



“A Qualitative Study of the Identification of the Influencers and Drivers of Child Marriage in Khyber Pakhtunkhwa (KP), Pakistan.”

Policy Advocacy and Research to Strengthen Implementation of Pro-Women Legislation and GBV Response Services in Khyber Pakhtunkhwa

**A QUALITATIVE STUDY OF THE IDENTIFICATION OF THE
INFLUENCERS AND DRIVERS OF CHILD MARRIAGE IN
KHYBER PAKHTUNKHWA (KP), PAKISTAN**

May, 2018

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All of us have a responsibility to ensure that all children can grow up in a safe environment, have access to health care and develop themselves to their full potential. This will remain only wishful thinking if we are not pro actively putting measures in place to ensure that this becomes a reality. We believe this report is a powerful contribution to an improved understanding of the phenomena of child marriage in the context of Khyber Pakhtunkhwa. It is our hope that the findings of the research will inform the strategies that will be used in the fight against child marriage.

This research was accomplished with the generous contributions of many. With the completion of this research, Blue Veins express their gratitude and hope that this qualitative research will contribute to the growing understanding of the causes and consequences of child marriage and the factors that contribute to its reduction.

The research reflects child marriage is not a cultural or social norm per se but rather a desperate choice that children, families and communities make in situations where there are limited other choices. Thus interventions aimed at addressing child marriage should aim at increasing the availability of positive choices that children, families and communities can make. This involves a multi-sectoral approach involving social welfare, education and healthcare at a minimum.

We express our profound gratitude to the participants who took part in the research and shared their knowledge, perspectives and valuable experiences with us. We also want to thank members of Governments, non-government and civil society organizations and other individuals who provided information and spoke up to make this research possible in a very short duration. Without their time and willingness to share their personal experiences, this research would not have been possible.

Shaheen Quresh
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FOREWORD

Child Marriage is a complex phenomenon which constitutes multiple and grave violations of children's rights curtailing and limiting their opportunities for full realization of their potentials. It is both a symptom and a cause of ongoing development challenges, as the practice violates the human rights of boys and girls and further perpetuates the poverty cycle. The practice affects girls disproportionately compared to boys and the consequences are more severe for them. Child marriage hinders the achievement of the Sustainable Development Goals 1, 3, 4, 5, 8 and 10.

In Pakistan, the legislation and implementation of laws aimed to end child marriages are very complex and need to be addressed according to provincial cultural context. For the legislation to be effective and the responses to be specific there is a need from research based evidence which could inform policy making and legislations and help the civil society to devise strategies and responses which child address the right drivers which contributes and leads to child marriages.

Blue Veins conducted a qualitative study into the dynamics leading to child marriage in seven districts of Khyber Pakhtunkhwa including Peshawar, Mansehra, Mardan, Shangla, Swat, Bannu and Dera Ismail Khan. We anticipate this research will be vital in the development of the local strategies and other actions targeted towards ending child marriage in Khyber Pakhtunkhwa and relevant stakeholders can use it to inform their responses to end child marriages.

A word of gratitude to all who contributed to the success of this research including community elders, parents, CSOs, Government Departments including from Khyber Pakhtunkhwa Commission on the Status of Women, Directorate Human Rights KP, Child Protection and Welfare Commission KP, social welfare department, National Commission of Human Rights NCHR, provincial Alliances working to end child marriages, NHRIs, religious leader's parents and others.

EXECUTIVE SUMMARY

Under-age marriages in Khyber Pakhtunkhwa (KP) continue to annihilate minor girls' lives even after the responsibility for legislation is given to provincial governments. The current government of Khyber Pakhtunkhwa has failed to put forth a bill to limit child marriages and punish those who are involved in conducting and authorizing child marriages.

After the 18 amendment in the constitution of Pakistan, the provinces were given the responsibility of legislation for human rights including women's and children rights. But it was unfortunate that despite several promises the provincial government of Khyber Pakhtunkhwa failed to table legislation to standardize the legal age of marriage.

According to United Nations arm, UNICEF reports "The state of the world children 2017" at least 21 percent of marriages in Pakistan have brides who are less than 18 years of age. Another report which was issued by Human Rights Commission of Pakistan in 2012 suggests that several districts of Khyber Pakhtunkhwa (KP) see 74 percent under-age marriages.

This qualitative method research was undertaken to explore and identify triggering factors and influencers which actually exists within the communities and families and promotes child marriages. To gather viewpoints from people belonging to diverse fields, research was conducted in seven particular districts of Khyber Pakhtunkhwa where child marriage is highly prevalent practice.

The key objective of this research was to explore the factors which promote the practice of child marriage in the selected areas of the research and to look into under what circumstances child marriage does exist and what civil society, legislators and policy makers can do to end it. The research also draws some recommendations which can best suit the needs of the community. Following were the objectives of the research:-

- To determine the underline influencing factors and motivation among the community for child marriages in the seven (7) selected districts of Khyber Pakhtunkhwa (KP), Pakistan.
- To identify the key religious, social, cultural and traditional beliefs and assumption which promote and prevent child marriages at the community level?
- To know what legislation and policy framework can work best at the community level in the context of Khyber Pakhtunkhwa.

Qualitative semi structured questions were developed for the interviews of the respondents to get the objectives of the research. Key findings of the research reflect that child marriage is not only a cultural practice which is rampant in the selected district of research but there are several factors and influencers involved and present within the community and families.

The finding of the research reveals following triggering factors involved and present in community with regard to the practice of child marriage including weak law enforcement, poverty, lower status of women, cultural and traditional norms, protecting chastity and family honor, family ties and bonds, children in rural areas, children out of school, orphans and step children, children without social support or supervision, children at risk in humanitarian context and glorification of marriage.

The research also put forwards various recommendations to end child marriages and suggests some important factors, as per needs and requirements of the community of the selected districts, which can help in delaying child marriages. Some of the key recommendations and factors include educated parents, affordable and quality education, positive role of community leadership like role of religious leader, nazims, councilors, political leaders and elders of the community, involvement in income-generating activities and role models within the families or area who can play an influential role in preventing and reducing child marriages within the communities and families.

Despite all attention drawn to the issue of child marriage across Pakistan, the improvement is not very significant. Various studies indicate a great difference in the number of young married girls in comparison to boys across the globe. Even though boys can be victims of child marriage, the consequences are less severe and therefore, the focus of this research was especially on girls. From the research, it is concluded that one cannot generalize all underlying causes of child marriage, but one must be aware of the specific circumstances in the particular areas.

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ACRONYMS USED IN THIS RESEARCH

AJK	Azad Jammu and Kashmir
CSOs	Civil Society Organizations
CBOs	Community Based Organizations
CEDAW	Convention on the Elimination of All Forms of Discrimination
CMRA	The Child Marriage Restraint Act 1929
FATA	Federal Administrative Tribal Area
KP	Khyber Pakhtunkhwa
NGOs	Non-Governmental Organizations
NHRIs	National Human Rights Institutions
UNICEF	United Nations International Children's Emergency Fund
UNFPA	United Nations Population Fund
UPR	Universal Periodic Review

CHAPTER 1

1. INTRODUCTION

Child marriage, defined as a legal or customary union before the age of 18, threatens children's well-being and constitutes multiple violations of their rights. In numerous contexts around the world, the practice has been shown to have profound physical, intellectual, psychological and emotional impacts, especially for girls.

According to the United Nations Children's Fund (UNICEF, up to three percent of girls are married in Pakistan before the age of 15 years and 21 percent are married before they turn 18. These statistics are based on the findings of the Pakistan Demographic and Health Survey (PDHS) for 2012-13. Such a large number of girls are married in their childhood, it results in high rates of maternal and child mortality. This is one of the key reasons that Pakistan's Maternal Mortality Ratio (MMR) still stands at 276 per 100,000 live births and Pakistan's newborn mortality rate is at 55 per 1,000 live births.

The children most affected by child marriage are those who are poor, live in rural areas, orphans, are out of school and without opportunities for labor force participation and Girls are significantly more likely than boys to be married before the age of 18.

This report is divided into five substantive parts (chapters). The first chapter provides the introduction of the research, background of Khyber Pakhtunkhwa, definitions and laws on child marriages in Pakistan. The second contains research design which includes research methodology, objective, challenges/limitations, research districts and ethical consideration of the research. The third part of the study is literature review which provides summary and analysis of some published reports, researches, articles and journals related to child marriages. The next part of the report focuses on data analysis of the research report which includes understanding child and marriages, the Concept of marriage in Community, child marriage in the selected districts, triggering factors of child marriages, Islamic perspective to Child Marriage, factors that help delay or prevent child marriage, community perception about benefit and risks of child marriages, potential Risks associated with child marriage and benefits vs. risks of child marriage. While the fifth and the last portion of the study emphasizes on key challenges as identified during the interviews in ending child marriages and suggests policy and legal framework and interventions which can better influence the community, conclusions of the research, recommendations for policy and practice regarding child marriage in Khyber Pakhtunkhwa.

1.2 Background of Khyber Pakhtunkhwa

Khyber Pakhtunkhwa is one of the four administrative provinces of Pakistan, located in the northwestern region of the country along the international border with Afghanistan. It was previously known as the North-West Frontier Province (NWFP) until 2010 and is known colloquially by various other names.

Khyber Pakhtunkhwa's provincial capital and largest city is Peshawar, with Mardan being the second-largest. It shares borders with the Federally Administered Tribal Areas to the west; Gilgit–Baltistan to the northeast; Azad Kashmir, Islamabad, and Punjab to the east and southeast. Khyber Pakhtunkhwa does not officially share a border with Baluchistan, which instead borders Federally Administered Tribal Areas.

Khyber Pakhtunkhwa also shares an international border with Afghanistan, to which the province is linked via the historic Khyber Pass.

Khyber Pakhtunkhwa is the third-largest province of Pakistan by the size of both population and economy though it is geographically the smallest of four. It comprises 10.5% of Pakistan's economy, and is home to 11.9% of Pakistan's total population, with the majority of the province's inhabitants being Pashtuns, Hazarewal, Chitrali, and Kohistani.

KP has an estimated population of about 30,523,371 million, according to 2017 estimates, which includes 15,467,645 are males, 15,054,813 are females and 913 are transgender persons. The average annual growth rate is 2.89 over a period of 1998 -2017. As per the provincial results, the urban population shows a growing trend with 18.77 % of the population living in urban areas.

According to latest Economic Survey of Pakistan 2016-17, the literacy rate of population is 53%. In Khyber-Pakhtunkhwa (KP), there are over 625 basic health units (BHU's) across Khyber Pakhtunkhwa and in agencies of the Federally Administered Tribal Areas (FATA).¹

The largest ethnic group is the Pashtun, who historically have been living in the areas for centuries. Around 1.5 million Afghan refugees also remain in the province, the majority of whom are Pashtuns followed by Tajiks, Hazaras, and other smaller groups.

The Pashtuns of Khyber Pakhtunkhwa observe the tribal code of conduct called Pakhtunwali which has four high value components called Nang (honor), Badal (revenge), Melmastiya (hospitality) and Nanawata (rights to refuge).

Khyber Pakhtunkhwa is divided into seven Divisions – Bannu, Dera Ismail Khan, Hazara, Kohat, Malakand, Mardan, and Peshawar – each under an appointed Commissioner. The Divisions are subdivided into twenty-six districts, comprising twenty-one Settled Area Districts and five Provincially Administered Tribal Area (PATA) Districts. The administration of the PATA districts is vested in the President of Pakistan and the Governor of Khyber Pakhtunkhwa, by Articles 246 and 247 of the Constitution of Pakistan. Peshawar is the capital and largest city of Khyber Pakhtunkhwa. The city is the most populous and comprises more than one-eighth of the province's population.

Khyber Pakhtunkhwa has the third largest provincial economy in Pakistan. Khyber Pakhtunkhwa's share of Pakistan's GDP has historically comprised 10.5%, although the province accounts for 11.9% of Pakistan's total population. The part of the economy that Khyber Pakhtunkhwa dominates is forestry, where its share has historically ranged from a low of 34.9% to a high of 81%, giving an average of 61.56%. Currently, a Khyber Pakhtunkhwa account for 10% of Pakistan's GDP, 20% of Pakistan's mining output and, since 1972, it has seen its economy grow in size by 3.6 times. Agriculture remains important and the main cash crops include wheat, maize, tobacco (in Swabi), rice, sugar beets, as well as fruits are grown in the province.

The Khyber-Pakhtunkhwa police are responsible for law enforcement and policing in the Khyber Pakhtunkhwa province of Pakistan. As provided by the Khyber Pakhtunkhwa government, there are almost 265 police stations, working in KP.

1.3 Definitions

For the benefit of this research and the readers following should be considered as definitions of some of the terminologies used in this research.

Defining child marriage

The focus of this research is child marriage, also to be known as early marriage; a subject of high complexity that may be interpreted differently by different people. Therefore, it is of high importance to specifically define what is regarded as child marriage in the context of this research. Most of the non-governmental organizations (NGOs) use of the age limit of 18 when referring to a “child”. This is based on the UN's “Convention on the Rights of the Child”, Article 1, (OHCHR, 1989). However, it is important to understand that the legal age of marriage is different in various provinces of Pakistan, which we will be further explored in the research.

Defining extreme poverty

Poverty has several definitions; however, the definition internationally used is a person surviving on less than \$1.25 per day. (World Bank, 2010)

Definition of social norms

In this research, we are defining social norms as strong informal regulations on what to believe in and how to behave. These social norms are strengthened by sanctions from either social groups in society or by the particular state. Different behavior is expected depending on age and sex etc. that in turn, establishes gender roles. (World Bank, 2014:15)

1.4 Laws on Child Marriage in Pakistan

The Child Marriage Restraint Act (CMRA) 1929

Background

In 1929, to criminalize and restrain child marriage “the Child Marriages Restraint Act” was introduced and enacted in the British times. The original Act provided a marriageable age for boys 21 years while for girls 14 years above. In 1981, the Act was amended in which the age of the girl child was increased from 14 to 16 years and for boys, the age was decreased from 21 to 18.

Salient Features of the CMRA 1929

- The Act defines a child as "child" means a person who, if a male, is under eighteen years of age, and if a female, is under sixteen years of age.
- "Child marriage" under the act means a marriage to which either of the contracting parties is a child.

- According to the section 4 of the law any person who is a male and above 18 years of age, if contracts a child marriage, shall be punishable with simple imprisonment which may extend to one month, or with fine which may extend to Rs. 1,000, or with both. Section 5 of the law also provides punishment for solemnizing the child marriage, with simple imprisonment which may extend to one month, or with fine which may extend to Rs 1,000, or with both, unless he proves that he had reason to believe that the marriage was not a child marriage.
- The law also provides punishment for male parent or guardian of the child involved in the act of child marriage. Section 6 of the law says that the person who has charge of the minor contracts a child marriage whether as male parent or guardian or in any other capacity, lawful or unlawful, who does any act to promote the marriage or permits it to be solemnized, or negligently fails to prevent it from being solemnized, shall be punishable with simple imprisonment which may extend to one month, or with fine which may extend to Rs. 1,000, or with both. It further says that “it shall be presumed, unless and until the contrary is proved, that where a minor has contracted a child marriage, the person having charge of such minor has negligently failed to prevent the marriage from being solemnized”.

Weak points of the law

Although the act was first of its kind in the sub-continent criminalizing child marriages among various features, it also has some weaknesses. The weak point of the law is section 9 of the act which provides that court is not authorized under the law to take cognizance of offence until the complaint is made by the concerned union council of the area, where child marriage takes place. This section stops the police to take action against the violators of the law.

Similarly, for violating the Act, punishment given under the act is fine of Rs. 1000 and one month imprisonment which is a minor punishment. Furthermore, if a marriage involving young children takes place, the adults who agreed to the marriage and arranged it, are punished. However, the marriage does not stand dissolved. As usual, the implementation of this law is non-existent.

Provincial legislations

After the 18th Constitutional Amendment in 2010, the issue of child marriage is considered to be a provincial subject. Therefore at the provincial level, civil society organizations, networks, and anti-child-marriage parliamentarians have been putting their best efforts either to introduce a new law to ban child marriages or amend the existing the Child Marriage Restraint Act. Sindh, Punjab and Azad Jammu Kashmir have passed their legislations on child marriages. However, the bill on child marriage in Khyber Pakhtunkhwa is still pending and CMRA 1929 is still applicable in Balochistan, KP, FATA and the Islamabad Capital Territory. For FATA, in particular, there is a need to make changes in the relevant federal law as federal laws are applicable and are extended to FATA.

Salient features of Sindh Child Marriage Restraint Act (Amendment) 2013

- The act defines a child as a person male or female under the age of eighteen.
- The Sindh Child Marriage Restraint Act, 2013 repeals all provisions of the Child Marriage Restraint Act, 1929 and establishes the minimum lawful age of marriage for both men and women at 18 years.

- Section 3 of the act provides that any person being male if contracts child marriage shall be punished with the punishment of rigorous imprisonment which may extend to three years and shall also be liable to fine.
- The punishment provided under section 4 for solemnizing child marriage is rigorous imprisonment which may extend to three years and shall also be liable to fine.
- The same punishment is provided under section 5 for parents or guardian who promotes or permits solemnization of child marriage.
- The offence is non-bailable and non-compoundable.
- The law is cognizable.

Salient features of Punjab Child Marriage Restraint (Amendment) Act, 2015

- Under section 4, the maximum punishment provided under the law is six months of imprisonment and fines of up to Rs. 50,000 for parties contracting and /or solemnizing child marriage.
- While the amending law stipulates harsher punishments for parents and /or guardians of the minor who is to be married.
- Section 5 of the act provides punishment of simple imprisonment which may extend to six months, or with fine which may extend to fifty thousand rupees, or with both.
- Under section 6, parents or guardian who promotes or permits solemnization of child marriage shall be punished with simple imprisonment which may extend to six months, or with fine which may extend to fifty thousand rupees, or with both: provided that no woman shall be punishable with imprisonment.
- The Act retains the minimum age of marriage of 16 years for girls and 18 years for boys.

AJK, Baluchistan, KP Child Marriage Restraint Act, 1929

In KP, Baluchistan and AJK Child Marriage Restraint Act 1929 is still implemented.

- Age of marriage for girls is 16 years.
- Age of marriage for boys is 18 years.
- The law is not punitive enough as the punishment for child marriage is just Rs. 1000 fine and one month imprisonment.
- No given punishment on record yet.

Proposed Legal Reforms in Khyber Pakhtunkhwa

Khyber Pakhtunkhwa Child Marriage Restraint bill 2014

- Defines child as a person (male and female) under the age of 18 years.
- Make CNIC mandatory for Nikkah.
- Introducing effective punitive provisions for offenders of revised CMRA.
- Holding Nikkahkhwas, nikkah registrars, parents and other elders accountable for violating revised CMRA.

- Section 6 of the proposed bill provides that where a parent or guardian or any other person in any capacity, lawful or unlawful, does any act to promote the child marriage or permits it to be solemnized, or fails to prevent it negligently, from being solemnized, shall be punished with simple imprisonment which may extend to three years but shall not be less than two years and shall also be liable to fine which may extend to forty five thousand rupees.
- Make birth and marriage registration mandatory across Khyber Pakhtunkhwa.
- Remove indemnity clauses from the draft of the bill.

CHAPTER 2

2. RESEARCH METHODOLOGY

Literature review and available content on the issue of child marriages reflects that majority of researchers conducted in Pakistan are quantitative. Therefore, focus of the research was shifted to obtain in depth, qualitative information on the underlying social, cultural and economic factors that motivate and sustain the practice of child marriage in the seven selected districts of Khyber Pakhtunkhwa including Peshawar, Mardan, Bannu, Swat, Dera Ismail Khan, Shangla and Mansehra.

The qualitative method of research was used to explore the nature of child marriage in the selected districts, its manifestations, motivations, and prevalence. The research examined the underlying social, religious, cultural and economic factors that underpin the practice in order to better understand its origins, dynamics and implications especially for girls, their families, and communities. We anticipate that the findings of this research will give wider evidence to policy makers and service providers to develop more effective and response interventions.

For this research the mixture of research methods included:

- A review of relevant literature reports including -Trends of early marriages in Pakistan; Quantitative analysis of Pakistan demographic and health survey (Pakistan health & demographic survey 1990, 2006-07 & 2012-13) 2016, Determinants of Early Marriage from Married Girls' Perspectives in Iranian Setting: 2016, Adolescent Girls Empowerment Life Stories of Early Marriage Victims” by Rutgers, CHILD MARRIAGE AND ITS IMPACT ON MATERNAL AND CHILD HEALTH IN PAKISTAN” by Bielefeld, Germany 2015, Early Marriage: A Developmental Challenge to Women in Pakhtun Society 2014,EARLY MARRIAGE OF GIRLS IN PAKISTAN was conducted in 2015 by RESEARCH GATE were reviewed throughout the study and in the data analysis stage.
- Key informant interviews: A semi-structured questionnaire was designed for one to one interview with various stakeholders in the selected districts.

Questionnaire

To cover the variety of questions and to meet the objective of the research targeted comprehensive questionnaire was developed. The questionnaire was developed on the basis of a review of various reports and researches conducted to analyze the contributing factors of child marriages.

The questionnaire was divided into 3 sections and each section had several questions.

Following were the sections of the questionnaire:

- What are the key factors triggering and sustaining child marriage with in families and communities in Khyber Pakhtunkhwa?
- How cultural norms, traditions, and beliefs promote or prevent child marriage?
- What policy and legal changes can contribute to ending child marriage in our society, which type of laws, programs, and interventions and policies can better influence the community.

Sample size

A mixed-methods approach was employed to investigate the questions. By obtaining data from different districts and different respondent the research aimed to obtain wider view which is valid, reliable in impartial in the context of Khyber Pakhtunkhwa. The research ensured full participation of diversified respondents so that the research can have perspective and point of views of all segments of society. The Data collection was supported by the ongoing review of notes and data analysis to confirm that tools and recording formats were functioning well and implemented appropriately.

The research was conducted in seven districts of Khyber Pakhtunkhwa including Peshawar, Mansehra, Mardan, Shangla, Swat, Bannu and Dera Ismail khan. Purposive sampling techniques were employed at the district level to identify the key informants for the research. Semi-structured individual interviews were conducted during field visits from both governmental and non-governmental actors.

The detail of the respondents is given below:-

5 Religious leaders	1 religious from district Peshawar, 1 from DI Khan, 1 from Shangla, Bannu and Mansehra each
7 parents	1 from each district (mother or father)
5 legislators	1 legislator from Peshawar, 1 from Mardan, 1 from Bannu, 1 from Mansehra and 1 from Swabi
7 persons from NGOs and CBOs	1 from Peshawar NGO, 1 from Bannu CBO, 1 from Mardan NGO, 1 from Swat NGO, 1 from D.I Khan CBO, 1 from Shangla NGO and 1 from Mansehra CBO
3 persons from NHRIs	1 from Khyber Pakhtunkhwa Commission on the Status of Women, 1 from Directorate Human Rights KP, 1 from Child Protection and Welfare Commission KP
4 Teachers	1 from Peshawar, 1 from Shangla, 1 from DI Khan and 1 from Mardan
3 Nikkah Registrar	1 from Peshawar, 1 from Swat and 1 from Mardan
4 community Elders	1 from Mardan, 1 from D.I khan, 1 from Swat and 1 from Bannu
5 police officials	1 from Peshawar, 1 from Mardan, 1 from D.I Khan, 1 from Mansehra and 1 from Shangla (belonging to different ranks)
7 Health Officials	1 from each district (hospital staff)
3 persons from civil society alliance	1 from EVAW alliance (Elimination of Violence Against Women), 1 from CRM (Child Right Movement), 1 from Alliance to End Child Marriage.

2.1 Objectives of the research

The key objective of this research is to have a deeper understanding of the issue of child marriage in the context of Khyber Pakhtunkhwa and to draw recommendations which can best suit the needs of the community:

- To determine the underline influencing factors and motivation among the community for child marriages in the seven(7) selected districts of Khyber Pakhtunkhwa (KP), Pakistan.

- To identify the key religious, social, cultural and traditional beliefs and assumption which promote and prevent child marriages at the community level.
- To know what legislation and policy framework can work best at the community level in the context of Khyber Pakhtunkhwa.

The research contributed in exploring the community's perception which helped to explore the factors why child marriage exists in the selected districts and identifying and its various dictators at family and community settings. Further, the research identified key drivers that trigger child marriage in the selected districts and communities.

We anticipate that the research will contribute in improved learning especially in the context of Khyber Pakhtunkhwa and will help multi-stakeholder holders to develop context-based response intervention and prevention strategies which will reflect strategies which can work well in the target communities.

2.2 Challenges and limitations

A number of limitations were observed. These included:

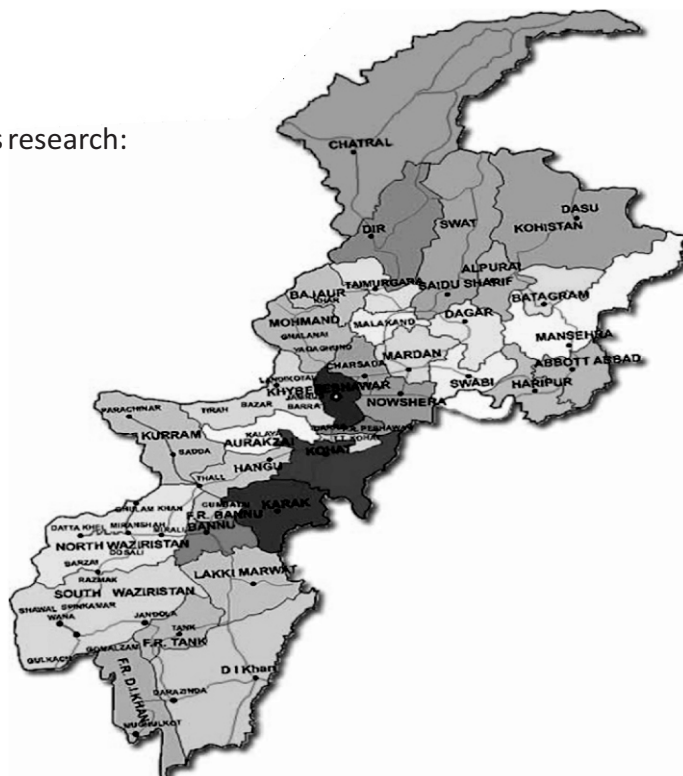
- Reduced time for data collection because of unanticipated challenges associated with travel to remote, hard to access locations.
- Because of the limited time frame, the research team did not go through comprehensive training program but they were well versed in the geographical and social conditions and remained part of many pieces of research in relation to gender.
- Occasional difficulty identifying or gaining access to respondents because of the time limitation.
- The research was conducted only in seven districts of Khyber Pakhtunkhwa therefore; it should not be cogitate to be the representation of all the districts of KP.

2.3 Districts of the Research

Following were the districts covered under this research:

Name of the Selected Districts

- 1.-----Peshawar
- 2.-----Mardan
- 3.-----Mansehra
- 4.-----Shangla
- 5.-----Bannu
- 6.-----Swat
- 7.-----Dera Ismail Khan



2.4 Ethical Consideration

The research was designed to ensure that the knowledge and learning generated can be used to improve the response of stakeholder in relation to end child marriages. The research complies with internationally and nationally recognized research standards. The research aimed at all times to set high standards that allowed for trust to be established between the research team and the key informants, thus allowing respondents to answer questions openly and in a way that promoted the accuracy of the research findings. The study was designed to minimize risks to respondents and to maximize the potential benefits of participation.

Following ethical considerations are used for this research.

- a) All respondents of the research were above age 18.
- b) All research respondents were assured not to be subjected to force in any way to respond the questions.
- c) Respect for the dignity of research participants was prioritized.
- d) Full consent of the respondents was obtained through the consent forms prior to the research.
- e) The protection of the privacy of research respondents was ensured.
- f) An adequate level of confidentiality of the research data was established. Names and information given by the respondents were not shared between them.
- g) All the participants were made clear prior to the interview about the objective, purpose, and methodology of the research to avoid any kind of uncertainty.
- h) All participation in the research was voluntary and no compensation was paid.

CHAPTER 3

LITERATURE REVIEW

According to the study “Trends of early marriages in Pakistan; quantitative analysis of Pakistan demographic and health survey (Pakistan health & demographic survey 1990, 2006-07 & 2012-13) published in 2016” different factors have been found having a strong association with the age of marriage of females. Among these factors, education, residential factors (rural and urban) and economic status seem to have a positive relationship with age at marriage. As education level increases the age at marriage also increases. Similarly, higher the socio-economic status (education level, wealth, employment) of a household, lower will be the risk of marrying their girls at a younger age. In addition to social factors, geographical factors also have their part in determining the age at marriage of females. The urban-rural disparities of early age marriage are found to be more prominent among females than males. Early age marriage is likely to be higher in rural areas due to less development as compared to more developed urban areas. Lesser or fewer educational and economic opportunities reduce the female access to education and restrict their involvement in sales and services as compared to their urban counterparts. Poverty and cultural barriers put constraints on women from having their say regarding their marriage decisions.

The study further provides that women who marry earlier in age are more likely to bear a child at a younger age and are more exposed to prolonged domestic violence. Similarly, women marrying at younger ages tend to have less education, less economic opportunities, lower level of social mobility and poor access to health services. Early marriage does not only restrict women from socio-economic opportunities but also affects their reproductive health status such as forced sexual relations, early and complicated pregnancies, higher fertility rate and large family size formation. In general, early age marriage of females not only exacerbates the poor socio-economic development by depriving them of education, social freedom, good health, but also their personal development and well-being.

A study “Determinants of Early Marriage from Married Girls' Perspectives in Iranian Setting: A Qualitative Study” was conducted in Iran and published in 2016, discusses the consequences of child marriage. The research “Determinants of early marriage from married Girls 'perspective in Iranian settings “says that early marriage can be associated with adverse consequences not only for teenage girls but also for children they bear. High rates of unintended pregnancy, abortion, pre term labor, delivery of low birth weight babies, fetal and maternal mortality are observed among teenage girls are strongly correlated with early marriage. Moreover, the girls who are married as teenagers are also affected psychologically and they are more likely to experience depression, anxiety, and other mood disorders. They are especially at risk for physical and sexual violence within marriage. The harmful impacts of domestic violence on the health and well being of women and their children are well documented. Thus, teenage girls are one of the most vulnerable and neglected individuals in the world and investing in them is important for ensuring the health, creating prosperity, and fulfilling human rights. Addressing the needs of adolescents, particularly teenage girls is necessary not only for their individual profit but also to attain global goals such as reducing maternal mortality and HIV infection.”

The research “Adolescent Girls Empowerment Life Stories of Early Marriage Victims” by Rutgers WPF was carried out to explore the various layers of power within the communities that determine the early age of

marriage for girls. The analysis of the research reveals that the discriminatory attitude towards young adolescent girls begins from the moment they are born.

This is due to the traditional and customary celebrations associated with the birth of a male child. When a female child is born, minimum celebrations take place if any at all. The parents of the girl often feel a sense of shame and many times the news of the birth of a girl child is not shared with the community. There are worse situations where discrimination begins before the child is even born in the form of an old tradition called PaitLikhi where a child is promised into marriage before she is even born. In this patriarchal structure, female children are expected to follow traditional roles and perform domestic chores from a very early age. The practices of WattaSatta, PaitLikhi, Chatti (betrothals at birth) are widely followed in Pakistan.

Girls are considered to be a social, moral, and physical responsibility of the parents or guardians. In order to save themselves from such a situation, parents prefer to lessen their burden as early as possible by marrying their daughters off as soon as their daughters reach puberty. They don't look at the age of their daughters or that of their prospective husbands, sometimes marrying them to men much older or much younger than the girls themselves. They believe that if their daughters are not married at time and a situation arises where the girls sexuality is at risk it could create a situation of disgrace and shame for the family.

DEPARTMENT OF PUBLIC HEALTH MEDICINE School of Public Health & WHO Collaborating Center for Child and Adolescent Health Promotion Bielefeld University, Bielefeld, Germany carried out a study "CHILD MARRIAGE AND ITS IMPACT ON MATERNAL AND CHILD HEALTH IN PAKISTAN" in 2015. The study aimed to determine the association between child marriage and maternal healthcare services utilization in Pakistan are beyond those attributed to social vulnerabilities (women's economic status, education, ethnicity, and place of residence). The qualitative component of the study includes various perceptions and attitudes towards the practice of child marriage in Pakistan. Religion was narrated as one of the reasons in the study for the continuation of child marriage practice in Pakistan. Data analysis of the study reflects that religion persuades parents to marry their daughters as soon they attain puberty. It may be noted that, in Pakistan, religion has great influence in everyday life of an individual and many people justify their mundane decisions in the name of religion. The role of religion and religious leaders is profound in the country with several religious leaders having a strong hold in their communities. This strong influence of religious leaders may affect the willingness of parents to marry their children at much younger age.

The study child marriage and its impact on maternal and child health in Pakistan, 2015 further provides that varying interpretation of religion may also play a role in the continuation of child marriage practice in the country. Sharia Law defines puberty/menstruation for girls and facial hair for boys to signify the time when they can get married. However, because of lack of awareness and limited knowledge, especially in the rural areas where most people are uneducated, the mandatory condition in Sharia of having the mutual consent of both partners in marriage is often overlooked, which is the case most often in child marriages. Secondly, some religious leaders have the opinion that both physical and psychological maturity is important before one can get married. While most parents only know the aspect of physical maturity, a psychological mental maturity that is required in Islam is usually ignored by parents while deciding about the marriage of their daughters. Thirdly, historically transmitted powerful influence of patriarchal ideology continues to reinforce custom and traditions which put women in a subservient position to men; child marriage in Pakistan may be one of the customs which could strengthen the patriarchal ideology.

A study “Early Marriage: A Developmental Challenge to Women in Pakhtuns Society” by Umar Daraz, Arab Naz and Waseem Khan from University of Malakand and Hazirullah from International Islamic University was carried out in 2014 to investigate the various causes and consequences of early marriage in Pakhtuns society. The analysis of the study reflects that early marriage is practiced due to illiteracy, deeply rooted traditional social structure and economic insurance, which laid devastating impacts in terms of social, physiological and psychological problems for the individual, family, and society as a whole. It is recommended that parent education, the proper role of government and media will assist in the elimination of the curses of early marriages.

The study further recommends that practice of early marriage is recognized as a barrier that inhibits young girls and boys from attaining an education that would otherwise have a lasting positive impact on their life and well being. It further creates social, physiological and psychological impacts for male, female and family as a whole. In order to decrease the ratio of early marriage; the parents and young people should be educated about their rights, laws and international norms. Child brides and their parents should know that there are international standards which, in addition to discouraging child marriage, stipulate that both marriage partners should enjoy certain rights such as education, health care, and freedom of movement. Similarly, creating incentives for parents to keep their girls in school as long as possible, for example by waiving school fees, will yield a number of positive social and economic benefits. When girls remain in school they become aware and will marry later, they will have fewer children spaced farther apart, and are less likely to live in poverty.

A study EARLY MARRIAGE OF GIRLS IN PAKISTAN was conducted in 2015 by RESEARCH GATE to discuss prevalence about child marriage, its severity, contributing factors, effects and some interventions that can be done to resolve its burden of the country and to achieve sustainable developmental goals (SDG's). According to the study lack of accessible data related to early marriages in Pakistan has made a bit challenging for the stakeholders to take measures regarding this problem. Thus, research has a very significant role in suggest strategies for managing child marriage. The issue can be easily resolved by investigating the phenomenon in-depth and understanding of the contributing factors.

The study suggests that both government and non-governmental organizations should embrace research at each level of their interventions. There are many zones that can be used as a guide for future research on child marriages. These includes identification of determinants of child marriage in hotspot regions, assessment of impact that laws have made on the practice of child marriages, recognition of effects that early marriage has on the well-being of young mother and babies, evaluation of the indicators required to measure child marriage intervention programs and understanding of relationship between child marriages and some key developmental factors such as education, child and maternal mortality, poverty, gender equivalence and sexually transmitted diseases.

The child marriage is not a stand-alone issue. It needs to be addressed at multiple levels. Multi-pronged strategies are required to address its' root causes. The responses has to take in account the various challenges faced by girls brides and adolescent mothers like marital rape, forced pregnancy, child divorce, and other relevant issues. Various government departments like health, educations, social welfare has to make child marriage response as integral part of their response strategy and all these efforts must be well coordinated and looked for a more holistic response.

CHAPTER 4

4. UNDERSTANDING CHILD AND MARRIAGES

The question that then arises is, till what age does a young girl, or boy, remain a child? Under the Article 1 of UN Convention on the Rights of the Child, “a child means every human being below the age of eighteen years unless, under the law applicable to the child, the majority is attained earlier”.

In Pakistan, however, under The Child Marriage Restraint Act 1929, a marriage is a child marriage if the male is under eighteen years of age and/or the female is under sixteen.

Sindh is the only Pakistani province which has raised the minimum age of girls to 18 for child marriages.

According to the study “child marriage in Pakistan: a Taboo” conducted in 2007 by UNFPA and Rahnuma, early marriages are far more prevalent in Pakistan's rural areas than in the urban areas. Alongside rural/urban differences in early marriage trends, there are also significant variations in early marriage statistics between and across Pakistan's four provinces. In the available statistics, Sindh shows the highest percentage of early marriages in rural areas, with 72 percent of females and 26 percent of males in the selected sample, married before 20. Sindh also has a high percentage of females in urban areas married by 20, reaching 36percent.

Balochistan closely follows Sindh in terms of early rural marriages (22 percent of males and 63 percent of females married before 20), and has the highest percentage of urban early marriages, with 9 percent males and 56 percent females marrying before 20. Punjab stands out as the province having the most females marrying at later ages in both rural and urban areas.

Only 50 percent of the women in rural and 20 percent of women in urban areas of Punjab marry before twenty. The men in the urban areas of Punjab also marry late, with only four percent marrying before 20. Khyber Pakhtunkhwa has the record for the least percentage of rural men marrying early, with only 8 percent of men marrying before twenty.

A much higher percent of rural women in Khyber Pakhtunkhwa, however, marry early equaling 63 percent.

The finding of this research reflects that there were different perceptions of the respondents on the definition of child marriage. Some of the participants responded that according to them child marriage is only a custom, tradition and social norm which is a part of our society and has no particular theory or definition behind it. Some of the respondents had a view that child marriage means a source to safeguard their daughters from the risk of losing their chasteness. Some respondents were of the view that child marriage is a formal marriage of young girls and boys to save them from immoral activities.

For some of the respondent's child marriage was a practice of their forefathers which they think that they are bound to follow as a family tradition. Some of the respondents expressed their views on child marriage that marriage of a girl or boy who is immature. By which they mean those who don't have state of mind to take their decisions by themselves or can't differentiate between right and wrong. Some respondents were of the view about the child marriage that those marriages, where any of the contracting party either girl or boy is under the age of 16, are child marriages.

While according to the civil society organization (CSOs) any marriage carried out below the age of 18 years, before the girl or boys are physical, physiologically, and psychologically ready to shoulder the responsibilities of marriage and childbearing is considered as a child marriage. This marriage has major consequences for public health, national security, social development, human rights, economic development and gender equality.

The in depth interviews for study reflects that meaning of being a child is influenced by the economic, social and cultural aspects of the environment in our community lives and these features to influence cultural and traditional beliefs pertaining to childhood. It is interesting to see that reflections about the nature of children, differences between boys and girls, and concepts of their roles, responsibilities and appropriate behavior at different ages inform the manner in which parents and others relate with children. The concept of who is a child and how we can define “childhood” is context dependent and vary from family to family.

The bigger challenge is that the understandings of “childhood” treasured in international conventions and national laws tend not to reflect the reality that childhood is not similarly understood in all contexts. These abstract differences are at the heart of the child marriage 'debate'.

According to the Majority Act 1975 of Pakistan, child is any person whose age is below 18 however, various laws in Pakistan provide different definitions of the child. It is often difficult to define “who is a child” as it is a diverse, shifting grouping that is shaped by cultural, social and economic context. We clearly see that legal frameworks at the global, national and provincial level often do not co-relate to each other or to the definitions held by individuals and communities.

During the interviews on the question of defining child, it was observed that the response of the respondents was not uniform regarding the definition of child as per their perspective. They often do not define a child by the age but instead, tend to understand a child in terms of developmental stages and achievements. Majority of the community members in the selected districts has understanding that the term 'child' can range from newborn babies to unmarried males and young women in their twenties who are still living with their parents. It is very interesting to learn that for the vast majority of the respondents the term of childhood does not end abruptly when a person turns 18 but is instead a non solidified and dynamic concept that involves the confluence of a number of individuals, social and cultural factors.

Puberty, withdrawal from or completion of school, engagement in sexual relations, full-time labor, wage employment or development of the capacity to care for oneself and others – these, rather than age, are the indicators of maturity for the majority of the community. The responses of the participant's research reflect that in the selected districts there is no uniform understanding on the concept of childhood and the process of change, from child to adult, can occur anytime from the approximate age of 12 (or younger) for girls and 14 for boys. While the women respondents of the area reflect that understanding of the child in urban and rural area can vary depending upon the educational and social status of the family. In the rural areas, it is perceived that until the girl or boy is able to assume his or her responsibilities to support the family in household work or shoulder financial responsibilities is considered a child. Some women also were of the view that until the puberty of the girl, she is considered a child.

The religious leaders and community elders had strong views that suitable age for marriage would be the time of physical and mental maturity in a person which cannot be defined in years. Islam has specified the age of physical maturity but it has not specified the age of mental maturity. Islam has let it open for the parents and children to decide about the maturity. The majority of the respondents of this research were of the view that 18 is an appropriate age of marriage for both girls and boys because at the age of 18 they are relatively in a better position to bear family responsibilities.

Only 33% of the respondents were aware of the legal age of marriage in Khyber Pakhtunkhwa and other provinces of Pakistan while majority of them were of the view that there is no legal age of marriage in Pakistan, those respondents who were aware of the legal age of marriage in Pakistan mostly consists of National Human Rights institutions and civil society organizations (CSOs). Interestingly, no women respondent from rural community was aware about the legal age of marriage.

4.1 The Concept of Marriage in Community

This research aimed to learn more about child marriage in the selected districts of Khyber Pakhtunkhwa (KP) province of Pakistan however, the researcher team did not start the interviews asking about 'early', 'forced' or 'child' marriage. The idiosyncratic and context-dependent nature of these terminologies makes them challenging in a research setting.

The respondents were firstly asked to define marriage in general and then further asked on the ages at which marriages were taking place in the community, among whom and the reasons for their happening. This strategy was used to bring forward the perspective of community members rather than that of the researchers and to define if the practice of child marriage in each setting followed with or deviated from more normative understandings of marriage. It was also employed to avoid the use of terms often construed as judgmental.

Marriage is considered as a well-regarded social and religious practice in the community. Conventionally, this practice has been treated with great respect, and the ceremony of marriage is practiced according to certain accepted processes, including the giving of signs of commitment, negotiations and ceremonial feasts that involve not only the individuals getting married but also their families and communities.

The research reflects that in the selected districts where research was carried out there is a clear and widely held view of how marriage is arranged and what steps are followed to make it a 'proper' and 'accepted' marriage.

Practicing the well accepted community norms for marriage is considered very important because it ensures that parents, elders of the house and families are involved in and approve the decision to marry.

According to the respondents if the children marry without the consent of their families and elders the chances are that marriage will break soon. If supported and accepted by families, then the couples can benefit from support and advice which helps them to learn and to build their life in a protective and supportive way. The respondents reflect that the incentives for marriage have changed to an extent.

Conventionally, the marriages were arranged to uniting a couple so that they can produce a family, build a home together and care (emotionally and financially) for parents and grandparents. According to the respondents the priorities of contracting marriage is changing overtime. Many marriages are now happening to face particular issues' or challenges such as poverty, resolving of conflicts, paying of debts, political or financial gains and others.

While according to some of the respondents when a marriage takes place to overcome poverty, to prevent shame from pregnancy or to escape insufferable living arrangements, the customary (and expected) processes for sanctifying that marriage are often not respected. As a result, many of these marriages, especially those involving children, are not recognized by all members of the community as a marriage while some respondents shared that financial and material exchanges continue to serve important economic and symbolic functions in most of the child marriage cases.

4.2 Child marriage in the selected districts

Marriage, in Pakhtun culture called Wadda in Pashtu, is mostly arranged by parents society and the boy and the girl themselves play little or no role in negotiations. Marriage by choice is rarely an option both for male and females in the Pakhtuns society.

Child marriage is widely practiced in districts where research was carried. The most common marriages are those that take place between girls age group (from age 12 or 14) and boys/men (16 to 40). The following types of marriage were recognized though the research.

The traditional marriage: This type of marriage is one that follows accepted social practices involving consent from families. Ideally, the decision to marry is made freely and not as a result of coercion or as a means of addressing other issues, According to the respondents, many marriages involve two children –as opposed to a child and an adult.

Exchange marriage (badal/wattasatta): Exchange marriage, or badal, is an agreement between two families on “exchanging” daughters or other female family members through marriage. The daughter (the agreements may involve several women from each family) of one of the parties is married into the other party's family, and vice versa. Poverty and insolvency are frequently the causes for exchange marriages because these agreements reduce or eliminate the costs associated with weddings. According to the key informants often in the practice of exchange marriage one of the girls is minor.

Walwar: Walwar means the bride price and bride price for the young girl is higher than the older women. It sometimes contributes to child marriages. In some areas of Khyber Pakhtunkhwa Walwar is the right of the father to receive for his daughter's marriage or the right of the brother to receive for his sister's marriage. As per the custom of walwar, after the proposal is accepted by the family of girl, father of the groom with other relatives goes to the girl's house and discusses about the amount of walwar. The portion of it is to be paid in cash and in kind, and the presents, which the father will, at the wedding, give to his daughter. If the girl dies before the Nikah, half the walwar paid is refunded. According to the respondents, the practice of walwar is decreasing but still practiced in some areas and families.

Compensation (Swara): Swara is the blood marriage, which takes place between two families to end a family feud. In such cases, marriage is an agreement concluded as a consequence of a family, a clan or a tribe acknowledging the responsibility to compensate the victim of a crime. It involves giving a young girl(s) to the victim's family/group. The marriage is agreed with a view to solving/ending conflicts that may involve or have developed into, a blood feud. Often, local jirgas or Shuras decide that a conflict must or can be solved by intermarriage. The girl, who is sometimes not more than four or five years, is handed over to the enemy family against whom the men folk of the girl's family have committed some crime. The innocent girl pays the price for the criminal act of the men in her family, who thus escape punishment. Though Swara is a crime under "Anti Women customary Practices Act 2011" but it is still practiced in rural areas and often minor girls are given in swara marriages.

Ghag: Child marriage in Pashtun culture also takes place in form of Ghag. Ghag is a custom or tradition which translates as 'avaazlagana' in Urdu or 'to make something known'. A man announces his intention to marry a particular girl. It's an act whereby a person forcibly proposes a girl to whom he wants to marry. . The announcement can be done in many ways but it mostly in violent means. Often a messenger is sent to the house of the bride to inform her family that the man in question has decided to marry her. Sometimes the announcement is more dramatic and exaggerated. There have been instances where the groom-to-be has fired gunshots from the stoop of the local mosque while shouting the name of his chosen bride. Regardless of how ghag is announced, the impact on the girl, her family, and her future is destructive. That's because ghag is sometimes used to exact badal (revenge) on the girl's family by claiming, without consent, their most prized possession. Legally the practice of ghag is banned in Khyber Pakhtunkhwa under "The Khyber Pakhtunkhwa elimination of custom of Ghag act 2013"

Dowry marriage: Dowry marriage is a contract of marriage where the family of bride transfers wealth to the family of the groom as a consideration of marriage. It can be given in the form of money, dowry articles, property and other gifts. The concept of dowry marriages is similar as of the custom of bride price (walwar). The interviews of the respondents reveal a believe of community that much younger the bride is, the low will be the dowry amount and this believe promotes the practice of child marriage. Parents usually marry off their daughters at a young age to save dowry amount because with the age of girl price of dowry increases.

4.3 Triggering factors of child marriages

The respondents of the survey elaborated that traditionally; mostly the marriages are arranged and decided by the elders of the family. Marriage by choice is usually not welcomed in the families and often consent is not taken from the girls and even from boys. Most of the families consider marriage is a social requirement and arrangement and purpose of such arrangement is to extend the family unit. Girls, once married, are usually seen as child-bearers and homemakers rather than as individuals with choices; usually, the girls are the main victim in child marriage arrangements, often purposely married at young ages in order to make the most of their days of fertility and beauty.

While the respondent believed that child marriage affects both boys and girls, usually the girls tend to marry at younger ages than boys and are assumed to marry in greater numbers. The section below describes situations, factors, and reasons for child marriage.

Weak Law Enforcement

Law enforcement to prohibit child marriage is very weak in Khyber Pakhtunkhwa. CMRA 1929 is a very weak law however there are few factors which undermines implementation of CMRA, 1929 such a limited knowledge regarding implementation of the law and little understanding of the consequences of the law, as well as limited trust in institutions enforcing them, the. There is a poor knowledge among the population on the provisions and implications of the law, the community also feels that the traditions and norms are stronger than the law and the institutions therefore less cases are reported. On top of this, there is limited capacity among officials and lack of willingness to go against community decisions, since officials are themselves part of the community.

Poverty

While examining the triggering factors of child marriages in the selected districts, the factor of poverty merged as a widespread and common cause of the prevalence of child marriages. Because girls are not considered as financial contributors in the families they are confined to their homes and at large considered as a financial burden. Securing their marriage relieves families of the financial pressures of supporting their daughters. Widespread poverty also encourages customs like walwar and dowry. The custom of dowry is largely practiced in Khyber Pakhtunkhwa like other parts of Pakistan; the older the girl, the higher the dowry that is likely to be demanded. Younger girls usually go with lesser dowry and are therefore less of a financial burden to marry. Dowry is a gift of money or valuables given by the family of the bride to the family of the groom at the time of their marriage.

It has been observed from the interviews and reflections of the respondents that in most of the areas where the families are suffused with socio-economic issues which they consider as a challenge for themselves in taking care of their children, in such situations the practice of child marriage increases. In such circumstances, young girls are married to financially well-off older men.

The respondents shared that poverty is one of the most common, widespread and significant factor driving child marriage especially in the rural communities where sometimes parents and families find child marriage as an impending opportunity to benefit financially from the bride price for their daughter and also as an opportunity to ease the strain on household resources.

Economic pressures and increasing financial burdens force parents and families to make hard choices where they often try to manage their living situation and encourage short-term strategic thinking rather than consideration of investment in longer-term gains. Also in certain cases, girl child see marriage as a chance to escape challenging economic and material conditions and as a solution to their very basic needs.

Lower Status of Women

There is a conservative culture, tribal values, societal norms in which girls are usually raised to show respect to men in their families. Similarly, girls are raised in a way that they learn how to show respect especially to their in-laws and how do better obey and serve them. Girls in rural areas by the age of 6 to 8 starts learning to show an attitude of care and service towards men. There is a common understanding among the society that the younger the girl, the easier it is to condition her to the norms and expectations of her in-laws.

According to the experience of community younger girls have fewer tendencies to question the conducts of the husband and in-laws. Some of the respondents also shared that most of the men and boys want to have virgin wives and according to their perception younger girls are better choices in this regard.

Culture and Tradition

Several cultural, harmful practices and customs like Swara, Walwar, WattaSatta, Ghag and others in our culture condone child marriages. We observed that in areas where child marriage is prevalent, communities are often closely linked and expected to confirm to the norms and expectation of society. Increasing number of families with girls are under pressure to get married because of the pressure of the society as girls who are married late are often ridiculed and seen as un-marriageable. The society has set a life cycle for young girls which should be followed. The life cycle is based on patriarchy, tradition, the notion of honor, any deviation leads to shame, disapproval and even threat to personal life.

Protecting 'Chastity' and Family Honor

There is a common belief among communities that if a girl indulges in a sexual relationship before her marriage she will destroy the image of the family and ruin their honor. Therefore, a large number of families especially living in the rural areas force their daughters into child marriage. Initiation of legitimate sexual life is linked with marriages and for most of the families, child marriage is a way to control girls' sexuality and protect family honor.

The respondents shared that community has strict beliefs regarding the honor and chastity of a girl child. Once the girl is married parents are free of the burden of guarding their daughter's chastity. If a girl marriage by choice without the consent of the family or leave the family it creates a stigma and shame for the family, therefore to have her entrusted to a man lawfully is often the safest solution. Early marriage is one way to ensure that a girl is 'protected' or placed firmly under male control and there are little or no chances for her to get indulge in activities which are perceived "immoral".

Family Bonds and Ties

In Pakistan's social family structures, child marriages often serve to strengthen family ties and bonds. The family and relations are considered as a very important component of Pakistan's social structure. Sometimes young girls are married off in order to join particular families for various social and political gains. Often when there is a proposal within the family especially between the first cousins or from a close relative or from a strong family from the same village or area, it is usually not possible for the parents to refuse.

Children in Rural Areas

The respondents in the selected districts of Khyber Pakhtunkhwa reflected that, as elsewhere, rates of child marriage are higher in rural than urban areas. According to the respondents, girls in some rural areas are more than twice as likely to marry as their counterparts living in large towns and cities. The respondents suggested that children in rural areas have inadequate access to a range of programs, information and services and, in many cases, few opportunities for leisure and recreation, skill development and employment.

Out of School Children

The interrelation between child marriage and education is complex and move in multiple directions. The respondents shared that one of the major contributing factors of girl child marriages is that they cannot go to school. For many families, the financial cost of sending children to secondary school is unaffordable while on the other hand school-going child cannot contribute much-needed waged or domestic labor. Children can only be enrolled in school when their families have the money to pay the fees, and these resources are not consistently or predictably available.

The respondent shared that parents are aware of the importance of education but at the same time they have some fears such as insecurity - if their daughter may elopes with someone or they can be harassed or it could be a threat to family honor. A large number of schools are not equipped with basic facilities like boundary walls and washrooms, therefore, girls are also sometimes reluctant to go to the schools.

Orphans and step children

The vulnerability of orphaned and stepchildren to child marriage is described high in the target areas especially in disaster and conflict areas. Orphan girls are more likely to be married at early ages. At the community level, extended families are involved in the care of orphans and meeting their basic needs through early and middle childhood. Respondents asserted that when orphans reach puberty, guardians may think that their duty of care has been met and that it is acceptable to seek out marriage for non-biological children in the house. Orphans and step children are widely cited as being mistreated or discriminated against. Such treatment renders marriage a more attractive option for girls because they seek to run away from what they deem an intolerable living situation.

Hard to Manage Children

Marriage is often seen as a good strategy to control boys and girls who are engaging in behavior that is deemed inappropriate or unacceptable for the family. Such behavior includes: immoral activities, bad company, repeatedly staying out late, usage of drugs and becoming increasingly disrespectful and uncooperative at home. In these cases, respondents asserted that parents and guardians may see marriage as a risk-management strategy. If the family fails to control any boy or man for any of his inappropriate behavior they try to resolve this by the institution of marriage and usually for such men and boys the family looks for the girl child

Children without Social Support or Supervision

The respondents strongly suggested that urbanization of society and the emergence of new, unplanned settlements have led to the weakening of traditional family structures. Not only has migration led to family separation but when parents are focused on securing a livelihood, they are perceived to have too little time to supervise their children. The crime ratio in urban areas is considered to be higher than rural areas. Parents feel that their children, especially the girl child, are more at risk of sexual exploitation and abuse. That is why one of the reasons of child marriage is to avoid any unpleasant situation.

Humanitarian Context

The respondents from the disaster and conflict-hit areas reflected that they have witnessed increasing number of child marriages in the humanitarian setting. The displacement forced families to adopt negative coping mechanisms to survive. Because the families have to move from their communities' women and girls were at increased risk of sexual violence. According to the respondents, the displacement increases girls' vulnerability to child marriage due to the breakdown of social networks, the lack of other protection systems, and the risks of sexual violence.

The communities hit by disasters, conflict, and displacement were very poor, they have lost their livelihoods lands and support structures, for many marrying their daughters was the only option to alleviate economic hardship and insecurity. Respondents from conflict and disaster effected areas reported that they have witnessed increase in child marriages before and after displacement in camp settings and in host communities.

Glorification of Marriage

60% of the respondents believed that marriage retains a special place in the cultural and legal landscape, and married couples are glorified and celebrated and socially rewarded simply because they are married. Most of the entertainment media, film industry, dramas and stories revolve around the glorification of the marriage which promotes a stereotypical narrative about the superiority of people who get married. This has created a social pressure on the families and girls on the issue of marriage.

4.4 Islamic perspective to Child Marriage

Interviews conducted with a religious leader in relation to this research reflect that religious leaders do not have the same opinion on the issue of child marriages no matter if they are from the same sect.

In Islamic law, marriage is viewed as a contract between two parties; this is quite different from how marriage is traditionally treated in other religions. Similar to other contracts, the terms of the contract are written out and must be accepted by all parties before the marriage is deemed valid. some religious leaders are of the view that Islamic law states that if a girl passes puberty, she is allowed to be married - regardless of whether she is 9, 11 or 15 years.

According to the study "Marriage, Divorce, and Inheritance in Islamic Law, in Understanding Islamic Law: From Classical to Contemporary, edited by Hisham M. Ramadan, (2006)historically, when it came to the issue of consent, the minor ward found her in a unique situation. All of the Sunni legal schools agreed that a girl's father had the right to marry her off to whomever he chose without consulting her. As minors, children lacked the legal capacity to give their permission for marriage. However, this marriage could not be consummated until the minor child reached the age of majority.

All Sunni schools of thought agree that forced marriages are strictly forbidden in Islam. In Islam, marriage is a contract between two consenting parties referred to as mithaq. We found out that one of the major misconceptions about Islam is the age at which a person can get married, and the age at which a person is old enough to consent to sexual relations, especially in relation to the marriage of the Prophet (may the peace and blessings of Allah be upon him) to Aa'ishah (may Allah be pleased with her).

Islam has a clear legislation and system for marriage, that would work in all times and ages, while still respecting the changes in social norms, according to the following:

- That the natural minimum age for sexual relations is puberty and maturity.
- That just because the body is ready, doesn't mean that the person is necessarily mature enough.

4.5 Factors that help delay or prevent child marriage

The research team did not only explored which children likely to marry in the targeted districts, the research team also explored which children are not marrying and what are the factors which contribute in delaying the child marriages. This research generated important information on protective factors that policymakers and service providers can potentially build upon in their efforts to reduce child marriages in Khyber Pakhtunkhwa.

Educated Parents

Educated parents who have gone for the higher standard of formal education were widely viewed as more likely to have their sons and daughters in school and less likely to allow them to marry. Educated parents have a strong sense of the importance of education and an appreciation of its value in increasing the life opportunities for their children. Most of the educated parents choose to invest in the future of their children and rejects the short-term benefit associated with the practice of child marriage.

Affordable and Quality Education

Quality and affordable education is the most important key to end child marriages, keeping girls in school is critical to delaying the age of marriage. However, if education is to be a successful tool to help girls avoid early marriage, the schools have to be accessible, affordable, safe and girl-friendly to avoid dropout rates among girls. Schooling alone is not sufficient; girls, teacher's parents, and community elders must be provided awareness on the importance to end child marriages. Government and civil society organizations must also work together to provide sex-segregated toilets and other missing facilities at schools.

Community leadership

The respondents strongly suggested that strong community leadership can play a significant role in ending child marriages. Community leaders such as religious leaders, counselors, nazims, and political representatives could play a very significant role in changing public attitudes and behaviors and can be very helpful in initiating a dialogue in society. The hierarchical nature of our society and respect for tradition and authority means that community leaders can be powerful agents of change and have the authority and potential to change public perceptions and believes on the social issues.

Involvement in income-generating activities

The research comes up with very interesting findings: Those girls who financially support their families are less likely to marry and it does not matter if they are enrolled in the school or not. Also, girls who have skills or run any home-based entrepreneurship are less likely to marry earlier as compared to those girls who do not go to schools and do not contribute in the financial pool of the family.

Role Models

According to the respondents, the role models in our society play a very important role. They might not be in a position to end child marriages but have the potential to reduce the numbers of children marrying by showing them alternative roles in the community. A role model in the family such as a lady health worker, teacher or nurse can be a great help to demonstrate the value of education. According to the respondents, the idea of girls completing their education and finding professional jobs is an emergent phenomenon in the communities. In the remote districts of Khyber Pakhtunkhwa communities are still battling to overcome gender biases and long-held gender norms.

The detailed discussion with the respondents reveals that families in all 7 districts irrespective of their social status, educational level urban and rural status are well aware of the negative effects of child marriages but this knowledge and awareness does not always influence their decisions and instead, their decisions are dictated by the options that are available for them and their children. The risk associated with the practice of child marriages need to be weighed against benefits; in most of the cases the child marriages is not a practice but an option, individuals, and families decide that the status quo is so intolerable that these risks must be taken.

This research also clearly indicates that our society is caught between the modernization and cultural tradition. People are struggling to improve their economic status and adopting urban living which leads more families to educate their children, increasing number of people are learning about the rights of women and girls and prefer late marriage for their daughters.

While another group of society at the same time remains isolated in rural areas from the modernization taking place in the cities; even people within cities continue to lack exposure to education and changing norms. Thus, the tradition of child marriage continues to be perpetuated, perhaps even heightened from the fear of change. Further, it is also a learning from the study that urbanization is not a solution to human rights abuses and even within cities, women and girls continue to face lack of exposure to education and changing norms. Consequently, tradition of child marriage continues to be perpetuated.

4.6 Community perception of benefit and risks of child marriage

Child marriages are a complex phenomenon in several contexts; it is the legal initiation of a sexual life, formalizes relationships between individuals and families, cements alliances and builds networks, resolves conflicts, and disputes. In this way, it is a shared enterprise from which many individuals and groups stand to gain (or lose).

This section below explores some of the perceived and actual benefits and risks associated with child marriage as articulated by respondents of the seven districts in Khyber Pakhtunkhwa. As discussed earlier the analysis strongly reflects that girls and families make decisions about marriage within a range of available options, each potentially bringing positive and negative outcome. Further, a range of people influence decisions related to child marriage; thus, each marriage involves a series of competing and, at times, conflicting agendas.

Perceived benefits associated with child marriage

It observed during the research, conducted in the selected districts of KP, that many of the girl child marriages are motivated by a desire to seize an opportunity – to avoid and escape bad living conditions, to meet basic needs, to improve family' status in the community or to secure a financial benefit. Marriages driven by such pragmatism appear to be at odds with the 'ideal' type of marriage as described by informants.

The harsh realities faced by the community in their everyday lives seem to change and shift the meaning and rationale of marriage. Marriage is not always a stable platform for choices and stability, for many in the society; it is an opportunity for an individual or collective gain or as a means of addressing other issues of social concern. Many family members and actors have stakes and influence on whether a marriage takes place further complicate the matter, also because marriage involves a negotiation between a series of competing and perhaps conflicting agendas. According to respondents, the community perceives that there are several benefits associated with the child marriage.

Economic Gains

In the poor vicinities, some families tend to benefit from the marriage by the practice of child marriage as in return they receive cash, livestock and other material items. In some areas when the bride price is received, it is used to support sons financially for their livelihood or other activities. The response of the respondents also reflects that intention to reduce the numbers of dependents living within a household is also an important factor that shapes decisions about girl child marriage.

While in most cases it is the family elders usually father, uncle, and brothers who made the decision of marriage it is also common in extremely impoverished circumstances for a girl to give consent of marriage to improve her living situation by seeking a marriage with a man who could provide her basic necessities of life.

Improving Life Standards

Women respondents especially mothers were of the strong view that in cases of poverty child marriage has a great potential for improving difficult living situations. According to them if the father or brother is of violent behavior and girls have to face gender-based violence on daily basis marriage could be the only solution escape neglectful or half treatment by the male family members. All women respondents suggested that this perception was widespread among women especially those mothers whose living situations are considered intolerable.

Enhanced social status

Marriage in our society is a prestigious status which has the potential to enhance the social standing of individuals. Those parents who marry their daughter successfully are considered to be blessed and fortunate and have high respect in the community. For girls marrying is an internal and external signifier which immediately enhances their social status in their home and Society. Their marriage reflects that they are no longer children and are now entitled to the respect which is shown to adults. The enhanced status that comes with this respect is augmented when they become mothers.

Peer Group Influence

The decision to marry early is also sometime influenced by peers who are married (including sisters, brothers, cousins and friends). Unmarried girl children easily influenced by their married friends and cousins which according to their understanding have a better position, enjoyment, sense of security and independence. It clearly reflects that social approval and acceptance among age-mates and in the community at large is a significant motivator in their behavior and decision-making.

4.7 Potential Risks associated with child marriage

In the districts of Khyber Pakhtunkhwa where the research is conducted, the risk associated with child marriages are known. The respondents had very good and extensive knowledge of the social fabric and its relevance to the issue of child marriages, they reflected that not all the community are ignorant about the harmful potentially harmful consequences of child marriages but it's not always easy for them to make an informed choice.

Violation of Human Rights

Child marriage is one of the biggest injustices in the society. It directly challenges the human right agenda and the legal framework concerning the rights of children. Child marriages take place without the consent of the child/children. This may be because the child is directly or indirectly forced to agree; alternatively, it may be because the child is so young that he/she does not have the authority and sense of judgment to make a decision. In this case, the child's innocent compliance is blindly submitted as proof of his/her acceptance.

Freedom of Choice

As per customs and traditions of Pakhtun society, marriages are generally arranged by parents, elders in the family and relatives. Young people, the girl child, in particular, have little say in when they marry and who they are married to. According to the respondent's, girl child has less of a chance to express their disapproval of a marriage decision than to older girls.

Child's Development

The effects of child marriages on the life of girls are far-reaching; it leads to a “denial of childhood and adolescence, curtailment of personal freedom and the lack of opportunity to develop a full sense of self-hood as well as the denial of psycho social and emotional well-being, reproductive health and educational opportunity. After the child marriages take place the girl child is considered a grown woman having a responsibility equivalent to an adult. There are too many opinions that the child marriage entails the robbery of a childhood, and the deprivation of the development that the child would have experienced had he she been given the opportunity to simply grow.

Early Motherhood and Health Challenges

The health hazards for the child marriages are well known, most of the community members have some level of idea child marriages potentially contributes to maternal mortality but they have very little knowledge about the sexually transmitted diseases, cervical cancer, and other relevant health challenges. Childbirth puts significant risks on girl mothers; girls are more likely than older mothers to die in childbirth because of hemorrhaging and obstructed labor. Girls are also vulnerable to developing fistula, a condition that can cause feelings of humiliation and embarrassment because it leads to a leakage of urine which is common but trust health issue in communities because of the stigma and shame associated with this. Most of the girl brides are from the unprivileged and poor families and often get married to poor men and boys which further decrease their chances of better health care facilities. The girl brides are primarily at risk of malnutrition, stunting, and inadequate stimulation, in addition to substantial social and economic challenges.

Challenges to Educational Life

Child marriages pose a direct threat to educational and schooling life of the girl child. Many studies around the world provide evidence that there is a direct relationship between education and the age at which children marry. Parents are quick stop girls' education when they feel it's the time to get married. In rural communities where there are lesser opportunities for women to work, parents see no point in educating girls whose ultimate purpose is to get married and bear children. Dropping from the school means their intellectual development comes to a halt and that is also the end of their social life. Dropping from education also increases the chances of domestic violence at later stages because then girls have lack of alternatives.

When school-going girls are married, they are much more likely to drop out of the education system. Once they drop out of the system, married children are unlikely to re-enter school.

Joint family issues

The joint family system is mostly the preferred way of the living in all the 7 districts where this research was carried out. Once the girls are married they expected to move to their in-laws and adjust her to their family settings. Because of the joint family system, the girl has to make significant adjustments which often ports young girls under huge mental stress. It is learned that there is a preference for young girls as brides because it has a significant implication for the power structure of the family, it is much easier to subjugate and dominate girl of lesser ages. Moreover, customary references, practices such as swara, considerations such as political allegiances between families and economic promises to the bride's parents often lead to young attractive girls being married off to men who could be significantly elder than the girl.

Reproductive and Sexual Health

There is no concept of marital rape in Pakistan at the community level; the married girls have no liberty to refuse sex to their husbands. They have to get into sexual activity even if they have no consent or even if they are unwell. There is very little or almost no concept of using contraception and protections and especially it's very challenging for young girls to have access and knowledge about such protection and liberty to use it as compared to older women.

There is a huge social pressure on the girls to get pregnant and have their first child in the first year of their marriage; this situation often leads to premature pregnancies and cause emotional trauma. Because of the non-sufficient and poor quality health services in most of the districts woman seems to have an immense burden of poor reproductive health.

Single Mothers and Support

To be a poor single mother without sufficient financial or family support can be a nightmare for any girl child in the conservative Pakhtun culture. Girls are left alone without any social support who's marriages fails. In the vast majority of divorces, it is girls who are left to care for any children that result from the marriage. Usually, girls are blamed for failed marriages and rarely there is any stigma attached to women or boys whose marriages have failed.

Young single mothers face more significant challenges as compared to older women. The majority appears to have only limited formal education, which decreases their chances for paid employment opportunities and at the same time their access to information related to their own and their children's health and well being is limited. According to the respondents if the child marriages fail the only support they can get is from their parents, grandparents are extended family and that also very much depend on their financial and social position.

The parents in some cases feel aggrieved that they have to resume the care of their daughter as well as provide for any children that she may bring into the household. Also, there is a stigma attached to the divorce in our society these girls have little chances to get married again.

Domestic Violence

Domestic violence is pervasive in Khyber Pakhtunkhwa. While having terrible health and economic consequences for survivors still there is no comprehensive law available to deal with the issue of domestic violence. While parents often marry their daughters as a way to protect them from harm and improve their living conditions. Child marriage exposes girls to intimate partner violence, including sexual, physical, psychological and emotional violence.

The respondents provided strong arguments that child marriage itself is a form of domestic violence because it violates the right of a child and it leads to estrangement from family at a very young age before a child is strong enough to live by itself. Child marriages can also result in bonded labor, slavery, sexual exploitation and domestic violence- It was a common view among NGOs, CBOs, and government officials that early marriage contributes to increased levels of domestic violence.

Child divorce

The interviews of the respondents also reflected that divorce is another serious reality connected to the issue of child marriages but usually it doesn't come to the consideration of the state and non-state service providers. People who get married at young age are more likely to get divorced as they do not have such state of mind to understand what comes after and are not ready to shoulder the responsibility of house hold. Such situation creates issues and misunderstandings between the spouses and even between the families and further leads to unpleasant situation which even sometime results in dissolution of marriage.

The Effects of Child Marriage on Society

Early marriage is she a widespread phenomenon in Khyber Pakhtunkhwa province. Human Right Commission of Pakistan in 2012 reported that the ratio of child marriage in some of the districts as high as 74%. The practice of child marriage does not only affect girls and boys but also have multiple harmful social and economic consequences for the society as a whole.

Social structures that undervalue the contribution and participation of girls and women limit their own possibilities for growth, stability, and transformation. The issue of child marriages affects society as a whole since child marriage reinforces a cycle of poverty and perpetuates gender discrimination, illiteracy, and malnutrition as well as high infant and maternal mortality rates.

4.8 Benefits VS risks of child marriage

Unlike other researchers conducted on the issue of child marriages this research suggests that vast majority of people in rural and urban areas in the selected 7 districts of Khyber Pakhtunkhwa have some level of knowledge and understanding on the potentially negative consequences of the child marriages and they are also well aware of the short-term nature of the benefits associated.

There is a contradictory relationship which individuals and communities have with the practice of child marriage. The risks related to the practice of child marriage are significant and known but there is a tendency to measure these days with options values and behaviors. Khyber Pakhtunkhwa is a highly male-dominated and patriarchal society where girls and women have very little or no say in their bodily integrity and sexual autonomy. The child marriage usually tends to take place in families and communities characterized by high levels of poverty. There are limited options through which girls can make a life for themselves that match their personal and social expectations. And deviating from expected social norms can put their lives at greater risk.

In our society becoming an adult means that one is financially and materially independent which can be achieved through education, skills, and jobs but it is a matter of great disappointment that's it opportunities are not available equally in all communities and all districts alike. Parents and families make choices which best suits their needs and circumstances without considering its long-lasting impacts on the life of a girl child.

All of the districts where the research was carried out are poor in terms of resources and opportunities and affected by disasters, conflicts, displacement and poor law and order situation which creates a lot of space for practices such as child marriages on the other hand the government shows very weak political will to tackle the situation of child marriages.

CHAPTER 5

5. KEY CHALLENGES IDENTIFIED IN ENDING CHILD MARRIAGES

Addressing the issue of child marriages in Khyber Pakhtunkhwa is a complex issue. Unavailability of a comprehensive law hampers the efforts of civil society actors ending child marriages. Other than increasing awareness a comprehensive legislation to end child marriage is very important which can increase the effectiveness of the interaction of civil society actors with communities.

Poor networking among various sectors and program: While intersecting oral collaboration between various sectors and programs can be an effective strategy to deal with the issue of child marriages, there is a lack of networking among government departments and line agencies. Numerous sectorial initiatives are working in isolation and without any effective coordination mechanism. Representatives of education, health, and other sectors have no viable networking and collaboration. To establish a holistic response government and civil society has to work in an active consortium to end child marriages. The intersectional collaboration of this kind will support the development of more broad-based, holistic approaches to tackling the roots of the problem.

Non availability of alternative options: Even if the communities are aware of the potential risk associated with child marriages, no alternative options are available to them. There needs to be targeted campaigns and programs to address the underlying causes of child marriages. Respondents cited the need for more social protection programs, training in life skills, recreational opportunities and economic support to keep girls and all children in school. The availability of the alternate options could be helpful in declining child marriage, but creating awareness on its own is unlikely to lead to any significant decline in the practice.

Program approach (Top-down policy): One of the major concerns among local government, civil society organizations, and community leaders is that legislation and policies are made without adequate input from sub national actors. Similarly, the community believes that NGOs design their programs on unrealistic expectations about the capacity of local actors. All the respondents emphasized the need to have policies, laws, and legislation in place which resonate with populations or to take into account the challenges they face in their daily live

Lack of Resources: Most of the National Human Rights Institutions (NHRIs) and government departments like Child Protection and Welfare Commission (KP) and other service providers have very little or no resources available to implement their responsibilities under the various laws. Most of these departments have the physical and symbolic presence in the district Peshawar and are unable to maintain any form of regular contact with hard-to-reach communities.

Access to and high costs associated with education: Decreasing the dropout and keeping children in school, especially girls, is recognized as an effective policy to combat child marriage. There is no effective program in place to support girls to return to education. Some National and international NGOs initiate programs and provide incentives for girls to remain in school but these are very project-based activities and ends as soon as their funding is over. Distance from school, the high cost of education, fees, additional costs, insecurity and missing facilities makes it difficult for the girls to remain in school.

Lack of clear messages: The research reflects that many messages from child protection and service delivery organizations are not clear and therefore, communities are not able to relate these messages with their ground realities. Organizations and government, therefore, must adopt a more consistent approach for awareness raising. Piloting and field testing of all communications and messages must be mandatory so that they can prove beneficial.

5.1 Policy and legal framework and interventions which can better influence the community:

Following are the policy and legal changes identified by the respondents which can contribute in ending child marriages in our society and the role of various stakeholders including civil society organization, local government, community leaders, religious leaders, government institutions, academia and others to end child marriages:

Area of Focus

1 Policy Legal and Framework

Key Actions

- Harmonization of law to define "who is a child".
- Standardization of the age.
- Implementation of the law and education about the law.

2 Prevention

Key Actions

- Awareness-raising at community levels involving the community elders, religious leaders, and councilors.
- Creating safe spaces for young girls where they can learn and discuss risk associated with child marriages.
- Community theaters to sensitize the society about child marriages.
- Simplification of laws and messages about child marriage.
- Engaging teachers to better protect children, especially girls.
- Life skills and literacy programs to empower children and parents.
- Create community-based mechanisms of child protection.

3 Response

- Rescuing children from early marriage situations.
- Welcome to school initiatives to help children return to school.
- Incentive programs for education, with a focus on the girl child.
- Increase family support.
- Vocational training and livelihood opportunities.
- Support adolescent mothers.

Key Civil Society Alliances working in Khyber Pakhtunkhwa to end child marriages

There are a number of local-level government and non-government groups working to end child marriage in Khyber Pakhtunkhwa.

- Child Welfare and Protection Commission Khyber Pakhtunkhwa.
- National action coordination group (NACG) Part of the South Asian civil society initiative to end violence against children which is an Apex body of the SARCC.
- Child rights movement (KP chapter).
- Provincial Alliance to End Early Child and Forced Marriages (KP).
- National Task force to end child marriages.
- Partners for Prevention and Response (P4PR) Khyber Pakhtunkhwa.
- NGOs and CBOS.

5.2 Conclusions of the research

We hope the conclusions of this research will help explore appropriate responses to address the practice of child marriage in the context of Khyber Pakhtunkhwa.

Child marriage is not solely a cultural practice

Most of the time child marriage is typically framed as a cultural practice, which conceals the reality that often it is a reflection of social and economic inequality. The implication is that there is often a cultural imperative for the marriage of children build relation and family ties, increase the wealth and labor power of households and family groups, to reinforce and maintain gender roles or to institutionalize the care of the vulnerable, including widows and orphaned children. That child marriage exists to serve these and other goals are widely acknowledged.

Child marriage is more prevalent in poverty hit areas especially those where there are limited social and economic opportunities for girls and women. The cultural practices, such as Walwar, call into question the ability to separate the culture from the economic aspect. The child marriages do not only take place because the community "supports" this but because of a confluence of factors unrelated to culture, including – but not limited to:

- Lack of availability of education for employment opportunities.
- Improve household circumstances.
- Strengthen family bonds.

In these cases, child marriage is not a cultural practice. Rather, it is a response to inequality and lack of opportunities. The findings strongly suggest that policy and programmatic interventions need to engage with the reality that while child marriage often takes place in 'traditional' communities, it is no coincidence that these are almost always places where children face significant economic and social hardships.

It is a complex practice driven by a multiplicity of factors, including – but not limited to – culture, religion, poverty, patriarchy, poor governance, insufficient laws and others.

Child marriages also affect boys

There is a general assumption the child marriages only impacts girl child. It is true that girls are far more likely impacted by the issue of child marriages but it impacts the boys too. The focus of this research is also on the girl child but the respondents highlighted that not all but some of the challenges that trigger child marriage among girls also impacts boys.

These include but not limited to quality schooling, limited working opportunities, forced employment, relationships with parents and guardians that involve violence, abuse, maltreatment, and discrimination; absence of recreational activities; inaccessibility of relevant and appropriate.

Child marriage a protective strategy

The results of this research reveal that child marriage is strongly associated with poverty, lack of affordable and accessible education, the absence of social protection systems and an insecure environment. At many international levels, child marriage is often portrayed as protection problem. In many parts of the Khyber Pakhtunkhwa, the community perceives that marriage is a strategy to preserve a girl's reputation and the honor of her family and to provide her with better material, economic and social circumstances. The respondents shared that in their community child marriages often takes places in situations which are believed to pose risks so serious that marriage is understood as the best – or only – option available.

All or any effects designed to end child marriages need to engage with this widely held community perspective other than the established factors. The program designers and policymakers must take into account difficult choices that children and parents are sometimes forced to make or in some circumstances deliberately chose we are well acquainted with the potentially harmful effects of child marriages.

Child marriage is not a standalone issue

The research finding reveals that while there a specific focus on the area of preventing child marriages there is very less attention on the issue of response and very less attention is paid to broader issues of sex, pregnancy, and parenthood in childhood. Very less help is available for adolescent mothers.

The stakeholders must pay attention to the fact that child marriages are not only about marriage. Girls don't only have to come to their husband house and live where they often face violence abuse and discrimination. There is less talk about the fact that they are having sex, becoming pregnant, giving birth and parenting other children. Acknowledging this fact would reshape the entire response to child marriages and will make it holistic and need-based. We have also found that while government departments, NHRIs and NGOs talk with parents about their commitment to end child marriages but there is a considerable amount of discomfort when the discussion is about adolescent mothers and response to child marriages.

The issue of child divorce

The in-depth interviews with respondents reflected that child divorce is as much a reality as child marriages. The respondents reflected that many relationships end after a few months and few last longer than a year or two. They have often seen girls as young as 14 or 16 who are divorced and single mothers. These realities demand that conceptualizations of child marriage and its implications should be expanded to include child divorce. Doing so would mean a better understanding of the challenges experienced by divorce girls their children and their families.

Because of the widespread poverty, poor or no shelter facilities and a lack of access to social protection measures force majority of divorced girls to return with their children to live in their parents' home which often results in tensions in the household as a the result of unhappiness, unmet expectations and unanticipated financial pressures on the part of both divorced girls and their parents. The research suggests that projects, interventions, and policies designed to eliminate and mitigate the harmful effects of child marriages should also need to incorporate multi generational impacts of divorce on children.

Need for multi-sectoral response and improved communication

Based on the interaction with respondents this research suggests that a significant number of people in communities have some level of knowledge on the potential risk associated with the practice of child marriages particularly in terms of maternal mortality, childbirth-related problems, and truncated schooling. Even when the community know the consequences the practice of child marriage continues for a variety of reasons top of which is that, status quo is considered intolerable: living in extreme poverty without access to basic needs; living among guardians who mistreat, abuse, or discriminate; living with the shame of being a pregnant, unmarried girl or a child single mother; being out of school and unemployed and several other contributing factors.

Research suggests that families and parents instead of investing in the future of the girls look for short-term benefits and because the child marriage sometimes offers something to the family, parent or care givers they make the choice of child marriage. If we need to address the issue of child marriages we have to address its underlying causes through targeted interventions to improve the lives of girls, and their families.

Serious efforts to end child marriages need a multi-sectoral response, communication, networking and collaboration among state and non-state service providers and civil society organizations. There need to be targeted health interventions, child, and social protection, education, training, skill development, improve livelihoods and other areas. As a single strategy, sensitization and awareness campaigns will not work and may stigmatize those who do not think they can make any other choice.

5.3 Recommendations

The practice of child marriage is rampant in Khyber Pakhtunkhwa but it is disappointing to note that inadequate services are available for the survivors of child marriages in the districts where the research was conducted. There are few public service centers where girls can approach for assistant and support in such cases. There are very few NGOs/CBOs or Government agencies that address this issue in any major or substantive way. The Civil Society organizations which work on issues of gender, women, sexual abuse, domestic violence, education may some time to deal with the issue of child marriage as an additional area. The alliances working in Khyber Pakhtunkhwa on the issue of child marriages are limited to awareness and advocacy efforts and they have no services available in case the child marriage happens and the help is required.

- Some steps which could be taken in order to combat, stop and response to the issue of child marriages are: Amend/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 impose appropriate sanctions on violators.

- Review/amend National family and marriage laws and policies which discriminate against girls in order to enhance their independence.
- Enforce the registration of all births and marriages with NADRA to effectively implement child marriage laws.
- Work towards removal of all reservations on International conventions, such as CEDAW.
- Comply with the UPR recommendations especially those related to ending child marriages.
- Develop approval plan of action to end child marriages and formulate approaches that really reflects the context of Khyber Pakhtunkhwa.
- All programs developed by state and non-state service providers and development partners need to be a comprehensive, holistic, appropriate and must have a coherent approach to child marriage.
- Multi-sectoral response to the issue of child marriages must be prepared with a strong component of Information sharing and networking which should reflect the local context in tailored programs especially recognizing the different challenges associated with urban and rural areas. These responses must incorporate a clear and realistic work plan, performance assessment and monitoring and evaluation framework.
- The relevant government agencies and civil society networks must consolidate the existing evidence base from both qualitative and quantitative sources. To formulate the provincial plan of action to end child marriages all data need to be analyzed to assess the inherent contradictions and convergence in the results.
- All departments must articulate and agree on a multi-sectoral approach and collaboration to prevent and respond to the challenge of child marriages because child marriage is not solely a child protection issue. There are many complex, dynamic forces that propel children into marriage, and the solutions are beyond the scope of a single sector.
- Creating awareness about the rights of the children and the importance of their picture among the parents and family elders could be of great significance it is necessary to initiate dialogue with them.
- Teachers and health officials can play a vital role in disseminating information about gender equality and the dangers of child marriages not only at a personal level but how it is a threat to economy and development of the country.
- Service providers must develop and implement programs that address the underlying causes of child marriage and create alternative life options for girls at risk and adolescent mothers.
- Programs which aims to tackle poverty, access to quality education, sexual and reproductive health issues, social protection, gender equality and health need to be more cognizant of their potential to reduce rates of child marriage and to provide better protection to girl brides and adolescent mothers.
- Evaluating the role of legislative reform is very important and must be done. While a comprehensive legal framework is very important to be developed and implemented, policy-makers and service providers should recognize that changes in the statutory law are likely to have limited impact on the lives of many families, especially in rural areas, who continue to live beyond the meaningful reach of service providers.
- Removing Gender Inequalities can be key to end child marriages. Educating girls must be a top priority for tackling child marriages. Access to affordable and quality education for girls must be made accessible and missing facilities at school must be provided so that the dropout can be avoided.

- The provincial government should make efforts to ensure the universal provision of education and enrollment of girls in schools. Further, provincial governments need to expand the educational facilities up to higher secondary levels and encourage young girls to pursue education for their better future.
- Girls must also be empowered economically in more direct ways. More employment opportunities must be created for girls. Micro-credit and micro-enterprise schemes should be directed towards young girls. Vocational training and capacity building must be provided to them, endowing them with those skills that are marketable in the context of their own economy.
- Sports facilities and physical strength training must be provided to girls where ever such facilities are available. Girls must be provided with spaces where they are free to venture out and exist in a healthy, nurturing atmosphere.
- All state and non-state service providers must invest in the adolescence phase which is frequently sidelined and undervalued. Making parents and care givers aware of the importance of this stage, and the nurturing that children require during it is, therefore, a vital step in combating child marriage.
- Legal frameworks and policies dealing with the issue of child marriages must be built upon the understanding that child marriage is a complex phenomenon and multi-faceted therefore the responses must take an account of these differences.
- Child marriages also happen between peers and it is not always a child and adult relationship, therefore, such stereotypical child marriages must be avoided so that our strategies to prevent child marriages and responses must be informed and according to the cultural context.
- All relevant stakeholders who have the mandate and interest to end child marriages and provide response services must recognize the agency of boys and girls in child marriages any solution must involve listening to children and trying to understand their point of view. All programming on the issue should incorporate the children's rights principle of inclusion and participation, ensuring that children's perspectives, opinions, and recommendations are heard while ensuring the principal of safeguarding.
- Efforts must be made to improve and expand recreational programmers for urban and rural children and young people to improve their physical and mental well being.
- Relevant government line departments and civil society organizations working in the area of sexual and reproductive health must revise and improve approaches to sexual and reproductive health.
- The prevalence of child marriage is inextricably linked to adolescent sexuality. Teenage pregnancy has a strong influence on child marriage, especially when marriage is understood as a mean to protect the honor of the family.
- There is need to use puberty as the nexus around which an integrated protection plan or risk reduction strategy can be based. Service providers need to ensure that programmes are adapted to this reality and target their initiatives to this critical period in children's lives.
- Service providers should take into consideration that there is a need to develop response programs for girls who are separated or divorced. Girl brides whose marriages are dissolved suffer stigma and rejection in their communities and for them establishing future relation is often more challenging. Programs and responses should be aligned more closely with the Welfare and protection needs of the girls whose marriages have dissolved.
- All stakeholders need to reappraise current approaches to sensitization and awareness-raising. The findings of this study suggest that a change in approach may be required. The emphasis of the messaging needs to be more balanced and appropriate to the reality of children's and families lives.

- The respondent suggested that the message needs to focus on the positive outcomes for individual and family well-being and welfare when children do not marry and not how do the laws penalize child marriages. We learned that communities are receiving mixed messages and contradictory information about the laws because varieties of actors are involved without networking with each other. Service providers should develop standardized messages for awareness-raising and campaign on child marriage. Sensitization strategies should be harmonized with a multi-sectoral response.
- Building the capacity of government, non-government and other relevant actors can be of great significance, there should be a standardize capacity building models which should be rolled out to traditional leaders, district councils, and civil society organizations.
- Before implementing a large scale project productivity it should be pilot at Union Council level to gauge its impacts because it gives an opportunity to review asses and refine strategies and responses. This process is very important as it has the potential to generate a solid evidence base upon which to extrapolate proven and successful activities that might be replicable on district or provincial level.
- Psycho social support must be extended to girl brides and adolescent mothers to improve their mental and emotional well being. Government and private shelter houses must be accessible without any stigma, abuse and discrimination to girl child who wants to dissolve their marriage.
- Engaging men and boys in efforts to end child marriage is very important. More research and programs need to explore the attitudes of male family and community members on child marriage and the role of masculinity in shaping these attitudes in the context of Khyber Pakhtunkhwa. The relational aspect of the gender suggests that response to child marriage should engage not only women but also men. From the responses we gathered and all 7 districts where the research was conducted with the development community and state actors have paid very little attention to the role of men and boys in changing harmful marriage-related norms.
- Mobilizing the power of faith to end child marriages can be a very good strategy in efforts to end child marriages. Religious leaders of all faith are well-respected figures in their communities. Religious leaders are considered moral leaders and people look up to them, like role models. People believe and follow them.
- In Pakistan, religious leaders play several different roles from performing Nikkah to registering the marriage. In some countries, they even influence the way marriage laws are developed and put into force. And even they influence legislation because of their social and political influence in our society. A large number of people in our society goes to religious leaders for counseling and mediation and listens to their sermons 5 times a day and especially in Friday prayers. This gives religious leaders many opportunities to talk to families about girls' value beyond marriage and motherhood.
- Local government representatives including Nazims, counselors are very well placed to prevent and response child marriages in their communities' grassroots level. They have a unique position to shape, advance and implement public agendas. But their role and significance is yet not explored by civil society organizations. They have a great potential to guarantee that the voices of grassroots citizens are heard, youth counselors can be an effective voice of the girl child in order to mobilize political will and commitment to ending child marriage.

- The role of National Human Rights Institutions (NHRIs) like child welfare and protection Commission, Khyber Pakhtunkhwa Commission on the Status of Women, Directorate of Human Rights and National Commission for Human Rights must be strengthened and their capacity must be built not only to propose new legislations but to make sure that the current and available legislations are implemented in their full spirit. At the same time, they can recommend response strategies to the government agencies and legislative bodies as according to their mandate. NHRIs are expected to be the “key elements” of a strong and effective national human rights protection system, helping to ensure the compliance of national laws and practices with all international human rights norms; supporting governments to ensure implementation; monitoring and addressing at the national level core human rights concerns.
- Both the state and non-state service providers should be sensitive towards the gender equalities faced by women in the humanitarian context, according to the respondents from conflict and disaster-hit districts, child marriage rates increase, Persisting gender inequality, increased poverty and insecurity, as well as lack of education, put them at greater risk of child marriage in those times. According to the respondents during the humanitarian contexts, parents believe that girls are more at risk of physical or sexual assault. Because of the displacement families see their social networks disappear and lose access to protection and they view marriage as a potential solution to safeguard the virginity of the girls which is considered and link with the family honor.

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ANNEXURES

RESEARCHER CODE OF CONDUCT

All research team members were required to read, sign and abide by a code of conduct. This applied to the full duration of time that team members were involved in the research, whether field based or not, and included time not officially on duty. Research team members were in a privileged position to learn about the lives, perspectives, and experiences of the respondents. With this role came a set of expectations and responsibilities to ensure that respondents and their communities were not put at risk through the research process. The code of conduct contains simple guidelines developed to help ensure that researchers, colleagues, and participants were protected and had a richer, more purposeful, interaction. It was important for all research team members to familiarize themselves with the code of conduct and to follow it in practice.

Code of Conduct for Researchers: Statement of Commitment

I hereby declare that I have read and understood the ethical protocol for this research and the child protection policy of Blue Veins and that I will comply with the guidelines therein for the duration of this research project. I have a duty to ensure that no one is put at risk of harm as a result of their participation in this research. I have a responsibility to respect participants' views and experiences and to ensure that participation in the research is in every individual's best interest. I will do my utmost to ensure that participation in this study is a positive experience for all. While associated with this research, I will never:

1. Share the information acquired from any specific individuals who participated in this study with anyone outside the research team.
2. Hit or physically assault any participant.
3. Behave physically in a manner that is inappropriate or sexually provocative.
4. Use language or offer advice that is inappropriate, offensive or abusive.
5. Act in ways intended to shame, humiliate, belittle or degrade participants.
6. Act in ways that may place a participant at risk of danger, abuse or exploitation.
7. Act in ways that could be deemed coercive, exploitative or abusive.
8. Encourage children to act in ways that are illegal, unsafe or abusive.
9. Develop intimate physical or sexual relationships with participants.
10. Invite a child participant to my room or to stay overnight at my home unsupervised or sleep in the same room or bed as a child participant.
11. Do things for children of a personal nature that they can do for themselves.

I understand that failure to comply with this Code of Conduct may result in disciplinary action, including termination of my contract.

ANNEXURE 1: QUESTIONNAIRE

“Questionnaire to identify the influencers and drivers of child marriage in Khyber Pakhtunkhwa”

Interviewee

Name:

Date:

Profession:

General Questions

- What is child marriage according to you?
- What should be the appropriate age of marriage for girls and boys?
- Are you aware of the legal age of marriage in Khyber Pakhtunkhwa and other parts of Pakistan?

Section 1:-

What are the key factors triggering and sustaining child marriage with in families and communities in Khyber Pakhtunkhwa?

- Why is child marriage happening in your community? Are the reasons for child marriage the same for boys and girls?
- What types of families and communities practice child marriages and why?
- What factors make children more vulnerable to child marriages?
- What do you think are the incentives for the parents to marry off their children at an early age?
- What are the benefits associated with child marriages in your opinion and what are the risks according to your understanding?

Section 2:-

How cultural norms, traditions, and beliefs promote or prevent child marriage?

- What traditions, cultural beliefs, norms and values sustain and promote child marriage?
- Is religion used as a justification to authorize child marriages? If so, why?
- What could be the best motivation/incentive for the community to play their role in preventing/ending child marriages?
- In the same community, there are families who don't push their children into child marriages? What is their motivation for discouraging child marriages and how the community responds to their decision making of preventing child marriages?

Section 3:-

What policy and legal changes can contribute to ending child marriage in our society, which type of laws, programs, and interventions and policies can better influence the community.

- How can the underlining reasons for child marriage be combated?
- What is the reaction of communities to the awareness messages in relation to discouraging and preventing child marriages?
- Is there any awareness among communities in the exiting legal age of marriages in Khyber Pakhtunkhwa, how do they react to these laws?
- What could be the best policy and laws to prevent and respond the issues of child marriages?
- What is the role of various stakeholders including NHRIs, CSOs, Local Govt, community elders, religious leaders, government institutions, academia, and others to end child marriages?
- What are the main challenges in bringing legislation to end child marriages?

ANNEXURE 2: CONSENT FORM

**IDENTIFICATION OF INFLUENCERS AND DRIVERS OF CHILD MARRIAGES IN KHYBER PAKHTUNKHWA,
PAKISTAN**

29 April, 2018 to 6th May, 2018

Please read and complete this form carefully. If you are willing to participate in this study, sign and date the consent form at the end. If you do not understand anything and would like more information, please ask.

- I have had the research reasonably explained to me in verbal and/or written form by the researcher.

YES / NO

- I understand that I may withdraw from this study at any time without having to give an explanation.

YES / NO

- I understand that all information about me will be treated in strict confidence and that I will not be named in any written work arising from this study.

YES / NO

- I understand that you will be discussing the progress of your research with others.

YES / NO

- I understand that I can contact Blue Veins and the researcher at any time.

YES / NO

I freely give my consent to participate in this research study and have been given a copy of this form for my own information.

Signature:

Date:



ANNEXURE 3: INFORMATION SHEET

IDENTIFICATION OF INFLUENCERS AND DRIVERS OF CHILD MARRIAGES IN KHYBER PAKHTUNKHWA, PAKISTAN

Information sheet

Who is conducting the research?

My name is -----and I am inviting you to take part in my research “identification of influencers and drivers of child marriages in Khyber Pakhtunkhwa, Pakistan” under the project “Policy, Advocacy and Research to Strengthen Implementation of Pro-Women Legislation and GBV Response Services in KP”. I am working as a consultant for this research. This project is funded by The Australian Government.

The aim of the research is to explore the factors, influencers and drivers which promote the practice of child marriage in the selected areas of the research and to look into under what circumstances child marriage does exist and what we can do to end it.

Why am I doing this research?

I want to identify the following:

- The underline influencing factors and motivation among community for child marriages in the \ seven (7) selected districts of Khyber Pakhtunkhwa (KP), Pakistan.
- The key religious, social, cultural and traditional beliefs and assumption which promote and prevent child marriages at the community level.
- To know what legislation and policy framework can work best at the community level in the context of Khyber Pakhtunkhwa.

What will happen if you choose to take part?

I will be really pleased if you agree to take part and I will send you more details about my research and answer any questions you may have.

Will anyone know you have been involved?

All data will be treated confidentially and will be completely anonymized. I will change your name and remove any personal details from my research to ensure you cannot be identified.

Could there be problems for me if you take part?

You are very unlikely to face any problems when taking part but if there are any questions you feel uncomfortable answering, you have the right to stop the interview at any time. You also have the right to withdraw from the research at any time.

What will happen to the results of the research?

I will write up the results of the research to Blue Veins who will share the finding of the results with a wider audience. I will make sure anonymity is given. All data will be securely stored with me and I will not disclose your information.

Do you have to take part?

It is entirely up to you whether you choose to take part. I hope that if you do choose to be involved then you will find it a valuable experience.

Thank you very much for taking the time to read this information sheet.

If you would like to be involved, please complete the following consent form and return to me at

If you have any further questions before you decide whether to take part, you can reach me at



