality—and its explicit emphasis on subordination—determines if, when and whom girls marry, as well as many conditions of marital life for girls and women. The management of girls' sexuality is a source of great anxiety

to their families in many settings where exploration of sexuality violates social norms and brings about severe consequences for the girl and her family such as honor killing and social ostracization, and contributes to undermining many life choices for girls. Families and the girls themselves are particularly challenged to question or challenge these gender and sexuality norms in the absence of institutions that provide girls and their communities access to support, and services to inspire and achieve life trajectories that are healthy, financially secure and empowered to question narrowly defined gender norms. The State and civil society have failed to provide alternatives to marriage for youth and do not provide resources for girls seeking to escape ECM. Part of the solution to ECM includes increasing access to resources for your girls, including education and healthcare.

B. Girls empowerment through programmatic action at the community level must be at the centre of the response to reducing ECM. A community-level understanding of ECM is necessary to impact change. In the past two years, AJWS has invested in more than 40 community-level organizations in India that are working with adolescent girls to address the multiple factors that influence their life choices. AJWS’s approach focuses on four key concepts—the Four A’s—that give girls the freedom to choose whether, when and whom to marry—and, ultimately, the power to transform their lives: aspirations, agency, availability and access.

- Aspirations- Challenge cultural beliefs about gender roles and encourage women and girls to consider futures that previously seemed out of reach.
- Availability- Increase the availability of institutions, policies and services that enhance the ability of girls and young women to pursue jobs and education and realize their sexual health and rights.
- Agency- Enable girls and young women exercise agency—the ability to choose and to act independently—so they can take action to advance their goals.
- Access- Ensure access to support, resources and services and overcome any resistance from families and communities.

III. Developments at the national level—India

A. Overview

This section will outline our national initiatives in India, a country that is home to one-third of the world’s child brides. Since 2014, AJWS has provided more than \$3 million to local organizations working to end child marriage in India. At the national level in India, AJWS is investing in Indian human rights movements and supporting them in taking on the issue of child marriage. AJWS has partnered with the Tata Institute for Social Studies in India to work with our 40 programmatic partners across five high-prevalence Indian states (West Bengal, Andhra Pradesh, Telangana, Uttar Pradesh and Rajasthan) to develop participatory outcome categories and progress markers. We expect that the final indicators will be published in 2016.

B. Early child marriage in India

Data from the National Family Health Survey (2005-06) has shown that among women in India that the average age of marriage is just above 17 years. (Age of consent in India is 12 years). Our work has shown that usually marriages happen between boys and girls who are close to each other’s age. The phenomena of children under the age of 14 getting married to much older men is not the

common experience in India. For these reasons, for the work in India, AJWS prefers to use the words early and child Marriage (ECM) when speaking of the majority of marriages happening currently in India. Despite India's strong legal framework regarding ECM (e.g. Prohibition of Child Marriage Act, passed in 2006, universal in its application across communities, incriminates parents and all parties involved in the ritual), it is commonly known that the implementation of these laws is neither consistent nor effective.

AJWS understands ECM in India as rooted in deep and long-standing social and economic problems, including poverty, gender inequality rooted in patriarchy, restrictive and rigid gender roles, lack of agency of women especially young women, lack of education and livelihood opportunities, absence of sexual rights for women and girls, and sexual politics that takes the form of shame and honour vested in women and girls.

- The more critical the factors—such as economic insecurity, fear of sexual violence and harsh sanctions for challenging restrictive gender norms—are to families' realities, the greater the likelihood that they will rely on ECM to manage these real concerns.
- From this perspective, ECM can provide shelter, food, safety and a socially sanctioned outlet for managing the sexuality of their girl children. As such, ECM becomes an important way for these families to address their economic insecurity, uphold their honour, fulfil their societal obligations and conform to community norms.

As part of our research strategy, AJWS commissioned a report from the Nirantar Trust, a leading feminist education research institution in India, to undertake a landscape analysis of early and child marriage (ECM) in India, which was produced in 2015¹:

- The Nirantar mapping highlighted the links between insecurity and ECM. Families with limited access to resources tried to manage their insecurity by fulfilling their social obligation and providing for their girls through marriage. The uncertainty of secure livelihood was a factor that led to greater risk of ECM in drought or flood prone geographies. The report similarly showed this to be the case for internally displaced communities who were facing physical insecurity due to communal violence.
- Nirantar also highlights the role of gender inequity, conservative gender norms and poverty in increasingly making marriage one of the few options that families have to resolve these real concerns.
- The Nirantar mapping also highlighted the ways in which the silence around the issues of sexual health and rights has impeded the work on ECM. ECM is often about anxieties related to girls' sexuality—what will happen if she does become sexually active; this is to bring dishonour on herself, her family and her community. The severe consequences of the violations of these social norms range from honour killings to severe ostracizing and humiliation of the girl and her family. Therefore marrying a girl off early before she can act out her sexual desires is seen as a way to manage this concern. Despite the centrality of sexuality to ECM, very few programs actually address this issue and provide families, girls and their communities other means of addressing related concerns.
- Additionally, though maternal and child health problems are seen as a negative outcome of ECM, very few programs try to reduce the vulnerability to early or unwanted pregnancy by providing information about family planning.

¹ Nirantar Trust (2015) [Early and Child Marriage in India: A landscape analysis](#). New Delhi, India.

- Lastly the Nirantar supports other research that shows the silence on the issue of mental health of girls at risk for being married off early as well as young brides. This is a gap in services at the NGO as well as in the government programs.

C. Examples of good practices and programmes ending EFM and supporting already married women and girls in India

- [Shaheen](#) provides education and counselling to Muslim women and adolescent girls in the Old City of Hyderabad, Andhra Pradesh. The services help them develop the skills and confidence they need to make informed decisions about their sexual and reproductive health and to challenge harmful social norms in their communities, which have seriously limited what women can do with their lives and bodies.
- [Azad Foundation's Women on Wheels](#) project trains low-income young women to become professional taxi drivers in Delhi. This innovative approach helps young women secure well-paying jobs in a male-dominated industry—vastly expanding their individual life choices and shifting the community's traditional mind-set about what women can and cannot do.
- [Mahila Sarvangeen Utkarsh Mandal \(MASUM\)](#) works closely with young men and women among the Dalit (“untouchable” caste) in western India to determine why many of them still agree to get married before age 18, despite the known harms and the limits it will place on their lives. MASUM helps these youth learn about their rights and how to advocate for greater choices about their own futures
- [Vikalp](#), based in rural Rajasthan, works with communities to value girls by building the leadership of girls, providing them with training and opportunities to highlight their talents, and to engage community leaders and family to change unequal gender norms by valuing girls and supporting them to fulfil their potential. See this video about Vikalp's work highlighted at the Clinton Foundation's No Ceilings event: <https://www.youtube.com/watch?v=a6hKneYjubs>
- [Mohammad Bazar Backward Class Development Society \(MBBCDS\)](#) was founded in 2001, and works with marginalized Muslim and tribal women and children in urban Calcutta. The organization is dedicated to facilitating positive change in their community, and to empowering women in combating discrimination in society. Many of their community members are migrant labourers, and are susceptible to domestic violence. The women in this society face a number of issues including extremely high dowry demands, lack of education for the girl child, lack of access to systems of employment and public health. MBBCDS addresses these issues by increasing girl's access to education, providing women and girls' awareness on their rights within Muslim Personal Law, providing vocational education and training, and arranging for family and individual counselling sessions to address issues such as GBV. See this video from AJWS on MBBCDS's work: <https://www.youtube.com/watch?v=YvXb9IOf4nA>
- [Awaaz-e-Niswaan \(AEN\)](#) works to give girls a chance for a different future. The organization provides a haven where Muslim adolescent girls can meet peers in similar circumstances and learn to understand and defend their rights. In groups led by older girls, they learn how early marriage and early childbearing can damage their health and stunt their opportunities. They learn self-defence skills and ways to avoid sexual harassment. Those who refuse arranged marriages or want to leave violent situations can get legal support and assistance negotiating with their families or filing reports with the police.

D. Gaps in research and implementation

More research is needed to highlight details of the phenomenon of a shift from child to adolescent marriage; a deep understanding of this trend in India is absent from the current discourse. Given this shift, we need to recognize the need for innovative approaches to address life options for late teen adolescents. Beyond delaying marriage, the approach should be to fundamentally change the ways in which a girl is empowered to make life choices related to her livelihood, education, sexual agency. This process must also engage her family and community of support to create an enabling environment.

There is a gap in key resources for girls. A focus is needed on empowering institutions that can enable girls to avail of gender transformative health, livelihood, and education. These institutions will support girls and their community's ability to imagine a future other than marriage and to address critical needs like safety and livelihood. These institutions will enable the government to not rely on primarily a reactive legal solution and will likely reduce the vulnerability of girls to ECM. Additionally, if a girl does want to resist early marriage, there are no supportive public institutions (like hostels for girls) that she can access to enable her to escape a coercive environment. These types of resources are needed.

One major challenge working with married girls in India is that married girls often have very restricted mobility and are therefore harder to reach. These girls and young women are isolated, are often exploited for their domestic labor, are vulnerable to sexual violence, and are pressured into early pregnancies as a way of proving their fertility. To meet these unique needs, organizations need to build trusting relationships with families to increase access and provide support to these married girls and young women and their families.

One of the key areas of missing research is the lack of data on the impact of ECM on boys and men. Research and work focused on boys and men is imperative. Husbands often have little knowledge about sexuality and reproductive health and should be included in sexuality and ECM work.

IV. Recommendations

A. For the United Nations and member states

- All policies and programming, including from the UN, should be based on an analysis of early and child marriage as caused by, and an indicator of, gender inequality and therefore, should promote the empowerment of adolescent girls and women as the central response to EFM. In particular, UN agencies and member states should pay greater attention to how desire to control adolescent girls' sexuality and reproductive health within the family, at the community and state levels, drives early and child marriage across the world².
- Develop new indicators and sub-indicators or outcome categories of change around ECM adopting multi-pronged and empowerment-focused interventions that recognize girls' sexual

² For further information, see the following brief published by AJWS in partnership with International Women's Health Coalition, CARE International and Greenworks: <http://iwhc.org/resource/child-early-and-forced-marriage-and-the-control-of-sexuality-and-reproduction/>

rights to address the practice. Measure indicators of young women's empowerment, not just their age at marriage.

- Fund research to explore the aforementioned research in gaps. This includes work that will bring out girls' voices and highlighting their experiences, as well as exploring the issue from the perspective of boys.
- The UN should commit to investing in and developing programs that draw upon the Four A's—aspirations, agency, availability and access—approach:
 - Aspirations:
 - Contribute to conversations in the international community that seek to expand the aspirations of girls and the aspirations of their societies for what girls can accomplish.
 - Raise the issue of early and child marriage and its root causes in diplomatic relations with countries that have a high prevalence of EFM.
 - Advocate for more multi-lateral attention and resources to address the root causes of ECM in venues such as the United Nations, the G-8 and the G-20.
 - Support other countries in evaluating progress toward Sustainable Development Goal 5.3, which aims to eliminate early and child marriage.
 - Agency:
 - Design and fund programs centered on building girls' agency.
 - Support interventions that address the issue of sexuality and offer girls the information and skills they need to make informed decisions about their lives—including comprehensive sexuality education and sexual health services.
 - Evaluate programs using a variety of important indicators across sectors and interventions (such as educational attainment and measures of girls' agency) as opposed to focusing solely on the age of marriage.
 - Educate women in all the communities about the different legal systems so that they can access the most empowering and gender just legal systems to address their need.
 - Availability:
 - Support efforts to ensure the availability of institutions, policies and services that empower girls and young women.
 - Leverage existing aid investments and initiatives in food security, education, health, jobs and political participation (such as PEPFAR, Feed the Future and Let Girls Learn) to benefit communities where girls face a high risk of ECM.
 - Encourage countries and multilateral partners to pass and implement laws that promote gender equality, such as laws to reduce intimate partner violence or ensure education for all.
 - Access:
 - Expand girls' access to information, resources and services by supporting effective programming and innovations.
 - Support organizations that are deeply rooted in communities with high rates of ECM and have earned the trust of communities over time.
 - Focus on addressing issues that contribute to ECM, particularly gender inequality, sexual norms and poverty.

- Work with families, community leaders and people in positions of influence to overcome potential resistance to changing the cultural norms that perpetuate ECM.
- Develop education that addresses girls' concerns that go beyond health and violence

VI. Sources

The following sources may be used to inform the development of the research deliverables:

- Nirantar Trust, supported by the American Jewish World Service, *Early and Child Marriage in India: A Landscape Analysis*, April, 2015. The full final report was published in early 2015 and is found here: http://www.nirantar.net/public/site/files/EM_Report_30-4-15.pdf. An executive summary can be accessed here: https://ajws.org/wp-content/uploads/2015/05/EarlyChildMarriageinIndia_LandscapeAnalysis_SUMMARY.pdf

AJWS also commissioned the following forthcoming research/studies:

- “Collectivizing Girls for Social change: An Exploratory Research”, *Dipta Bhog and Disha Mullick*, to be published in November/December 2015
- “Dataspeak: Early Marriage and Health” - a systematic mapping of existing literature, information and data relevant to early marriage and health outcomes in India, *SAMA*, <http://www.samawomenshealth.org/publication/dataspeak-early-marriage-and-health>
- “Untying the Knot: Analysing media coverage on early and child marriage” – a discursive analysis of the visual and textual representation of ECM in local, national, global and online media, *Point of View*.