Understanding child marriage amongst Syrian Refugee Communities in Jordan and Lebanon: Summary of main research findings

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For more details: https://www.tdh.ch/en/media-library/documents/research-child-marriage

ASSESSMENT TOOL

A brief assessment tool on child marriage was undertaken with all Syrian refugee households assessed by a child protection case manager in 2017 in Jordan (Northern Governorates and Emirati Jordanian Camp). *We found that the average age at which girls had received their first proposal was 14.5 years and almost all girls in the household has received at least one proposal by the age of 16.* However, only 16% of these had accepted the proposals made so far.

Reasons for accepting a proposal included:
- the characteristics of the suitor and his family (58%)
- culturally acceptable nature of child marriage (53%)
- economic reasons (37%)
- long term agreements (32%)
- protection and security (32%)
- religion (26%)
- the timing (26%)
- age of the girl (16%)

Reasons for rejecting the last proposal included:
- the age of the girl (39%)
- the girl still being in education (30%)
- characteristics of the suitor and his family (22%)
- the timing (13%)
- economic reasons (9%)
- a belief that child marriage is difficult (4%)
- culture (3%)
- protection/security (1%)

Of 202 girls (12-17 years) assessed in 144 households, 33 (16%) were already married/engaged. Of those girls not yet married/engaged (n=169), almost three quarters of caregivers (71%) said they would not consider a proposal for their daughter before she turns 18 years of age, a fifth (20%) said they might consider a proposal for their daughter before the age of 18 years old, and just under a tenth (9%) said they would certainly consider a proposal before their daughter turned 18 years of age. Some statistical differences were found based on the region they were from in Syria and place of current residence. *Girls in education were less likely to receive proposals at a younger age and they were less likely to be accepted.*

Overall, the data indicates that of the girls assessed:
- 24% were at high risk of child marriage
- 16% were at medium risk of child marriage
- 60% were at low risk of child marriage

QUALITATIVE INTERVIEWS WITH MARRIED/ENGAGED GIRLS AND THEIR FAMILIES, AND FOCUS GROUPS WITH YOUNG PEOPLE AND CAREGIVERS

Social process of marriage

Marriage is near universal across Syrian, Jordanian, and Lebanese culture, and arranging marriage is an important function of family life. Parents see it as a key part of their responsibility to ensure their children marry and that this marriage is positive and beneficial to the couple, the children they will have and to their extended family. The girls and their families describe a specific process that is followed when responding to marriage proposals and the process of arranging marriages. *Critically child marriage also occurs within these processes, usually in the same way as*

all marriages are considered and conducted. Therefore, while child marriage may not be seen as ideal or even harmful, once it has occurred the union will be considered a 'valid' marriage across the community and not a form of child abuse or gender-based violence (unless there is clear evidence of it being a 'forced' marriage or an exploitative marriage, such as a short term marriage). Both male and female members of the household have an active and specific role in the social processes underpinning marriage formation. The decisions made at each stage tend to be based on the collective identity of Syrian families, and power relationships within the home normally revolving around a male head of house. Although in practice there are many other actors and voices heard at different stages of the process.

Factors influencing the decision-making processes underpinning child marriage

Decisions about marriage take into account a complex arrangement of factors at different stages of the process, mainly concerned with when to marry and to whom – many of which are outside the range of humanitarian interventions such as the morality and religious characteristics of the groom to be, the reputation of his family and how likely he is to treat their daughter well. *Age does not appear to be a significant consideration in the decision-making process.* The narratives show that there are at least three stages to the decision-making process related to marriage, with different and overlapping factors that impact on this.
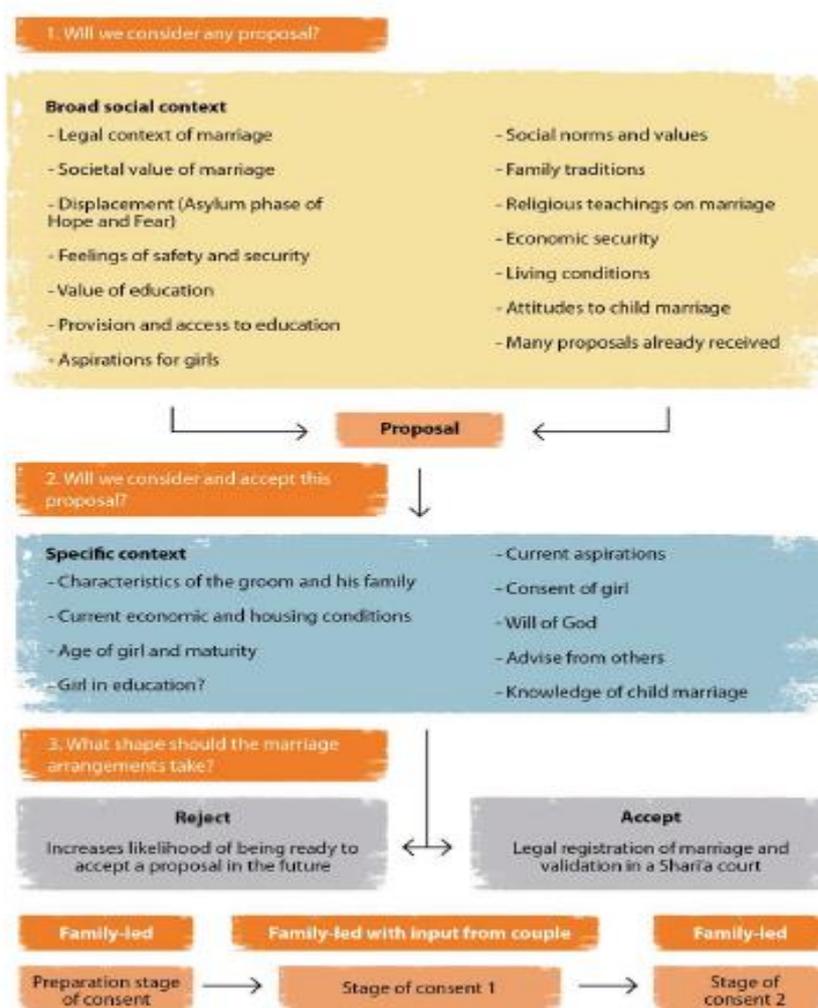
High levels of ambivalence about child marriage across Syrian refugee communities

We found that various community members, including girls themselves, often displayed ambivalent, mixed and contradictory attitudes to child marriage. *It was therefore difficult to easily label people and families as either 'for' or 'against' child marriage.* Child marriage was often constructed as not ideal or preferable but was also not considered a disaster or tragedy if it occurred because there was usually a 'valid' reason for it.

Impact of the displacement on child marriage

While a significant proportion of girls married before 18 years of age in Syria before the conflict (estimated at 18%), most of the participants described the challenges of displacement and being a refugee as contributing factors to the rise in child marriage amongst Syrian refugees in Jordan and Lebanon. The participants describe being very much stuck in Jordan and Lebanon with little hope and ongoing uncertainty. Participants do not know if or when they will return to Syria, and they see few opportunities to prosper in Jordan or Lebanon; to own a home and send their children to university or run a successful business and grow old with few worries surrounded by their family. *Participants reveal that their expectations of marriage have been changed by their uncertainty of the future (for all family members, including daughters).* They can no longer clearly see the value or the possibility of their children finishing their education, or how it will help them in their marriage in the future. The connection between education and economic prosperity is also weakened as it illegal or difficult to get a stable and well-paying job, and the social context of Syrian communities where it is unusual for women to work professionally. *They do not know what life holds for them or their daughters, and securing marriage gives an illusion of being able to secure a future for their daughters. Therefore, some conditions of marriage that would have previously been unacceptable are now being accepted*. Parents describe being less concerned about the groom being able to provide financially for the bride, or the fact that the new couple will live with the groom's family rather than have an independent home as they cannot have the same expectations of marriage any longer.

Girls who had married at different times post displacement describe different factors that had particular influence over the past 8 years (i.e. child marriage mainly occurred in Syria during the conflict to reduce risk of rape and military abduction, it mainly occurred on arrival to Jordan/Lebanon to secure protection, it mainly occurred in the first few years due to lack of educational access, it mainly occurred in later years due to poverty and social acceptance). *An adapted 'culture' of child marriage appears to have developed across Syrian refugee communities*, made acceptable because of the lack of choices refugees find themselves with, and the 'traditional' social acceptability that Syrian refugees may have of child marriage anyway, linked to gender inequalities and aspirations for girls.

Preparation for marriage and consent to marriage

The girls said that as children the concept of marriage is a fun conversation between girls (usually cousins), but it is not socially appropriate to 'properly' think about or discuss it until girls start to receive marriage proposals. Therefore, almost all married girls described being unprepared for most aspects of marriage. *The limited understanding that married girls describe, when talking about what they thought married life would be like, and the lack of preparation by family members before marriage, directly contributed to the abuses and challenges they faced, and the nature of the consent they gave to marriage.* While most families who participated in the research said that their daughters consented to the marriage, girls describe a very weak system of negotiating and obtaining and giving consent. Consent appears to be largely uninformed and 'pressed' to different degrees (from strongly encouraged to persuaded, compelled and forced), with the collective often prioritized over individual needs. Yet this kind of consent is often described as valid by the girls themselves and their families.

Consequences of child marriage

The narratives show the wide range of harmful 'outcomes' or consequences of child marriage. They also show that not all child brides will experience all of the possible negative consequences such as domestic violence or social isolation or 'unhappiness' after marriage. Although *none of the girls continued with any form of education and most bore a child with the first year or two of marriage*. Within the Syrian community, everyone will probably know married girls whose lives appear 'normal' and 'fine', and they will probably also know a married girl whose relationship ended in divorce, which will probably be attributed to a 'bad' wife or husband rather than child marriage. However, it is unlikely that community members know much about the inner-workings of other families or their household interactions, unless there have been any public displays of conflict. Many of the challenges of child marriage will only be known to the girl or her household. *These challenges will also probably be largely attributed to displacement, a 'bad' marriage or just normal married life which always contains challenges*.

Help seeking behaviours usually draw on informal rather than formal resources

Participants describe their help seeking behaviours and coping strategies, of which almost all relied on informal support networks within their families and their communities. *Very little support from outside sources was described as meaningful.*

POLICY MAPPING AND QUALITATIVE INTERVIEWS WITH POLICYMAKERS, PROGRAMMERS AND PRACTITIONERS

Rise in recognition of child marriage as a protection concern

International conventions, treaties and resolutions (as well as frameworks like the SDGs) now clearly consider child marriage as a child protection (CP) concern and form of Sexual and Gender-Based Violence (SGBV). International bodies and organisations have increased pressure on national governments and agencies to also consider child marriage thus, although due to national laws allowing marriage under 18 years in some circumstances it is not always possible to frame child marriage in this way nationally, even if it is officially framed as needing to be reduced. This has resulted in child marriage now coming under various 'protection' focused activities and programmes by a wide range of stakeholders, often urged by either grassroots feminist organisations and/or large international organisations/bodies. *There appears to be a momentum in the MENA region and across both countries to reduce rates of child marriage, particularly with the development of national action plans and strategies in both countries, although child marriage is often still framed as an 'refugee' issue.* The perception of how sufficient the response is to child marriage is a key motivator for continued engagement and prioritisation.

Child marriage interventions

Most interventions aimed to either prevent or delay child marriage, or to protect and care for married girls. Divorced girls were occasionally spoken about as a particularly vulnerable group but with few interventions targeting them. Prevention tended to be either through awareness-raising or advocacy strategies, or through broader multi sectorial programmes aimed at reducing the main drivers of child marriage such as poverty, income insecurity, homelessness, poor educational access, gender inequality, and supportive social norms. Responding to the needs of married girls and reducing the risks they face was largely done through CP or SGBV case management systems or through the provision of generic services to meet their needs, such as mother and child health care, legal services or social protection grants. Different interventions targeted different actors including unmarried girls, married girls, boys and men, parents/caregivers, wider family members, community members/leaders and religious leaders. Many participants stated that there needed to be better care/protection/support for married girls. *However, most of the interventions were not specifically targeting child marriage and most incorporate a response to child marriage within generic child protection, SGBV, health, education, legal and livelihood programmes that girls and their families were eligible for due to their vulnerability*. While in theory these services are brought together and 'managed' through the care management process, very often they were described as fragmented and piecemeal. Only a few programmes were identified in Jordan and Lebanon that were designed specifically for responding to child marriage (either in relation to prevention or the protection of married girls). *It is unclear; however, how effective general protection responses are to child marriage and how the specific dynamics of child marriage are considered,* and whether these interventions are actually considered as *'child marriage interventions'* by the recipients or providers.

Multi-sectorial engagement

While child marriage is usually considered a child protection concern or form of SGBV, a wide range of other organisations, programmes and sectors encounter married girls to some extent in their day to day work including the education sector (usually due to school dropouts), health (usually through reproductive health services or mother and child health care), legal services (usually to overturn a forced marriage, in cases of IPV, or when a marriage is sought after sexual abuse or rape), religious courts (usually to put together and register the marriage contract), social protection schemes (usually young mothers who meet the eligibility), youth 'empowerment' programmes (usually due to drop outs after marriage) and services to refugees (during change of registration after marriage and when they meet the eligibility). However, *while many other sectors or programmes outside of child protection and SGBV encounter marriage girls, there is a significant lack of attention to child marriage and clarity regarding the role of these sectors and programmes in preventing child marriage or protecting married girls (particularly in health, education and livelihoods)*.

Strengths and weaknesses of integrated responses

It is well recognised that there is a global lack of evidence for child marriage interventions, particularly in contexts of humanitarian aid and conflict-affected settings. This lack of global consensus about 'what works, when, where and why', is reflected in local questions and debates about how to respond to child marriage. There was a lack of consensus amongst participants on whether child marriage should be tackled through specific child marriage focused programmes, or whether it should continue to be included within wider programmes because it is such a multi-faceted issue (with multiple drivers and multiple outcomes) linked to many other CP or SGBV concerns. Individual programmes are also less likely to be sustainable. There was a clear recognition of the need for multi-sectorial and multi-level interventions in responding holistically to child marriage. However, these are rarely all able to be provided by one organisation or sector, resulting in services feeling disjointed and piecemeal. *The multiple and intersecting drivers of child marriage also make simplified interventions that are responding to a single driver in a single way difficult to evaluate and assess their impact.* Some practitioners said this made them feel like they were not making any difference, resulting in reduction in moral.

Very few child marriage specific policies published by responding organisations

The Jordanian and Lebanese governments have recently published national action plans or strategies for responding to child marriage. However, other stakeholders responding to child marriage, particularly UN bodies, INGOs and NGOs largely said that they did not have a locally based policy or strategy or document outlining their approach to responding to child marriage. This was either because child marriage is included in their general policies on CP or SGBV, they refer to globally developed policies by their organisation, they had not yet developed one or they did not feel this would be helpful or a good use of time to develop. Several participants described, in detail, the approaches they use to respond to child marriage and why, and how they have changed over the years – however this had not been written down for internal or external distribution. *A wide range of approaches underpinning their responses to child marriage were described by participants* including multi-level advocacy; prevention through awareness-raising; prevention through reducing drivers of child marriage; harm mitigation through a holistic case management approach; peer to peer based strategies; a whole family mandate recognizing the need to work with all members of the family (and extended family) rather than just girls themselves; empowerment-based and strengths-based approaches; rights-based approaches; multi-level responses drawing on an ecological framework; multi-agency work and multi-sectorial coordination; gender equality based approaches; Communication for Development strategies including COMBI plans and tools; capacity strengthening; providing alternatives to marriage; building trust with key stakeholders; participatory approaches; and evidence-based approaches. Approaches chosen appear to reflect understandings of child marriage as well as the expertise, values and mission of an organisation and research recommendations.

Limitations of awareness raising

Many creative and participatory methods to raise awareness of the negative impacts of child marriage have been developed by a wide range of stakeholders. Awareness raising tends to focus on informing people (girls, boys, parents, community members) of the negative impacts of child marriage. Some of these programmes also frame child marriage using a rights-based approach and/or a gender equality model. However, there is a lack of evidence to suggest that these have been effective, and research data from married girls and their families interviewed as part of this research suggest that one off awareness raising activities have limited effect, for a number of reasons. *Some practitioners indicated a reluctance to tell people directly that child marriage is 'wrong', particularly because it is not illegal and should be the choice of the girl and her family.*

Challenges and gaps

A wide range of challenges and gaps in responses to child marriage were identified by participants which can be found in the full reports, indicating the complexity and scale of the task at hand to end child marriage in Jordan and Lebanon. Critically child marriage is still a marriage, which once consummated is unable to be retracted making interventions with married girls very different (and separate) to preventative approaches. Some girls will face significant risk of child marriage from the age of 13 years, while many more will from 15 or 16 years, which is a long period of time to protect girls. This raises questions are about capability of short-term crisis focused humanitarian aid approaches for responding to child marriage, yet long term 'development' focused approaches are also difficult to operationalize for refugees.

QUALITATIVE INTERVIEWS WITH FAITH-BASED ACTORS

In both Jordan and Lebanon marriage is a religiously legislated act, under the jurisdiction of personal status law within different religious confessions (i.e. Islam and Christianity) as well as a socially constructed process shaped by religious thought, teachings and practices. Therefore, in both countries, there are a range of faith-based actors involved in the legal and social process of marriage in addition to their role in shaping the broader norms and values of 'good' or 'acceptable' marriages.

Faith-based actors (FBAs) are not homogenous, and they have different roles, responsibilities, and spheres of influence in relation to (child) marriage. Two main types of influence on child marriage were identified.

1) Influence on community social norms and values, and marriage traditions, including what is considered an acceptable marriage, a successful marriage, a good marriage, an ideal marriage, and a desirable marriage (or the opposite). This influence is usually enacted at a macro social level through a range of structural mechanisms that guide girls and their families in what is acceptable and unacceptable, communicating clear gender and sex orders across society;

2) Socio-legal processes associated with marriage through Personal Status Law or through community-based marriage processes. This influence is usually enacted at a micro individual level in response to specific marriage proposals in a specific time and context, and this shapes the marriage contract and arrangements.

Although these influences are not mutually exclusive, they are usually enacted through different processes, different activities and often through different FBAs.

Marriage in Islam is a contract and according to Islamic thought; '*if you can marry then you should marry*'. Marriage is also family formation. The participants discussed a wide range of principles for a 'successful marriage', with many saying that marriage should be based on equality, love and respect, with recognition of the different roles and responsibilities that men and women undertake. *Many FBAs interviewed said that if a spouse is chosen because they are 'good', moral, religious and treat other people well, then the marriage is likely to be successful because these characteristics reduce the likelihood of conflict and problems – no matter the age of the couple.*

FBAs largely spoke about child marriage as a 'marriage' that occurred at an 'early' age rather than as a violation of human rights, a form of violence against children or a harmful traditional practice. All the participants were aware of the controversy, resistance and negative outcomes associated with child marriage (and in most cases they described the possibility of a child marriage being harmful). Many said that while they did not 'encourage' child marriage, once the contract has been made it is considered a marriage none the less. The FBAs interviewed frequently said that they tended to (and preferred to) use their influence on a *case by case basis,* in response to the complexity of individual circumstances rather than make blanket declarations about child marriage.

When talking about marriage, age did not often come up as a key concern for many FBAs, rather concepts like maturity and consent, and even childhood and adulthood, were discussed with little reference to age. Most of the FBAs, especially the religious court judges, emphasised that it is the responsibility of families and the couples themselves to decide when it is the right time to marry and to decide who to marry. *FBAs describe marriage as an institution which serves society, but also as a personal/private institution that is primarily under the jurisdiction of the family who should be trusted to make the 'right' decision. It is only when there is difference of opinion or a controversial case that a judge's expertise and skills are needed*.

The interviews clearly show that marriage laws, and associated legal processes, have not been developed with 'child protection' concerns in mind, resulting in a wide range of practices from FBAs when encountering girls under 18 who are seeking/wanting/agreeing/being encouraged/being forced to marry. However, the increasing legal and social construction of those under 18 years as 'children' is also increasing contradictions with marriage being legally permissible under 18 years old (i.e. as rape laws change, and sexual abuse laws change, and definition of legal majority occurring at 18 years). Religious judges feel pressure to change the legal age of marriage but are often not ready to do this theologically.

Based on discussions with different FBAs, Islamic jurisprudence on marriage appears to allow for a wide range of attitudes towards child marriage, and different participants held different 'red lines' that should not be crossed when considering whether to allow under 18's to marry. All FBAs, even those who did not 'support' child marriage, agreed that a marriage must go ahead if a girl has had sex or is pregnant outside of marriage.

However religious influenced norms and values are only one of many drivers of child marriage and are unlikely to be the only driver in action. *FBAs describe limits to the influence that faith-based actors have on conceptions of child marriage in society, as well as on attitudes and practices*. Some of these limitations appear to be self-imposed while others are externally constructed. In recent years there has been a significant focus on making FBAs aware of the negative effects of child marriage, lobbing to change religious laws that allow child marriage and getting FBAs on board to change attitudes and practice. While this is based on a recognition of the significant influence of religious laws and leaders on communities, there is a lack of recognition of the limits of 'using' FBAs to prevent child marriage and still great need for nuanced approaches for working with a range of FBAs (recognising their differences) to change the nature of child marriage within their sphere of influence that they feel comfortable with.