

ADDIS ABABA UNIVERSITY
COLLEGE OF LAW AND GOVERNANCE STUDIES
CENTER FOR HUMAN RIGHTS



**CONTEXTUALIZATION AND RESPONSES TO GLOBAL NORMS ON CHILD
MARRIAGE: A CASE STUDY OF QUARIT WEREDA, AMHARA REGIONAL
STATE OF ETHIOPIA**

By

Yitaktu Tibebe Mengstu

**A Dissertation Submitted to the Center for Human Rights
In Partial Fulfillment of the Requirement for the Degree of Philosophy Doctor
(Ph.D.) in Human Rights**

Addis Ababa, Ethiopia

June, 2024

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Declaration

I, Yitaktu Tibebu Mengstu, hereby declare that this dissertation entitled, “*Contextualization and Responses to Global Norms on Child Marriage: A Case Study of Quarit Wereda, Amhara Regional State of Ethiopia*” is entirely my own work and that it has not been submitted either in part or in full for an award of any degree or diploma in this or any other University. All the sources I have used, or referred to, or quoted are duly acknowledged by complete references. I also declare that the dissertation is less than 100,000 words exclusive of references and appendices. This is a true copy of my Ph.D. dissertation, including final revisions and is being submitted for evaluation for the first time.



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Supervisors' Approval

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Dedication

In loving commemoration of my beloved father, ***Captain Tibebe Mengstu Wedneh***, I dedicate this work to his esteemed honor. As a first-year Ph.D. student, I experienced the heartbreaking loss of my father, and it was with profound sadness that I continued my studies at this level. My father was an expert in army Commando and also highly skilled in a range of Airborne army expertise. Despite his impressive military background, he was determined to pursue academic studies and worked hard to earn a higher accounting diploma. He studied at night to achieve his goal and always encouraged me to strive for success in my academic endeavors. He is proficient in six languages, three of which are foreign while three are local. Abyeye was the one who teach me how to study through structured programs and imparting new English words every day. His unwavering belief in me began during my childhood, and his love and guidance continued to shape me into the person I am today.



Abstract

Child marriage persists as a deeply ingrained and harmful gender-based practice, defying legal reforms aligned with international human rights instruments. This dissertation investigates how the globally defined child marriage norms are interpreted, framed, and implemented. It primarily focuses on the minimum marriage age of 18 and the (free, full, and informed) legal consent notions. Additionally, it seeks to comprehend how local communities perceive and react to the adoption and implementation of these norms. It focuses on two Kebeles in Quarit, one of the child marriage 'hot spot' Wereda in Amhara Regional State. Since it is a socio-legal research, the dissertation adopts a doctrinal and non-doctrinal qualitative case study research design, gathering primary data through in-depth interviews, KIIs, and group discussions, triangulated with relevant secondary data. Findings uncover diverse socio-cultural factors (i.e., the semiotic system) and misconceptions about girls' sexuality and mythical significations that underpin child marriage. It explains why parents are the decision-makers when selecting spouses and determining their daughter's marriageable age, far below the legal age of 18. With the collaboration of the local government and IGOs, child marriage laws are framed and implemented using diverse strategies and tactics. It further digs into the local meanings used to justify the law through the lens of vernacularization theory. The dissertation documents various challenges local authorities face when translating the law into the local context, including raising awareness, estimating girls' ages, and verifying consent. Further, it analyzes institutional actors' roles, power dynamics, and effectiveness in combating child marriage. It uncovers gaps that ultimately shifted the collaborative efforts established by the National Roadmap to end the practice. The dissertation emphasizes the need for the local government and CBOs to proactively lead the efforts with a view to achieve effective long-term change in combatting the practice. The intervention strategies for curbing child marriages among girls, in the study areas, typically follow a 'top-down' approach, focused on eliminating the practice rather than addressing its driving factors. As a result, this dissertation uncovered diverse kinds of individual and collective resistance, which caused the practice to remain hidden. The findings further reveal that middle/late adolescent girls can either consent to the arranged marriage or resist it. Some girls value education over marriage, while others do the opposite. However, some girls conform to the prevailing norm of becoming child brides. This dissertation argues that girls who actively resist and those who justify and accept child marriage as a viable option demonstrate agency. They have exercised active and passive agency, respectively. It emphasizes that the resistance of adolescent girls is associated with their age, access to education, and academic performance. In this regard, the practical implications of this dissertation for combating child marriage among girls in the targeted areas are significant. It portrays adolescent girls' agency as pivotal in combating child marriage, stressing the efficacy of strengthening their agency instead of exclusively enforcing a minimum marriage age of 18 in the targeted areas.

Key Words: Child marriage, vernacularization, marriageable age, girls' agency, resistance, semiotics

Acknowledgement

*In the name of the **Father**, and of the **Son**, and of the **Holy Spirit, One God**, Amen*

*I would like to start by praising **God**, the origin of wisdom, whose divine guidance initiated me to start, work on, and finalize this thesis. I am overwhelmed in all humbleness and reverence to acknowledge the support of **St. Virgin Merry** in shaping every word and thought in this thesis. May this work be evidence for all who aspire to seek your divine guidance*

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Acronyms and Abbreviations

ACRWC	The African Charter on the Rights and Welfare of the Child
AWA	Amhara Women Association
BoWSA	Bureau of Women and Social Affairs
CBO	Community Based Organizations
CESCR	Committee on Economic, Social and Cultural Rights
CSO's	Civil Society Organizations
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CRC	Convention on the Right of the Child
CSW	Commission on the Status of Women
CSA	Central Statistical Authority
EDHS	Ethiopia Demographic and Health Survey
E.g.	Example
FDRE	Federal Democratic Republic of Ethiopia
FGM	Female Genital Mutilation
FGDs	Focus Group Discussions
GBV	Gender Based Violence
GDP	Gross Domestic Products
HIV	Human Immunodeficiency Virus
HP	Harmful Practices
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social, and Cultural Rights
ICRW	International Center for Research on Women
IGO	Intergovernmental organizations
KII	Key Informant Interview
MoE	Ministry of Education
MoH	Ministry of Health
MoJ	Ministry of Justice
MoWCYA	Ministry of Women Children and Youth Affairs
MoWSA	Ministry of Women and Social Affairs

NGOs	Non-Governmental Organizations
OHCHR	Office of the United Nations High Commissioner for Human Rights
PMNCH	Partnership for Maternal, Newborn and Child Health
SADC	Southern African Development Community
SNNPR	Southern Nation Nationalities Peoples Region
SDGs	Sustainable Development Goals
TPs	Traditional Practices
UDHR	Universal Declaration of Human Rights
UK	United Kingdom
UN	United Nations
UNESCO	United Nations Educational Scientific and Cultural Organization
UNFPA	United Nations Population Fund
UNICEF	United Nations Children's Fund
VAWG	Violence against Women and Girls
WHO	World Health Organization

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Box 1: Glossary of Selected Key Local Terms

Adugna: Happiness parents get when they celebrate marriage

Akolkuway meshome orwenfel masemelse: refers to claiming back debt. During marriage celebration, each neighboring family contributes 50-100 *Injera* [sourdough flatbread], three pots of ‘*wot*’ [stew], and three containers of ‘*madega tella*’ [local alcoholic drink]. Hence, *Akolkuway* is reclaiming the food items once contributed to the neighboring communities.

Ashulko medar or shuleklek: meaning sneak away. When parents hide or lie about their plans to marry off their underage daughters use other social events other methods to cover the marriage

Chagula merget or dawaja mdqedqe: refers to celebration of marriage at childhood or marrying off girls at a very young age.

Chefeleko medar: meaning hiding the underage marriage

Das: referees to a traditional temporary hut for wedding feasts

Hitsan: refers to child

Kebele : is the lowest (smallest) administrative unit in Ethiopia .

Kumo ker : is a derogatory term that labels unmarried women as “unwanted.”

Maheber: a social event and gathering of community members to create sense of belongingness; used to cover under age marriage among girls.

Tewa : a spiritual social gathering of Ethiopian Orthodox church followers in the name of Saints; used to cover under age marriage among girls.

Wel meyaze : refers to betrothal

Wereda: refer to a district

Wetate: refers to youth

Zone: is medium level administrative unit in Ethiopia which is between the smallest and the highest level

CHAPTER ONE

Introduction

The most extreme expression of “*unequal gender relations*” in society, violence against women and girls (VAWG) is pervasive worldwide.¹ Women often pass through a vicious cycle of abuse and vulnerability starting from the mother's womb (female infanticide)², childhood/adolescence (child marriage, female genital mutilation (FGM)) up to adulthood (domestic violence).³ Elimination of VAWG has been a prevailing global agenda recognized under Article 5 of Sustainable Development Goals (SDGs), which states, “*achieve gender equality and empower all women and girls.*”⁴ Nevertheless, women and girls have predominantly been victims of violence worldwide.⁵ The World Health Organization (WHO) marks one in three women (30%) will experience violence at some point in their life.⁶ VAWG encompasses “*any act of gender-based violence that results in or is likely to result in physical, sexual or psychological harm or suffering to women.*”⁷ The economic and social harm suffered by women and girls as a result of the violence shall also be taken into account as part of the definition.⁸

¹See (De Siliva De Alwis and Wellesley Centers for Women 2007, 9)

²Female infanticide is a harmful practice that dictates sex-selective abortion with a preference of son over daughter. According to the study by UNFPA, over 170 million girls are missing in Asia due to female infanticide (See Female infanticide worldwide: The case of action by UN Human Right commission, Available on <http://www.indiaenvironmentportal.org.in/reports-documents/female-infanticide-worldwide-case-action-un-human-rights-council>). In Ethiopia, infanticide is a crime under Article 544 of the Criminal Code.

³ Domestic violence encompass “a pattern of assaultive and/or coercive behaviors, including physical, sexual, and psychological attacks, as well as economic coercion, that are used against their intimate partners,” Available on : <https://www.un.org/en/coronavirus/what-is-domestic-abuse> Accessed 5 January 2021.

⁴ See (UN General Assembly, *Transforming Our World: The 2030 Agenda for Sustainable Development*, A/RES/70/1, 21 October 2015 2015)

⁵ See UN Women. *Facts and Figures: Ending Violence against Women*. Accessed 13 March 2023. Available on <https://www.unwomen.org/en/what-we-do/ending-violence-against-women/facts-and-figures>

⁶ See WHO. *Violence against Women*. 9 March 2021. Available on <https://www.who.int/news-room/fact-sheets/detail/violence-against-women>

⁷ See Article 1 (UN General Assembly, *Declaration on the Elimination of Violence against Women*, A/RES/48/104, UN General Assembly, 20 December 1993 1993)

⁸ See Article 1 (A) (11), (UN Commission on the Status of Women, *Report on the Fifty-Seventh Session* (4-15 March 2013), *Economic and Social Council Official Records*, 2013 Supplement No. 7 2013)

Women and girls are repeatedly the invisible vulnerable for a great majority of violence in the name of social norm or with an appeal to culture.⁹ Harmful practices (HPs) often affect lives of women and children (mainly girls).¹⁰ Among the range of HPs, child marriage is a deep-rooted social/cultural practice¹¹ that violates a range of human rights.¹² Child marriage perpetuates poverty, gender inequality, and insecurity.¹³ Studies also showed child marriage among girls affect the wider country level economic and social harm.¹⁴ Ending the practice of child marriage has been a global priority under direct target 5.3¹⁵ and a key element in achieving nearly half of SDGs.¹⁶ Even after states have committed to eliminate the practice by 2030, women and girls have continued to suffer worldwide.¹⁷ Likewise, child marriage among girls is also widely prevalent in Ethiopia across all regions and ethnicities.¹⁸ Four out of ten adolescent girls are married before attaining eighteen years.¹⁹

Ethiopia has also acceded to international and regional human rights instruments that explicitly condemn child marriage as a harmful practice.²⁰ Among these instruments, Ethiopia has acceded into the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW),²¹ the Convention on the Right of the Child (CRC),²² the African Charter on Human and Peoples Rights,²³ the African Charter on the Right and welfare of the Child (ACRWC)²⁴ and the Maputo Protocol.²⁵ Ethiopia has also

⁹ See (Rajaram and Zararia 2009; United Nations Entity for Gender Equality and Empowerment of Women (UN Women) 2020)

¹⁰ See (Kohn et al. 2019)

¹¹ Ibid, See also supra note 7

¹² See (V. Chow and Vivalt 2021; Murphy 2019; Abera et al. 2020)

¹³ See (Deane 2021; Zaman and Koski 2020; UNICEF 2018; V. Chow and Vivalt 2021)

¹⁴ See (MoWSA 2019; Wodon et al. 2018; 2017)

¹⁵ See supra note 4

¹⁶ See (United Nations Entity for Gender Equality and Empowerment of Women (UN Women) 2020, 18); see also (Batyra and Pesando 2021; UNICEF 2018)

¹⁷ See (UNICEF 2023; 2022; Wodon et al. 2017)

¹⁸ See (Jones, Tefera, Presler-Marshall, et al. 2016; Jones, Tefera, Emirie, et al. 2016; Jones, Emirie, Tefera, et al. 2016a)

¹⁹ See (UNICEF 2018; 2022)

²⁰ See Ethiopian Human Rights Commission. *Ethiopia's Ratification Status of Human Rights Treaties*. Accessed 13 March 2024. Available on <https://ehrc.org/download/ethiopias-ratification-status-of-human-rights-treaties/#>

²¹ Ibid, Ethiopia signed CEDAW on 8 July 1980 and ratified CEDAW on 10 September 1981

²² Ibid, Ethiopia ratified CRC on 14 May 1991

²³ Ibid, Ethiopia ratified the African Charter on Human and Peoples Rights on 15 June 1998

²⁴ Ibid, Ethiopia ratified the African Charter on the right and welfare of the Child on 2 October 2002

been active in the African Union's '*Campaign to End Child Marriage in Africa*'.²⁶ In 2013, Ethiopia developed National Strategy and Action Plan to end HPs identifying child marriage as of the top five widely practiced gendered social norm.²⁷ At the first Global Girls Summit held in London in 2014, the country entered a commitment to end the practice by 2025.²⁸ Furthermore, Ethiopia has also launched the 'National Costed Roadmap to End Child Marriage (2020-2024)' in 2019.²⁹

Ethiopia committed to end the practice five years ahead of SDGs target through creating a national enabling environment for the eradication of child marriage.³⁰ There is also evidence for remarkable progress since it has declined from 75% national prevalence rate in 1980.³¹ However, the prevalence of child marriage has continued³² from being overt to a hidden practice.³³ Studies recommend that meeting national and international targets by 2030 will not be possible without acceleration of progress.³⁴ Furthermore, Ethiopia ranked first largest share from Eastern and Southern Africa,³⁵ top eleventh country with the prevalence rate of child marriage and fourth country with the highest absolute number of women married or in a union before the age of 18 years (2,276,000.00) globally.³⁶ The National coasted roadmap to eliminate child marriage in Ethiopia indicated that progress should be six times faster to end the practice by 2030 and ten times faster by 2025 than

²⁵ Ibid, Ethiopia ratified the Maputo Protocol on 18 July 2018

²⁶ See African Union, *African Union Campaign to end child Marriage*. Accessed 10 February 2024. Available on <https://au.int/en/sa/cecm>

²⁷ See (Federal Democratic Republic of Ethiopia Ministry of Women Children and Youth Affairs, *National Strategy and Action Plan on Harmful Traditional Practices (HTPs) against Women and Children in Ethiopia*. 2013)

²⁸ See (Ministry of Women and Social Affairs 2019)

²⁹ Ibid

³⁰ Ibid: In 2019, the Federal Democratic Republic of Ethiopia (FDRE) Ministry of Women Children and Youth developed "National Costed Roadmap to end the practice of child marriage and female genital mutilation (FGM) 2020-2025" with a view design strategies and accelerate efforts to end the practice by 2025

³¹ See (UNICEF 2018); see also Research show there is significant national decline as well as widespread sub-national declines (especially in Amhara and Tigray Regions) in Ethiopia. However, this doesn't represent all communities, for example Afar is the region that exhibits no change. For more information see Fraym. Granular Data to help End Child Marriage: Mapping Sub- national Trend 2. Accessed 29 March 2024. Available on <https://fraym.io/childmarriage/>.

³² See (Emirie 2005; Jones, Presler-Marshall, et al. 2020)

³³ See (Emirie and Eshetu 2016)

³⁴ See (UNICEF 2018; Ministry of Women and Social Affairs 2019)

³⁵ See (UNICEF 2022, 8)

³⁶ See (Girls Not Brides 2024c)

the country's progress in the last ten years.³⁷ In addition, the roadmap indicated the necessity of particularly targeting late adolescent girls (aged 15-17) since slower progress of reduction is observed when compared with girls below this age range.³⁸

Extensive research has been conducted globally and nationally to understand the factors driving and perpetuating child marriage.³⁹ In response to its overwhelming negative impact on human rights, gender equality, public health and socioeconomic development, child marriage has received global attention and priority.⁴⁰ The significance of law has been underscored, ranging from closing existing legal loopholes to taking a clear stance "geared" towards "abolishing" the practice.⁴¹ Despite the clear legal prohibitions against this practice, the prevalence of child marriage continues, and hence, generates intense scholarly debates.⁴² In order to contribute meaningfully to the scholarly discussion on the practical implementation of child marriage laws at the grassroots level, it is crucial to investigate the framing and implementation of these laws. However, there is a dearth of research in this regard and this dissertation aims to fill this research gap. This dissertation critically examines how the globally defined child marriage norms of the minimum marriage age of 18 and the legal consent notions are interpreted, framed, and implemented while also seeking to understand the local community's receptiveness and resistance to this translation process. Additionally, it delves into the cultural meanings of "child" and "marriage" beyond their legal definitions, as emphasized by contemporary research.⁴³ Accordingly, this study starts by understanding the local conceptualizations of the terms "girlhood," "child," and "marriage" to provide background for the overall study.

³⁷ See (Ministry of Women and Social Affairs 2019)

³⁸ Ibid

³⁹ See this dissertation Chapter 2, section 2.2.3, "Paradigms on Child Marriage"

⁴⁰ See this dissertation Chapter 3, section 3.1.2, "Consequences of Child Marriage: The Cultural Harm"

⁴¹ See Chapter 3, Section 3.3, "The Human Rights Instruments for Combatting Child Marriage"

⁴² See Chapter 3, Section 3.4, "The Efficacy of law in Defining and Addressing Child Marriage"

⁴³ See (Bunting 2005; Hodgkinson, Koster, and Miedema 2016; Hamilton 2020); See also local researches that indicate age of puberty indicates marriageable age (Jones, Tefera, et al. 2015, 61; Presler-Marshall et al. 2020) and adolescent girls aged 15-17 are not perceived as child (Jones, Emirie, Tefera, et al. 2016a; Jones, Presler-Marshall, Baird, Hicks, Emirie, Yadete, et al. 2019; Jones, Presler-Marshall, et al. 2020)

1.1 Statement of the Problem

Child marriage is a globally recognized harmful practice that noticeably harms girls.⁴⁴ It does not only deny girls free choice of partner and timing of marriage; it also curtails their childhood.⁴⁵ Besides, it impedes their schooling⁴⁶ and health.⁴⁷ Child brides are also exposed to early pregnancy and its related consequences, including fistula, depression, and social isolation.⁴⁸ Literature shows that child marriage is a leading cause of death for girls aged 15-19 along with their newly born children.⁴⁹ Furthermore, child marriage undermines child brides household decision-making power, obliges them to face domestic workload, restriction on their mobility, and they are also exposed to physical, emotional, and sexual violence.⁵⁰

Child marriage persists as a deeply ingrained and harmful socio-cultural practice,⁵¹ defying legal reforms⁵² aligned with international human rights instruments. There is an ongoing debate on how to realize child marriage laws at the grassroots level effectively. This leads to the contemporary view, which necessitates closely examining the local context of how these laws are framed, and implemented. This dissertation critically examines how the globally defined child marriage norms of the minimum marriage age of 18 and the legal consent notions are interpreted, framed, and implemented while also seeking to understand the local community's receptiveness and resistance to this translation process.

Ethiopia is one of the countries with a high prevalence of child brides,⁵³ exhibiting significant regional disparities.⁵⁴ In line with the 2016 Ethiopia Demographic and Health

⁴⁴ See (Zaman and Koski 2020; The Child Marriage Research to Action Network (the CRANK) 2023; Raj 2010; V. Chow and Vivalt 2021; Deane 2021)

⁴⁵ See (ACPF and Plan 2019, 68)

⁴⁶ See (Emirie 2005; Wodon et al. 2018; 2017)

⁴⁷ See (Raj 2010; Taylor et al. 2019; Irani and Latifnejad Roudsari 2018)

⁴⁸ Ibid

⁴⁹ See (Murphy 2019; ACPF and Plan 2019, 68; Irani and Latifnejad Roudsari 2018; Ntombela 2023)

⁵⁰ See (Abera et al. 2020; Ministry of Women and Social Affairs 2019; V. Chow and Vivalt 2021)

⁵¹ See (Kohno et al. 2019; Tefera, Paola, and Guday 2013)

⁵² See (Batyra and Pesando 2021; Presler-Marshall et al. 2020; Collin, Talbot, and Bank 2017; Rembe et al. 2011)

⁵³ See (UNICEF 2022; 2018; Girls Not Brides 2024c)

Survey (EDHS), the most recent one, 40.3% of young women aged 20-24 years were married before attaining eighteen years, and 14.1 % were married even before the age of 15.⁵⁵ Recent researches, in the country, show a declining trend⁵⁶ yet prevalence varies by region, and even between *kebeles*⁵⁷ across *weredas*.⁵⁸ Amhara region is identified as the least in adolescent girls' agency in selection of spouses and first age at marriage.⁵⁹

Gaining an understanding of the local context is essential, so the dissertation aims to answer the basic general research questions: "How does the local community define 'marriage,' 'childhood', and 'girlhood?'" and 'What are the factors that sustain child marriage among girls in the study areas?' The analysis of the findings on these general research questions helps to identify the social definition of terms when compared with the globally defined norms on marriageable age and the (free, complete, and informed) consent legal notions.

As a way of mapping the different actors and initiatives undertaken in the study area, the study aims to address the general question; 'who are the different actors and the different initiatives undertaken by the various actors to eliminate the practice of child marriage among girls in the study areas?' Accordingly, the study identifies the international and local actors that play active roles in eliminating child marriage among girls in the study areas. Then, it investigates 'What are the different ways the global and local actors translate global norms on child marriage to the grassroots community?' Then, the dissertation addresses 'what strategies and tactics they use to frame/shape the globally defined age and consent legal requirements to get acceptance by the local communities?'

The other key question that this dissertation set out to address is the receptivity of the initiatives at the local level by posing the general research question; 'what are the trends in resistance and reception in relation to the globally defined norms prohibiting child marriage among girls in the study areas?'; 'What are the various factors that affect the

⁵⁴ See (Central Statistical Agency (CSA) and ICF 2016)

⁵⁵ Ibid

⁵⁶ See (Jones, Emirie, Tefera, et al. 2016a; Jones, Presler-Marshall, et al. 2020)

⁵⁷ A *kebele* is the lowest (smallest) administrative unit in Ethiopia, while a *wereda* is a district.

⁵⁸ See (Jones, Presler-Marshall, Baird, Hicks, Emirie, and Yadete 2019)

⁵⁹ See (Central Statistical Agency (CSA) and ICF 2016)

reception and or/ rejection of these norms by the local community?' In this regard, the study examines if and how the local actors have been influential in the process of translation.

This doctoral thesis aims to contribute to bridging the gap in existing knowledge by examining the grassroots community's understanding of "marriage" and "girlhood," as well as their justifications for setting a locally appropriate minimum age for marriage among girls in the targeted areas and their local views and understandings on the "free, full and informed" consent notions of the law. This study also investigates how the globally defined norms of child marriage are interpreted, framed, and implemented by local government, CBO, and global partners in the study areas, considering local contestations and perspectives, exploring and documenting 'how' and 'why' it is accepted or rejected.

1.2 Objectives of the Study

The general objective of this study is to examine how the globally defined norms of the minimum marriageable age of 18 and the (free, full and informed) legal consent notions are interpreted, framed, and implemented while also seeking to understand the local community's receptiveness and resistance to this translation process. Under this overall theme, the study aims to: -

- Understand the context of “girlhood,” “childhood” and “marriage” in the study area and investigate the factors that sustain the practice of child marriage among girls in the study setting.
- Investigate the various initiatives undertaken in the area by different actors (local government, CSOs, CBOs and UN agencies) targeting the elimination of child marriage among girls in the study area.
- Examine the process of translations and the efforts undertaken to interpret and frame the globally defined norms against child marriage into local setting.
- Examine local aspects of reception and resistance against norms prohibiting child marriage among girls in the study area.

1.4 Scope of the Study

This research is limited in terms of target population, issue and area. This dissertation investigated child marriages among girls. Its thematic focus is on how the minimum marriageable age of 18 and consent notions of global law against child marriage are contextualized in the research-targeted area. In terms of the study area, the research is limited to *Quarit Wereda*, *West Gojjam*, in the Amhara region. Due to time and budget constraints, from the targeted *Wereda*, the unit of analysis further limited to the selected two *Kebeles*, *Asheti Leba Gedel* and *Zambit Zeguda*. Moreover, this dissertation does not undertake legal analysis of child marriage cases before courts of law.

1.5 Significance of the Study

First and foremost, the study contributes to the dearth of research and literature on the theme of translation of the globally defined norms against child marriage into a local context. Secondly, despite extensive prior research on child marriage in Ethiopia, particularly in the Amhara region, there has been little attention paid to the importance of interpreting and framing the globally defined norms against child marriage (i.e. the minimum marriageable age of 18 and the legal notions of free, full, and informed consent) in a way that is easily understood by local communities. Studies documenting the role of norm translators at various levels, including the grassroots community level, are necessary, and my dissertation aims to fill this gap by documenting their role in the research targeted area. Moreover, the results of this dissertation documented the perspectives of key local norm holders who play a critical role in determining the locally appropriate age of marriage among girls in the study area. Accordingly, my dissertation documents, understands, and analyzes the reasons behind their resistance or acceptance of the globally defined norms prohibiting child marriage among girls, and hence, fills the research gap in this regard. The findings of my dissertation provides information for policy makers and other human rights activists working on related theme by pinpointing to opportunities and challenges. The results will be disseminated to the pertinent local government stakeholders, thereby holding potential utility for the research participants.

Furthermore, the findings of the dissertation point to themes for further academic enquiry.

1.6 Limitation of the Study

During the data collection period, the Amhara region was in conflict and civil unrest, which distracted and shifted the attention local governments from focusing on issues like child marriage. Simultaneously, the local communities faced pressing issues, such as the high cost and limited availability of fertilizer, which were compounded by the ongoing conflict. The other limitation is the exclusion of remote *Kebeles* that cannot be accessed by car transportation, even though they have been designated as intervention areas for the eradication of child marriages by UNICEF and UNFPA.

1.7 Operational Definition of Terms

- Young/early adolescent girls: In this dissertation, early adolescent girls denote those girls aged from 9 - 13 years old.
- Middle adolescent girls: In this dissertation, early adolescent girls refer to those girls aged from 14 - 16 years old.
- Late adolescent girls: In this dissertation, early adolescent girls denote those girls aged from 17 years and beyond.
- Local government: In this dissertation, the term "local government" encompasses all levels, including *Kebele*, *Quarit Wereda*, and Amhara regional government. To specifically refer to each level of government, a specific reference is provided; otherwise, the term is used generally to refer to all the three levels of government.

1.8 Organization of Chapters

In Chapter Two, this dissertation provides background on the conceptual and theoretical frameworks used in this study. It explains the key fundamental concepts and theories used to interpret and understand the findings. The conceptual framework of this study is also presented. A comprehensive examination of the literature concerning the nexus between law and child marriage is provided in Chapter Three. The chapter presents an overview of the prevalence of child marriage at global, regional, and national levels. Afterwards, it describes the existing debates surrounding how to safeguard women/girls'

human rights amid cultural diversity and builds upon the practical approach of 'constructive dialogue,' which entails the elimination of child marriage among girls through the human rights frameworks at the international, African, and national levels. The chapter subsequently delves into the current body of literature to examine the efficacy of the law in defining and addressing child marriages. Chapter Four is devoted to the description of the research design, field experience, and dissemination of findings.

The results of this study are presented in Chapters Five through Eight. Chapter Five provides the context for this research by presenting the local conceptualizations of “marriage,” “girlhood” and appropriate marriageable age in the study area. It also sheds light on the gender dimension of child marriage and documents the sociocultural factors that contribute to sustaining child marriage among girls in the study area. Chapter Six identifies and analyzes the role, dynamics, and effectiveness of various institutional actors, including local governments, CBOs, and global partners (i.e., UN agencies or intergovernmental organizations) that are active in the fight against underage marriage among girls in the study targeted *Wereda*.

Chapter Seven presents an in-depth analysis of the implementation of laws against child marriage as well as the translation process and efforts undertaken to introduce global norms on child marriage into the local setting. It elaborates on the diverse strategies and tactics used along with the challenges. The chapter delves into the various strategies and challenges involved in this process and identify the key local actors. It also documents six distinct translations used to convince local communities to accept global laws against child marriages. Chapter Eight is devoted to the investigation and documentation of local aspects of reception vis-à-vis resistance to global norms that prohibit child marriage among girls in the study *Wereda*. It highlights the covert coping strategies employed by parents as a form of resistance and delves into collective forms of resistance. It then identifies central norm holders, along with the factors that shape the rejection of the global norms against child marriage in the local community. This chapter highlights adolescent girls as the most influential actors in the fight against child marriage and examines their individual and collective agency. The dissertation concludes with a reflection on the major findings and the way forward in Chapter Nine.

CHAPTER TWO

Conceptual and Theoretical Frameworks of the Study

This chapter discusses the conceptual and theoretical frameworks of this study, which is comprised of three main sections. Initially, it elucidates the fundamental concepts of the study: conceptualizing culture, the notions of child marriage, global norms, gender social norms, contextualization, and agency. The second section delves into the theoretical frameworks that provide meaning to the findings of this study. It encompasses discussions on the foundational theories of universalism and relativism and zooms into the guiding framework of this study –vernacularization. The subsequent section explores semiotics theory, which provides an understanding of the influence of culture on legal implementation and interpretation. The third sub-section under section two focuses on examining the elaboration of paradigms on child marriage, which helps this study understand the relevant theories that address the causes and underlying factors that contribute to its perpetuation. The final section focuses on analyzing and synthesizing the conceptual and theoretical frameworks discussed in this chapter with a view to constructing a conceptual framework for this study.

2.1 Main Concepts of the Research

I will start by establishing conceptual definitions of key terms used in the title of my dissertation and throughout the thesis – specifically, 'child marriage,' 'global norms,' and 'contextualization.' The regulation of child marriage under international human rights law involves navigating cultural diversities while safeguarding girls' rights. Hence, I will first elaborate on how culture is conceptualized in this dissertation and then delve into the topic of child marriage. I will also distinguish between 'global norms' and 'gendered social norms,' and provide clear conceptual definitions of what I mean by 'contextualization.' Furthermore, I have dedicated a section to defining 'agency,' as my dissertation focuses on child marriage among girls and aims to establish the influential role of girls as local actors in the targeted research areas.

2.1.1 Conceptualizing Culture

Culture is important positive aspect of human life⁶⁰ that is challenging to define⁶¹ due to its broad and dynamic nature.⁶² UNESCO's definition of culture states "*the distinctive spiritual, material, intellectual, and emotional features of a society or social group.*"⁶³ Generally, culture can be understood to have both objective and subjective dimensions, which serve as its foundational elements.⁶⁴ The objective dimension of culture is characterized by its visible characteristics, such as language, religion, and customs.⁶⁵ Meanwhile, the subjective dimension includes shared attitudes, ways of thinking, feeling, and acting.⁶⁶

Culture is inherently linked to humanity as a whole, and it is developed by communities with a nexus relationship between the individual and collective aspects.⁶⁷ Culture provide members "*sources of meaning and value through providing phenomenological frameworks in which individuals frame and shape their life.*"⁶⁸ But their is a long standing contraversal debate among antropologists and sociologists regarding '*what patterns of human behaviour constitutes manifestaion of culture?*'⁶⁹ One's sense of self is often shaped by culturally enshrined interactions.⁷⁰ Recently, it has become widely acknowledged that all forms of cultural identity are constructed rather than inherent.⁷¹

⁶⁰See (Holtmaat and Naber 2011)

⁶¹ See (Donders 2016), It is important to note that culture has neither clearly defined boundaries nor a specific scope

⁶² See (*Universal Declaration on Cultural Diversity, Adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization (UNESCO) at Its Thirty-First Session on 2 November 2001* 2001), Article 1; See also (Yúdice 2009; Jovanović 2016; Jakubowski and Jagielska-Burduk 2021; P. Y. S. Chow 2022)

⁶³ See paragraph 2, See also (*UN CESCR General Comment 21, 20 November 2009, UN DOC E/C.12/GC/21* 2009), Paragraph 11 and 13, Culture encapsulates "*all manifestations of human existence ...through shaping and mirroring the values of wellbeing, as well as the economic, social and political life of individuals, groups of individuals and communities.*"

⁶⁴See (Donders 2016)

⁶⁵ Ibid

⁶⁶ Ibid

⁶⁷ See (Andrew 2017)

⁶⁸Id at 84.

⁶⁹ Ibid

⁷⁰ Ibid

⁷¹ Ibid

Accordingly, it has been argued that “no culture has an essence or an immutable set of characteristics which serve to constitute the authentic manifestation of identity.”⁷²

This dissertation adopts Ann-Blida Preis conception of culture. She is arguing that culture should be viewed as shared experience that involves actor contributions from inside and outside as well, inter-cultural penetration and overlap.⁷³ She strongly suggested that culture is “subjective, vehemently contested, negotiated and debated.”⁷⁴ Modern cultures are characterized by the diversity and plurality.⁷⁵ Fagan similarly stipulates “human beings inhabit cultures and the cultures we inhabit are often highly varied and different from each other.”⁷⁶ In this regard, Preis posits that culture should be seen as a shared experience that encompasses contributions from both internal and external actors, as well as inter-cultural penetration and overlap.⁷⁷ She argued culture should not be viewed as static, homogenous and bounded but as practice, which is a more dynamic approach that responds to the needs, concerns and dilemmas of men and women.⁷⁸

Louise concurs with Preis and argues in support of the need for “cross-cultural dialogue that recognizes cultural and historical differences.”⁷⁹ According to Louise, human rights norms are essential in the discourse on issues where gender-based arguments are employed to “legitimately criticize” the cultural arguments put forth to defend a particular social norm.⁸⁰ Louise proposed a comprehensive perspective on culture that illuminates the human rights debate by engaging in an ongoing sequence of internal and external discussions.⁸¹ Based on this, she deduces the significance of “cross-cultural conversations” in fostering cross-cultural understanding of human rights.⁸² With this

⁷²Id at 35.

⁷³ See (Preis 1996, 77).

⁷⁴ Id at 305

⁷⁵ See (Addo 2010)

⁷⁶ See (Andrew 2017, 38)

⁷⁷ Ibid

⁷⁸ Ibid

⁷⁹ See (Louise 1996, 781); See also (Ezeilo 2005) - Ezeilo agrees with Louise in the importance of conducting "cross-cultural dialogue" to implement women's human rights and avoiding the "appeal to culture" challenge: See also (Yúdice 2009, 119; Jakubowski and Jagielska-Burduk 2021, 5)

⁸⁰ Id at 783

⁸¹ Id at 816

⁸² Ibid

understanding of culture, I will now delve into the notion of child marriage in the next section of this dissertation.

2.1.2 The Notion of Child Marriage

The legal conceptualization of child marriage is founded on the premise that it is a harmful practice.⁸³ The Human Rights Council⁸⁴ defines child marriage as “A *marriage where one of the parties is a child.*”⁸⁵ It, then, expands the definition by elaborating on what it means to be a “child” based on CRC, “Every *human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier.*”⁸⁶ The international legal framework for conceptualizing child marriage is based on age (i.e. the universal minimum age of 18) and protection perspective. Similar to the Human Rights Council, the CEDAW and CRC Committee⁸⁷ defined child marriage as “Any *marriage where at least one of the parties is under 18 years of age.*”⁸⁸ The CEDAW and CRC Committee’s further denote additional conceptualization of viewing child marriage as a “*form of forced marriage* (emphasis added) *given that one or both*

⁸³ See (UN General Assembly, *Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages*, 7 November 1962 1962) Article 2 reads “... abolishing customs, ancient laws and practices by ensuring, inter alia , complete freedom in the choice of a spouse, eliminating completely child marriages and the betrothal of young girls...”; See (The African Charter on the Right and Welfare of the Child, 11 July 1990, CAB/LEG/24.9/49(1990) 1990) Article 21 - which is entitled as “Protection against Harmful Social and Cultural Practices” prohibits the betrothal and child marriages under its sub article 2; See also (ACHPR and ACERWC 2017, 4–5) which reads (see paragraph 9) - “Although the issue of harmful practices was less known at the time of drafting of the CEDAW and CRC Conventions, both include provisions which cover harmful practices as human rights violations and oblige States parties to take steps to ensure that they are prevented and eliminated”; See also (ACPF and Plan 2019, 66) defined harmful practices as “behaviors, attitudes, and/or practices that negatively affect the fundamental rights of women and girls (...) rooted in societal attitudes that regard women and girls as inferior to men and boys”

⁸⁴ It is an intergovernmental body of 47 states that discuss and make recommendation on human rights topics, see International Justice Resource Center: Human Rights Council. 29 January 29. Retrieved from <http://www.ijrcenter.org/universal-tribunals-treaty-bodies-and-rapporteurs/>

⁸⁵ See (Human Rights Council, *Preventing and Eliminating Child, Early and Forced Marriage: Report of the Office of the United Nations High Commissioner for Human Rights*, 2 April 2014, A/HRC/26/22. 2014, Paragraph 4 & 5)

⁸⁶ See (UN General Assembly, *Convention on the Rights of the Child*, 20 November 1989, United Nations, Treaty Series, Vol. 1577 1990), see Article 1

⁸⁷ The CEDAW Committee is comprised of 23 independent experts (see <https://www.ohchr.org/en/treaty-bodies/cedaw/membership>) while the CRC Committee is comprised of 18 independent experts (see <https://www.ohchr.org/en/treaty-bodies/crc/membership>), each possessing moral character and distinguished expertise in the realm of human rights

⁸⁸ See (CEDAW and CRC Committee 2019, Paragraph 19);

*parties have not expressed their full, free and informed consent.”*⁸⁹ Providing free and full consent entails ‘*non-coercive agreement to the marriage with a full understanding of the consequences of giving consent.*’⁹⁰

By the flexible definition of a child established by the CRC, it is possible to attain a majority status before 18 years of age. This prompted the Human Rights Council to distinguish between the two terms: “child marriage” and “early marriage.”⁹¹ Early marriage, according to the Human Rights Council, refers to “*marriages involving a person aged below 18(emphasis added) in countries where the age of majority is attained earlier or upon marriage.*”⁹² Accordingly, the stance adopted by the Human Rights Council is that a marriage is deemed an “early marriage” if either or both parties entering into the marriage are under the age of 18, despite the fact that the national law of the country allows for individuals to attain majority at an earlier age and therefore would not be classified as a “child marriage” under domestic law.

Existing literature usually employs the definitions of child marriage akin to those articulated by the Human Rights Council as well as the CEDAW and CRC committees⁹³ than the flexible universal marriageable age set by CRC. The definition set by United Nations Children's Fund (UNICEF) is worth mentioning since it has contributed to similar conceptualizations in related publications. The mandate of

⁸⁹ Ibid; See also the Human Rights Council provides more broadened definition for forced marriages, which states “*A forced marriage is any marriage which occurs without the full and free consent of one or both of the parties and/or where one or both of the parties is/are unable to end or leave the marriage, including as a result of duress or intense social or family pressure,*” See Paragraph 6; See also the sixth resolution of the Human Rights Council, page 2 (paragraph 10) which explicitly defined forced marriage as “*the inability of at least one of the parties to freely choose a spouse and enter into marriage with their full, free and informed consent.*”

⁹⁰ See (ACHPR and ACERWC 2017, 5)

⁹¹ Supra note 14 ((Human Rights Council, *Preventing and Eliminating Child, Early and Forced Marriage: Report of the Office of the United Nations High Commissioner for Human Rights*, 2 April 2014, A/HRC/26/22. 2014)

⁹² Ibid; The Human Rights Council further notes that “*Early marriage can also refer to marriages where both spouses are 18 or older but other factors make them unready to consent to marriage, such as their level of physical, emotional, sexual and psychosocial development, or a lack of information regarding the person’s life options,*” Ibid paragraph 5

⁹³ See (ACPF and Plan 2019, 66), defined child marriage as “*any formal marriage or informal union in which one or both parties is or are under 18 years of age*”; See also (Wodon et al. 2018, 6) – “*Child marriage is defined as a marriage or union taking place before the age of 18*”; See also (De Siliva De Alwis and Wellesley Centers for Women 2007, 9), that states the term child marriages “*cover marriages of those under the age of 18*”

UNICEF is rooted in CRC⁹⁴ and ingrained its definition of child marriage from the conceptualizations of Human Rights Council as well as CEDAW and CRC committees. And UNICEF defines child marriage similarly as "*a marriage or union before the age of eighteen.*"⁹⁵ The United Nations Population Fund (UNFPA) is another significant United Nations agency with a clear mandate to combat gender-based violence (GBV) and harmful practices, specifically focusing on the eradication of child marriage.⁹⁶ The UNFPA has similarly defined the practice of child marriage, with a focus on the legal age of 18 years.⁹⁷

Although child marriage is viewed as a harmful practice in the eyes of the law, some literatures argue it shall be considered as a violation of human rights.⁹⁸ Bunting argues CEDAW committee and UNICEF advocates that child marriage ought to be considered a violation of human rights in and of itself, rather than focusing solely on its numerous consequences, such as those related to education, health, and employment.⁹⁹ De Siliva De Alwis similarly argues that child marriage child be conceptualized as a human rights violation, she argues "*Locating child marriage as a human rights violation helps to raise it as a grave public concern rather than a private matter between families.*"¹⁰⁰ She further highlighted that the utilization of a human rights framework is essential for examining child marriage through the lens of both civil and political rights and economic, social, and cultural rights covenants.¹⁰¹ Additionally, she argues, adopting a human rights framing facilitates the categorization of child marriage as a "crime against women and the girl child."¹⁰²

⁹⁴ The mandate of UNICEF is "to safeguard the rights of all children, everywhere. That mandate is rooted in the 1989 Convention on the Rights of the Child (CRC), which sets out universal and indivisible rights that apply to every child, and the Sustainable Development Goals (SDGs) adopted by world leaders in 2015, which apply to every country," See <https://www.unicef.org/eca/our-mandate-no-child-left-behind>

⁹⁵ See UNICEF. *Child marriage*. Available on <https://www.unicef.org/protection/child-marriage>

⁹⁶ See UNFPA. *About Us*. Available on <https://www.unfpa.org/about-us>

⁹⁷ See UNFPA. *Ending Child Marriage and Rewriting the Future of Adolescent Girls*. Retrieved from <https://www.unfpa.org/resources/ending-child-marriage-and-rewriting-future-adolescent-girls>

⁹⁸ See (UNICEF 2022, 6)

⁹⁹ Ibid, See (Bunting 2005, 18); see also UNICEF. *Child Marriage is a Violation of Human Rights but is all too Common*. Retrieved from <https://data.unicef.org/topic/child-protection/child-marriage/>

¹⁰⁰ See (De Siliva De Alwis and Wellesley Centers for Women 2007, 6)

¹⁰¹ Ibid

¹⁰² Id at 6

This dissertation aims to highlight child marriage is gender based challenge,¹⁰³ that requires a legal framework with a gender perspective, starting from the definition and extending to the theoretical analysis and response. Furthermore, it is essential to emphasize the unique vulnerability of child brides due to their 'sex': the long-term health complications of early pregnancy and childbirth, including maternal morbidity and mortality,¹⁰⁴ when addressing this issue. Therefore, I define child marriage among girls as a harmful practice, whether initiated by parents to control girls' sexuality or perceived as a means of economic independence when it is adolescent-led, has numerous multiple long-term negative consequences or 'cultural harm',¹⁰⁵ on child brides that extend to the country's development; hence, the state is responsible for identifying the driving factors and providing a tailored response towards its progressive elimination.

The next section of this dissertation will elaborate on two essential concepts continuously used throughout the dissertation: global/ norms and gendered social norms.

2.1.3 Norms

This dissertation looks into global/international norms and social norms related to gender, the following section describes how these terms are conceptualized in this particular study.

2.1.3.1 Global Norms

This dissertation adopts the definition of global norms by Fejerskov et al., *"Acknowledged, but not necessarily accepted, understandings of collective ambitions."*¹⁰⁶ International agreements have endeavored to establish universally accepted approaches for collectively addressing challenges across a wide range of disciplines and fields.¹⁰⁷ In a world that is both globalized and at the same time diversified, such an attempt is in a constant flux and highly contested.¹⁰⁸ This dissertation employs the terms "global/international norms" and "norms" interchangeably to denote the international

¹⁰³ See Chapter three section 3.1.1 of this dissertation

¹⁰⁴ See Chapter three section 3.1.2 of this dissertation

¹⁰⁵ Ibid

¹⁰⁶ See (Engberg-Pedersen, Fejerskov, and Cold-Ravnkilde 2019, 7)

¹⁰⁷ Ibid

¹⁰⁸ Ibid

human rights laws prohibiting child marriage that are rendered enforceable within local communities.

It is important to note that the international norms on child marriage are only ‘*acknowledged*’ which entails that “*all relevant actors see it as politically necessary to address or relate to them within a given field, but without necessarily accepting or subscribing to them.*”¹⁰⁹ Accordingly, this conceptualization gives a room for this dissertation to document existing contestation¹¹⁰ and interpretation¹¹¹ of the global norms on child marriage by the state, non-state or local actors.

2.1.3.2 Gender Social Norms

This study adopts the definition of social norms from Clislaghi & Heise.¹¹² According to their definition, social norms “*define what is considered normal and acceptable behavior*” for the group members. They further noted that social norms are distinct from personal attitudes since they depict “*beliefs about what other people do and approve of.*”¹¹³ Acharya¹¹⁴ highlighted social norms are both collective and behavioral as well. There are different definitions of social norms, but all emphasize its being shared expectations or informal rules.¹¹⁵

The intersection between social psychology and feminism is evident in overlapping discourses about social and gender norms.¹¹⁶ Clislaghi & Lori¹¹⁷ claim that feminist scholars in sociology have recently advanced the notion of gender norms. The core element in this discourse is that the inequitable power relation embedded in gender norms (i.e. social norms related to gender) disadvantage women/girls learned in childhood and produced/reproduced through social interaction, including institutions like policies,

¹⁰⁹ Supra note 25

¹¹⁰ Ibid

¹¹¹ Ibid

¹¹² See (Cislaghi and Heise 2020, 409)

¹¹³ Ibid

¹¹⁴ See (Acharya 2004)

¹¹⁵ See (Wahhaj et al. 2015)

¹¹⁶ See (Cislaghi and Heise 2020)

¹¹⁷ Supra note 31

regulations, and decision-making processes.¹¹⁸ As a result, as Jones et al., argues gender social norms are “*resistant to change*.”¹¹⁹

Particularly to conceptualizing child marriage, it is an outcome of diverse factors or gender social norms; hence, it is more appropriately understood as a practice or collection of practices than conceptualizing it as a single gender social norm itself.¹²⁰ This dissertation employs the conceptualization of gender social norms that are inherent in the practice of child marriage, as delineated by Jones et al.¹²¹ Firstly, it concentrates on the social norms that underscore the significance of a girl's virginity, attach negative connotations to girls under the derogatory labels of "impure" or "too old," and encourage the marriage of girls in their childhood through regulating the behavior of parents and local communities.¹²² Secondly, the notion of gender social norms that underpin child marriage, in this dissertation, also emphasizes the prevailing social conventions that categorize girls who have reached the age of 14/15 and above as “adults” instead of “children.”¹²³

The next section is devoted to clarifying what I mean by 'contextualization,' which is at the heart of this dissertation.

2.1.4 Contextualization

Global norms diffuse and travel¹²⁴ till it reaches the grass roots community level where gender social norms are widely prevalent. At this juncture of the plurality of laws, the global norms and gendered social norms, there are local government, CBO's and global partners as intermediaries who play their own respective role to resonate¹²⁵ the norms, and this process is referred to as ‘contextualization’ in this dissertation. The term contextualization, in this study, refers to how the global norms influence the government,

¹¹⁸ Ibid

¹¹⁹ See (Jones, Presler-Marshall, et al. 2020, 298)

¹²⁰ See (Wahhaj et al. 2015, 5)

¹²¹ See (Jones, Tefera, Emirie, et al. 2016, 23)

¹²² Ibid

¹²³ Ibid, See also (Jones, Presler-Marshall, et al. 2020; Jones, Emirie, Tefera, et al. 2016a; Jones, Presler-Marshall, Baird, Hicks, Emirie, Yadete, et al. 2019)

¹²⁴ See (Engberg-Pedersen, Fejerskov, and Cold-Ravnkilde 2019; Zwingel 2019; Levitt and Merry 2009)

¹²⁵ Ibid

from national to local level, UN agencies, CBO's as well as gendered social norms and practices that underpin child marriage at the study *Wereda*.

I concur with Wagner and Broekman¹²⁶ who argues the term global refers to “*not only a geographical index but also an index of social meanings of what law is and should be.*” Similarly, Fejerskov et al. argued global norms are “*nearly always contested and in a process of change.*”¹²⁷ And this dissertation looks into how particularly the global norm on child marriage is viewed and contextualized to get acceptance by the grass root community members at the study *Wereda*.

The last but very important concept I want to clarify is "agency." This section is mainly devoted to conceptualizing adolescent girls' agency in the context of child marriage.

2.1.5 Agency

Gruber et al.¹²⁸ argues that the historical definition of agency is rooted in the word 'agent' to imply ‘*a factor or power held to cause a change.*’ Amartya Sen¹²⁹ similarly defined agency as “*freedom to achieve whatever the person, as a responsible agent, decides s/he should achieve.*” Understanding the term 'choice' is central for clearly conveying meaning to the term 'agency.' Kabeer¹³⁰ highlighted a 'real' choice has two intrinsic elements. There should be alternatives, and secondly, the existence of the alternatives should be apparent. In other words, “*alternatives must not only exist but they must also be seen to exist.*”¹³¹ A thorough examination of the second requirement of choice is necessary when considering patriarchal gender norms that typically limit the availability of options. In this context, the key inquiry is how these structural limitations impact an individual's capacity for agency.¹³²

The significance of the connection between 'choice,' 'goal setting,' 'constraints,' and 'decision-making' is crucial for understanding the inherent meaning associated with

¹²⁶ See (Wagner and Broekman 2011, viii)

¹²⁷ Supra note 25

¹²⁸ See (Gruber et al. 2015, 3)

¹²⁹ See (Sen 1985, 203–4)

¹³⁰ See (Kabeer 1999)

¹³¹ See (Kabeer 2005, 14)

¹³² See (Gulati and Srivastava 2012)

agency. Gruber et al.¹³³ contend that “*true agency comes from constraints... In the absence of constraints, individuals can become overwhelmed with unlimited options from which they can choose.*” Per their perspective, the presence of constraints ought to be seen as advantageous since it serves to enumerate the possible alternatives that are accessible. Sen¹³⁴ argues that “*a person’s agency cannot be understood without taking note of his/her aims ... – in a broader sense – the person’s conception of the good.*” Alkire¹³⁵ additionally highlighted that agency cannot be established without considering one's goal. Donald et al.¹³⁶ provides a thorough definition of agency: the ability to set a goal, act upon it, and achieve it. They also emphasized that the goal ought to be clearly defined and originate from one's values and preferences. It is crucial to recognize the significance of the psychological aspect of the decision-making process.¹³⁷ Campbell and Mannell (2016), as cited by Donald et al.,¹³⁸ noted that the decision-making process is dynamic as it varies with time, changes in one's goals, and changes with the level of decision-making, g whether it be individual, family, or community. Kabeer¹³⁹ agrees with their definition, and she emphasized that exercising choice should not be narrowly perceived as decision-making. The decision made by the actor, in this particular dissertation the girls, should be examined, taking into account the 'meaning/purpose' and 'motivations' that influenced their choice,¹⁴⁰ entailing the 'goal' valued¹⁴¹ by them. In summary, it is crucial to comprehend the reasons behind an actor's (the girls) exercise of agency because it influences decision-making.

Agency is inextricably interrelated with women/girls' empowerment.¹⁴² Empowerment is still a contentious concept.¹⁴³ Ibrahim and Alkire¹⁴⁴ provided 29 definitions of empowerment each of which was attributed to a different author. In their study, nearly

¹³³ See (Gruber et al. 2015, v)

¹³⁴ See (Sen 1985, 203)

¹³⁵ See (Alkire 2008)

¹³⁶ See (Donald et al. 2020, 4)

¹³⁷ Ibid

¹³⁸ Ibid

¹³⁹ See (Kabeer 1999)

¹⁴⁰ See (Donald et al. 2020)

¹⁴¹ See (Alkire 2008)

¹⁴² See (Alkire 2008; Donald et al. 2020)

¹⁴³ See (Alkire 2008; Ibrahim and Alkire 2007; Batliwala 2007; Tripathi and Mishra 2017)

¹⁴⁴ See (Ibrahim and Alkire 2007)

half of the authors associated empowerment with concepts such as ‘choice,’ ‘power,’ ‘decision making,’ and ‘pro-poor development’ at the group or community level. According to Batliwala,¹⁴⁵ the term has evolved from signifying a collective struggle for social justice to encompassing societal advancements and processes that impact individual level. She emphasized that during the early 1980s, radical feminists advocated for the reform of societal structures such as patriarchy, ethnicity, caste, and class, by utilizing the term empowerment. Cornwall¹⁴⁶ emphasized that the term signifies the struggle to change inequitable gender power relations. And Batliwala¹⁴⁷ stressed that while there are multiple perspectives on the concept of "power," it is widely recognized as a crucial factor in socio-political and economic transformations that affect individuals or communities.

Studies suggest a relationship and a positive association between agency and empowerment, but the issue of causality remains a subject of debate. With competing conceptualizations, Ibrahim and Alkire¹⁴⁸ defined the term empowerment as "*an expansion of agency*" versus "*a precondition to exert agency*." Tripathi and Mishra¹⁴⁹ claim that the two concepts have overlapping domains but fundamentally diverge. In contrast, Alkire¹⁵⁰ defined empowerment as "*a subset of agency*." Gupta¹⁵¹ described the agency as empowerment's key 'essence.' Kabeer¹⁵² offers a popular definition of empowerment as a process whereby those "*who have been denied the ability to make choices acquire such an ability*." This implies empowerment generally entails a continuum of processes,¹⁵³ enabling those who lack the power to make choices to gain that power.¹⁵⁴ According to Kabeer,¹⁵⁵ agency, on the other hand, denotes '*the ability to define goals and act on them*.' Kabeer's notion of agency is analogous to Ibrahim and

¹⁴⁵ See (Batliwala 2007)

¹⁴⁶ See (Cornwall 2016)

¹⁴⁷ See (Batliwala 2007)

¹⁴⁸ See (Ibrahim and Alkire 2007, 384–85)

¹⁴⁹ See (Tripathi and Mishra 2017)

¹⁵⁰ See (Alkire 2008, 223)

¹⁵¹ See (Gupta 2020)

¹⁵² See (Kabeer 1999, 437)

¹⁵³ See (Tripathi and Mishra 2017; Gupta 2020; Desai et al. 2022)

¹⁵⁴ See (Kabeer 1999)

¹⁵⁵ See (Kabeer 1999, 438)

Alkire's first conception. According to her definition, agency requires cognition to choose a "goal" and 'act' to carry out the chosen course of action. In addition to agreeing with Kabeer, Donald, et al.'s¹⁵⁶ notion of agency additionally incorporates "goal" achievement. According to Kabeer, Gupta, and Donald et al., exerting agency holds intrinsic value in realizing empowerment. In this dissertation, I have utilized Donald et al.'s¹⁵⁷ definition to comprehend the agency of adolescent girls in the targeted research areas. The subsequent section is dedicated to examining the theoretical frameworks that have imparted meaning to the findings of this dissertation.

2.2 Theoretical Frameworks of the Study

2.2.1 The Quest for Reconciling Universalism with Cultural Relativism

The universality human rights face a challenge from cultural relativism thoughts, which ultimately exposes women and girls to vulnerability, with an appeal to culture on a global scale. In this regard, Joy Nogozi Ezeilo¹⁵⁸ argues *"the situations of women worldwide, particularly in Africa and elsewhere in the developing world, have shown that formal guarantees of human rights, especially to women/girls, do not translate to equality in practice."* She asserts that protecting the rights of women and girls requires engaging in 'cross-cultural dialogue' with the aim of not only identifying existing differences but also demonstrating how these differences can be utilized to achieve what she considers to be 'ideal' universal human rights.¹⁵⁹

Ezeilo's scholarly exploration of the intersection between feminism and human rights in Africa delves into the dilemma of universal human rights norms and cultural relativism.¹⁶⁰ Her work is compelling as it engages with the complexities of implementing universal human rights in a culturally diverse continent like Africa. Ezeilo's arguments align with the broader feminist critique of universal human rights, which often fails to consider the unique experiences of women in various cultural contexts. In summary, Ezeilo's arguments present vital contributions to the ongoing

¹⁵⁶ See (Donald et al. 2020)

¹⁵⁷ Ibid

¹⁵⁸ See (Ezeilo 2005, 233)

¹⁵⁹ Id at 232

¹⁶⁰ Ibid

discourse on reconciling the universality of human rights with cultural relativism, particularly in the African context. Her work underscores the need for a nuanced approach that respects cultural differences while upholding the fundamental principles of human rights, advocating for a balanced stance that allows for respect for cultural values without compromising the core values of respecting the human rights of the girl child/women.

Ezeilo further posited “*we can never be the same, and there can never be one universal culture,*” however; she claims “*there is something that we can build on in every culture.*”¹⁶¹Merry¹⁶² aimed to address the challenge of reconciling Universalism with Cultural Relativism by developing a vernacularization framework. This framework was intended to facilitate the adoption of human rights ideas and practices developed at one locality on a transnational scale.¹⁶³The following section will briefly discuss the tension between Universalism with Cultural Relativism, and subsequently focus on the vernacularization theory that guides this research.

2.2.1.1 The Tension between Universalism and Cultural Relativism

The ongoing debate among scholars in modern human rights narrative centers on the tension between Universalism and Cultural Relativism.¹⁶⁴ This key issue has garnered significant attention and discussion among scholars. From the perspective of Universalism, human rights are inherent to all individuals, irrespective of their place of birth or cultural background, because they are endowed with these rights simply by virtue of being human.¹⁶⁵ On the other hand, Cultural Relativists challenge such “*presumed universality of human rights*” on the ground that it is “*deeply ingrained in Western philosophy.*”¹⁶⁶ Jack Donnelly has adopted a stance of “*relative universality,*” which entails acknowledging the indefensible nature of certain universalist theories while simultaneously asserting relative dimensions of human rights, “*human rights can (and cannot) be said to be universal, the senses in which they are (and are not)*

¹⁶¹ Id at 247

¹⁶² See (Merry 2006)

¹⁶³ Ibid

¹⁶⁴ See (Addo 2010)

¹⁶⁵ See (Renteln 1990, 47)

¹⁶⁶ See (Lindholt 1997, 27)

relative.”¹⁶⁷ Peris, on the other hand, criticized the tension and debate between Universalists and Relativists in the modern time being excessively theoretical and broad.¹⁶⁸ Instead, she advocates for a more fluid perspective on culture, where it is not viewed as a static, monolithic entity; but rather as a *dynamic* practice that is responsive to the unique needs and challenges of both men and women.¹⁶⁹ Mukherjee¹⁷⁰ advocated for a legal global framework¹⁷¹ against child marriage and emphasized that this should not be viewed as an attempt to emulate Western society. Instead, it signifies the “*beginning to find resources from within their own culture and society to interrogate traditional ideas and to protect vulnerable girls.*”¹⁷²

Bunting opposes the universal minimum marriageable age of 18 as an “*inflexible legal standard*” when it comes to combating child marriage.¹⁷³ Instead, she suggests that global law should consider the culturally diverse reasons and consequences of child marriage.¹⁷⁴ Bunting clarifies that her argument does not support relativism.¹⁷⁵ Instead, she advocates for what she calls “*facile universalism*” and “*facile relativism*” to mediate between claims of universalism and cultural specificity and ultimately encourages effective and constructive dialogue.¹⁷⁶ Bunting arguments, generally, center on the human rights implications of child marriage.¹⁷⁷ The author's analysis urges proactive measures to protect the rights of adolescent girls and challenges existing norms and legal frameworks perpetuating this practice.¹⁷⁸ The central theme of her argument is to address child marriage as a human rights issue.¹⁷⁹

¹⁶⁷ See (Donnelly 2007, 281), see the abstract

¹⁶⁸ See (Preis 1996)

¹⁶⁹ Ibid

¹⁷⁰ See (Mukherjee 2006, 231)

¹⁷¹ He refers to the universal minimum age of 18

¹⁷² Ibid

¹⁷³ See (Bunting 2005, 34)

¹⁷⁴ Ibid

¹⁷⁵ Ibid

¹⁷⁶ Ibid

¹⁷⁷ Ibid

¹⁷⁸ Ibid

¹⁷⁹ Ibid

In line with this similar objective of having a common ground, the present study is grounded in the theory of vernacularization. Merry¹⁸⁰ asserts that the process of vernacularization does not engage in debates regarding the universality of human rights or the theoretical divide between culture and rights. Instead, it investigated the practical impact of these concepts on local communities, *“Instead of asking if human rights are a good idea, it explores what difference they make.”*¹⁸¹ The next section is devoted to elaborating this framework.

2.2.1.2 Vernacularization: The Emerging Common Ground

This study builds upon the theoretical foundation laid by the late Sally Engle Merry, a distinguished scholar in the field of Anthropology of Law, who developed the vernacularization framework. Vernacularization refers to the *“process of appropriation and local adoption of global women/girls human rights ideas and strategies.”*¹⁸² Sally Engle Merry in her article entitled *“Transnational Human Rights and Local Activism: Mapping the Middle”* explores the intersection of global human rights frameworks and local activism.¹⁸³ She highlights the complexities of this relationship, emphasizing the need to understand human rights advocacy within specific local contexts while acknowledging its connections to broader transnational movements.¹⁸⁴ Her arguments provides valuable insights into the intricate dynamics of transnational-local interactions in the realm of human rights activism.¹⁸⁵

According to Merry, the process of transferring ideas from transnational sources to grassroots communities typically involves a process, known as vernacularization: which refers to the adaptation of these ideas to the local institutions and meanings of the community.¹⁸⁶ Human rights vernacularization, according to Merry, *“is a process of translation within context.”*¹⁸⁷ The process of redefining or rejecting various ideas is

¹⁸⁰ See (Merry 2006)

¹⁸¹ Ibid at 39

¹⁸² See (Levitt and Merry 2009, 446)

¹⁸³ See (Merry 2006)

¹⁸⁴ Ibid

¹⁸⁵ Ibid

¹⁸⁶ See (Merry 2006, 38)

¹⁸⁷ See (Merry 2017, 4)

influenced by cultural and social differences as well as the specific circumstances in which these ideas are considered.¹⁸⁸ How these 'concepts' are reshaped or dismissed can differ significantly depending on the context and the social norms of a particular country or community.¹⁸⁹

Goodale and Merry¹⁹⁰ posited that the practice of human rights necessitates carefully examining the intricate relationship between global norms and local practices. They discuss how human rights law is formulated internationally but must be applied and adjusted within diverse local contexts.¹⁹¹ Consequently, the authors emphasize that these complex dynamics underscore the intricacies of legal pluralism and the challenges of upholding universal human rights standards in varied cultural settings.¹⁹² They highlight the inherent contradictions within the global-local interplay, underscoring the importance of understanding the cultural dimensions of legal systems and advocating for a nuanced approach to human rights implementation.¹⁹³ In conclusion, the authors stress the significance of a culturally informed perspective in human rights practice.¹⁹⁴ They suggest that the effectiveness of human rights law hinges on its ability to navigate the complex interplay between global standards and local realities.¹⁹⁵ Their work contributes to a deeper understanding of legal pluralism and the socio-legal processes that influence the practice of human rights across diverse societies. Their argument lent credibility to this dissertation, which investigates how the globally defined minimum marriageable age of 18 and legal consent notions are interpreted and framed to gain meaning that can persuasively influence the local grassroots community and, consequently, enforce national law.

According to the vernacularization framework, local social movements are believed to be responsible for the creation of international laws that subsequently diffuse back into local

¹⁸⁸ See (Merry 2017; 2006; Levitt and Merry 2009; Merry and Levitt 2019; Goodale and Merry 2007)

¹⁸⁹ Ibid

¹⁹⁰ See (Goodale and Merry 2007)

¹⁹¹ Ibid

¹⁹² Ibid

¹⁹³ Ibid

¹⁹⁴ Ibid

¹⁹⁵ Ibid

communities in the form of global laws.¹⁹⁶ The precondition for acceptance of women's human rights lies in its adoption to existing "*local cultural categories, symbols, and ideologies: they need to be made to fit in with what is already there.*"¹⁹⁷ Accordingly, the framework accents the point that the global is local. Furthermore, the direction of the translation is not linear but a "*spiral*" process;¹⁹⁸ implying the flow from global to local, and at the same time, from local to global.

While explaining the notion of vernacularization, Merry highlighted the role of intermediaries or translators as the "*key dimension*" of the process.¹⁹⁹ Merry advocates for the "*active appropriation and redefinition*" of human rights by translators at various levels: including local, regional, national, and global.²⁰⁰ However, she acknowledged instances of rejection.²⁰¹ She listed community leaders, non-governmental organizations (NGOs), and social movement activists as influential 'knowledge brokers' between culturally distinct social worlds.²⁰²

Merry identified two forms of vernacularization, replication, and hybridization, to differentiate between the extent to which international human rights norms were integrated into local contexts for successful translation.²⁰³ Replication denotes a "*superficial and primarily decorative*" process whereby "*transnational idea remains the same, but local cultural understandings shape the way the work is carried out.*"²⁰⁴ On the other hand, she refers to hybridization as an "*interactive form of vernacularization*" because it involves the merging of imported institutions and symbols with local ones, often "*uneasily.*"²⁰⁵

The application of Merry's hybridization approach to the human rights framework aligns with the international relations concept of "localization" put forth by Amitav Acharya.

¹⁹⁶ Ibid

¹⁹⁷ See (Merry 2017, 4)

¹⁹⁸ Ibid

¹⁹⁹ See (Merry 2006, 39)

²⁰⁰ See (Merry 2017, 5)

²⁰¹ Ibid

²⁰² See (Merry 2006)

²⁰³ See (Merry 2006)

²⁰⁴ Id at 44

²⁰⁵ Id at 48

Both approaches emphasize the essential role that translators play in shaping human rights discourse and enforcement. Acharya²⁰⁶ notes that ‘localization’ helps “*to analyze how foreign norms different from local ones be diffused and get acceptance.*” It involves a process of “*congruence-building*” in an ongoing and dynamic way during which transnational concepts and principles permeate local contexts through the instrumentality of “norm takers” or “local actors.”²⁰⁷ According to Acharya, the concept of localization does not involve a binary choice between accepting or rejecting norms.²⁰⁸ Instead, it refers to a process through which local actors create similarities between transnational norms and their pre-existing beliefs and practices.²⁰⁹ In contrast to Merry’s perspective, Acharya argues that localization is not a matter of embracing or rejecting external norms, but rather a means of adapting them to local contexts.²¹⁰ Acharya posits that the efficacy of norm diffusion processes is contingent on the degree to which they present opportunities for localization.²¹¹ His viewpoint aligns with Merry’s notion that local actors assume a proactive and indispensable role as opposed to transnational agents.²¹²

In Rajaram and Vaishali’s²¹³ study, the role of translators was outlined in a manner akin to Merry’s hybridization form of the human rights framework. Rajaram and Vaishali research was centered on Baroda, Gujarat, India, to explore the intricate relationship between global norms and local cultural contexts in women’s human rights. The authors assert that the translation of women’s rights is a multifaceted process characterized by a dynamic and non-linear “spiral process” in which global ideas are localized and, in turn, can impact global discourses.²¹⁴ They also underscore the influence of social norms and the state’s role.²¹⁵ The authors identify different types of translators, such as converters and transformers, each playing specific roles in the translation process, involving meaning-making through processes, what they refer to as - ‘recuperation,’ ‘hybridization,’

²⁰⁶ See (Acharya 2004, 240)

²⁰⁷ Ibid

²⁰⁸ Ibid

²⁰⁹ Ibid

²¹⁰ Ibid

²¹¹ Id at 241

²¹² Ibid

²¹³ See (Rajaram and Zararia 2009)

²¹⁴ Ibid

²¹⁵ Ibid

'simplification,' and 'compartmentalization.'²¹⁶ They described '*recuperation*' as adopting locally existing concepts for translation campaigns.²¹⁷ They claim '*simplification*' requires dialogues or literary arts to enable communities to understand global norms with clear, simple messages.²¹⁸ The other strategy they introduced is '*compartmentalization*,' which means "*the process by which ideas are narrowed down or sorted out.*"²¹⁹ They further noted the existence of different translators, including "*converters, generators, conveyors, adaptors, and transformers.*"²²⁰ Their study emphasizes the non-linear nature of translating human rights. It illustrates how global women's human rights are rendered in local cultural contexts—a complex process shaped by various actors and factors. The research highlights the importance of acknowledging translators' diversity and recognizing the translation process's multifaceted nature.

The results of Rajaram and Vaishali's²²¹ study have informed my dissertation research question, which delves into the various ways global and local actors interpret globally defined norms against child marriage within a specific grassroots community. I am particularly impressed by their work, which underscores translation as a 'meaning-making' process. The authors meticulously identify how the framing effort is contingent upon existing social norms and the role of the local government. In my dissertation, I explore the diversity of translators, particularly the involvement of key local actors such as adolescent girls, priests, community elders, and community facilitators. Furthermore, I aim to document the most influential regional actors involved. My dissertation examines the roles of the local government, community-based organizations (CBOs), and international governmental organizations (IGOs) and evaluates their effectiveness, success, and challenges. The results of this study have informed my dissertation research question, which delves into the various ways global and local actors interpret globally defined norms against child marriage within a specific grassroots community. I am particularly impressed by their work, which underscores translation as a 'meaning-making' process. The authors meticulously identify how the framing effort is contingent

²¹⁶ Ibid at 462

²¹⁷ Id at 476

²¹⁸ Ibid

²¹⁹ Id at 447

²²⁰ Id at 462

²²¹ Ibid

upon existing social norms and the role of the local government. In my dissertation, I explore the diversity of translators, particularly the involvement of key local actors such as adolescent girls, priests, community elders, and community facilitators. Furthermore, I aim to document the most influential regional actors involved. My dissertation examines the roles of the local government, community-based organizations (CBOs), and international governmental organizations (IGOs) and evaluates their effectiveness, success, and challenges.

Finnemore and Sikkink²²² whose work is very relevant in the field of international relations, discussed the three crucial "*norm life cycles*," known as "*the three-stage processes*": norm emergence, cascade, and internalization. According to Finnemore and Sikkink, states are considered essential actors during the initial two stages of the process.²²³ In the first stage, persuasion by norm entrepreneurs was crucial.²²⁴ In the second stage, national movements play a significant role in facilitating states' adoption of new norms.²²⁵ The final stage, internalization, is said to involve no significant controversy and automatic cascading of norms.²²⁶ Consequently, the human rights of women and girls, particularly the global norm of child marriage, reportedly stagnated in the second stage, centering on the Finnemore and Sikkink's conceptualization.

The present study significantly contributes to the academic discourse on how globally defined norms against child marriage are contextualized. It delves into the re-interpretation and framing of these norms to resonate with the local context. The research introduces the concept of "vernacularization" as the process through which international norms on child marriage are internalized, reconciled, and reinterpreted to align with local meanings, gaining acceptance among grassroots community members. Therefore, it is crucial to employ an additional theoretical framework that enables an understanding of the dynamic interplay between law and culture in interpreting and implementing child marriage laws at the local level. The subsequent section will further explore this relationship using semiotics theory..

²²² See (Finnemore and Sikkink 1998, 895–904)

²²³ Ibid

²²⁴ Ibid

²²⁵ Ibid

²²⁶ Ibid

2.2.2 Semiotic Theory: The Influence of Culture on Legal Interpretation and Implementation

The purpose of the law is to establish order in both private sphere (such as family) and public interactions; hence, it is a “sign,”²²⁷ serving as a “symbol” of guidance and regulation. The discourse on semiotics is particularly important when it comes to legal practice and interpretation.²²⁸ Semiotics is a theory or approach that involves a study of ‘signs’²²⁹ and its meanings known as ‘signification.’²³⁰ Signification refers to when words, images, sounds, (...) are interpreted to “*refer to or standing for something other than itself.*”²³¹ As per Saussurean semiotics, signification is the ‘*defining function of signs.*’²³² And such interpretation is often unconscious.²³³ Signification involves two levels of meaning, denotation which is the first level or signs at their primary process (direct/explicit meaning) and connotation which entails the secondary process or interpretation: signs at their contextual/ socio-cultural meaning.²³⁴

Chandler contends that ‘signs’ cannot be studied in isolation from its ‘sign system’ in order to reveal “*how meanings are made.*”²³⁵ Socio-cultural practice, including child marriage, is a semiotic system.²³⁶ Wagner and Marusek²³⁷ argue that legal semiotics encompasses two fundamentally interconnected components: *verbal* and *nonverbal sign systems*. They further noted that it is the non-verbal sign system “*that carry cultural meaning and interpretation of the law vested in conceptualizations, understanding (...).*”²³⁸

Some cultural semioticians interpret the gender dimension embedded in culture as ‘myths’ or ‘mythologies.’²³⁹ They noted that semiotic use of the term myth does not refer

²²⁷ See (Wagner and Marusek 2023)

²²⁸ See (Tiefenbrun 2010)

²²⁹ See (Cobley and Jansz 2003; Chandler 2007)

²³⁰ See (Erfiani, Sukarsih, and Jayantini 2022)

²³¹ See (Chandler 2007, 13)

²³² See (Chandler 2007, 260)

²³³ See (Chandler 2007, 13)

²³⁴ See (Chandler 2007; Erfiani, Sukarsih, and Jayantini 2022)

²³⁵ See (Chandler 2007, 2); See also (Wagner and Broekman 2011)

²³⁶ See (Chandler 2007, 83)

²³⁷ See (Wagner and Marusek 2023, 1)

²³⁸ See (Wagner and Marusek 2023, 8)

²³⁹ See (Chandler 2007)

to false belief; rather ‘help us to make sense of our experiences within a culture: they express and serve to shared ways of conceptualizing (...) within a culture.’”²⁴⁰ Barthes posited that the purpose of mythical signification is “to naturalize the cultural(emphasis added) – in other words, to make dominant cultural and historical values, attitudes and beliefs seem entirely natural, normal, self-evident, timeless, obvious common sense – and thus objective.”²⁴¹ And argued myths hinder interpretation, in his words ‘hide the ideological function of a ‘sign.’”²⁴²

This dissertation utilizes legal semiotics to explore the interpretation of child marriage laws at the grassroots level in the study *Wereda*. The concept of “mythical signification” from cultural semiotics provides a comprehensive understanding of the contemporary sociocultural factors identified in this research and previous studies. In line with semiotic point of view, meanings are made when one interprets a ‘sign,’²⁴³ particularly to this dissertation - a ‘sign’ of child marriage. Semiotic analysis reveals that local key norm holders, such as religious leaders, community elders, female and male parents, and adolescent girls and boys, function as ‘meaning makers’²⁴⁴ when they define ‘marriage,’ ‘girlhood’ and determine the appropriate marriageable age for girls in their local context. Furthermore, according to the semiotician conception, middle- and late-adolescent girls are the primary “meaning makers”²⁴⁵ when they exercise agency to resist the practice or accept arranged marriages. The semiotic approach to analyzing “value”²⁴⁶ enriches and deepens the experience of middle and late-adolescent girls in their marital decision making.

The following discussion explores and comprehends the underlying factors that contribute to and perpetuate the practice of child marriages. The subsequent section

²⁴⁰ Id at 143

²⁴¹ Id at 145

²⁴² Ibid

²⁴³ See (Chandler 2007)

²⁴⁴ See (Broekman and Mootz 2011, Vii; Chandler 2007, 13)

²⁴⁵ Ibid

²⁴⁶ Ferdinand de Saussure, a prominent linguist, differentiated between the value of a sign and its signification or referential meaning. “A sign does not have an absolute value in itself – its value is dependent on its relations with other signs within the signifying system as a whole. Words in different languages can have equivalent referential meanings but different values since they belong to different networks of associations.” Accordingly, a sign's value is not inherent; rather, it is contingent upon its relationship with other signs within the overall signifying system. See (Chandler 2007, 264)

provides a summary and emphasizes the key theoretical frameworks that add significance to this dissertation.

2.2.3 Paradigms on Child Marriage: Multiple Socio-cultural and Economic Drivers with the Centrality of Sexuality'

The reasons and factors that contribute to and perpetuate child marriage are subject to numerous theoretical perspectives and ongoing debates, which are influenced by distinct cultural and social norms that exist in different countries.²⁴⁷ Various academic disciplines approach and comprehend the issue of child marriage in a diverse and also interconnected ways.²⁴⁸ The inputs from psychology, sociology, anthropology, and economics are invaluable perspectives.²⁴⁹

One of the central inquiries in addressing the problem of child marriage pertains to the perspective or viewpoint that is considered when identifying it as a problem from the outset: *'whose perspective is taken into account in labeling it as a problem from the very beginning?'* Giaquinta²⁵⁰ posits that post-development theories centered on Western standards are employed to classify child marriage as a global issue. Giaquinta's research draws on the work of post-colonial feminist writers, scholars from the sociology of childhood, and post-development theory to critically assess the international discourse on child marriage.²⁵¹ It aims to identify the constraints of a framework that often silences the perspectives of those it aims to represent.²⁵² The research proposes that a more comprehensive understanding of agency is essential to address the issue of child marriage effectively.²⁵³ In conclusion, the author argues for a reevaluation of the discourse surrounding child marriage in order to better capture the agency of adolescent girls.²⁵⁴ The author boldly concludes that child marriage should be conceptualized *"based on what this practice might provide and its value, rather than only on its oppression and what it takes away. Maybe even on how the problem may be with the international*

²⁴⁷ See

²⁴⁸ Ibid

²⁴⁹ See (Cislaghi and Heise 2020)

²⁵⁰ See (Giaquinta 2016)

²⁵¹ Ibid

²⁵² Ibid

²⁵³ Ibid

²⁵⁴ Ibid

development community and not, for once, with the Global South."²⁵⁵ These findings are crucial for guiding future research and interventions aimed at addressing child marriage in a manner that respects the voices and experiences of those most impacted by the practice, i.e., adolescent girls. The research arguments have been instrumental in shaping my dissertation on how to conceptualize girls' agency in combatting child marriage. I agree with the author's viewpoint that the agency of child brides should not be confined to merely resisting child marriage. It is crucial to recognize their passive agency, even when they ultimately accept arranged marriages or become involved in adolescent-led child marriage.

Similarly, Escobar²⁵⁶ contends that the developing world is unable to determine its reality because of patriarchy and ethnocentrism, which enables the West to assume establishing a benchmark. In this regard, Escobar²⁵⁷ utilized the term "*colonization of reality*" to elucidate the situation. In this regard, Savell (2008) as cited by Vergroesen,²⁵⁸ highlights that conceptualizing child marriage as harmful practice "*devalues local culture*" as it imposes western views. As an African female lawyer and women's human rights advocate, I wholeheartedly reject the perspectives condoning child marriage, as it has significant and far-reaching negative consequences to the lives of girls worldwide.

The perpetuation of child marriage practice is widely recognized as being influenced by poverty and social/gender norms.²⁵⁹ Gaps in educational opportunities/level of education and crisis/insecurities (natural hazards, conflict, displacement and pandemic²⁶⁰) are among factors intensifying the practice.²⁶¹ According to the economic paradigm point of view, poverty has emerged as a prominent factor contributing to child marriages.²⁶² Vergroesen's²⁶³ research on the "*Economic benefits of early marriages in the Amhara region*" stated that child marriage in the Amhara Region is very complex due to the

²⁵⁵ Id at 38

²⁵⁶ See (Escobar 1995)

²⁵⁷ Id at 5

²⁵⁸ See (Vergroesen 2018)

²⁵⁹ See (Wahhaj et al. 2015; Barney et al. 2022, 503; Bunting 2005, 25–29)

²⁶⁰ Various research show how child marriage increased in the context of COVID 19, See (Jones, Gebeyehu, et al. 2020; Deane 2021)

²⁶¹ See (Girls Not Brides 2024c)

²⁶² See (MoWSA 2019)

²⁶³ See (Vergroesen 2018)

cultural, social, and economic factors that contribute to the practice. Lysanne Maria Vergroesen, however, highlighted that the financial advantages associated with child marriages for parents are a significant influencing factor.²⁶⁴ The economic analysis of child marriage demonstrates a negative correlation between the socioeconomic status of households and the prevalence of this practice.²⁶⁵ According to previous studies, child marriage is most prevalent in the poorest households, with a rate of 74.4%, and decreases to 43.6% in the wealthiest households.²⁶⁶ In low-income countries and poor households, financial benefits and security for both family and girl brides are among the key drivers of child marriage.²⁶⁷ A finding from a research in Ethiopia by Tefera, Paola and Guday²⁶⁸ show girl's child marriage as a "coping mechanism" or the practice of marrying off underage girls as a means of alleviating financial burdens on families or securing dowries has been frequently documented as a common occurrence among various drivers.

Child marriage has been the subject of extensive socio-cultural analysis, and various theories have been developed to explain its prevalence. One prominent theory put forward by Gelfand, Nishii and Raver²⁶⁹ highlights the importance of cultural tightness-looseness and social norms in sustaining the practice. According to this theory, imposing sociocultural sanctions and stigma on individuals who violate community norms on child marriage serves to maintain the practice. Psaki et al.²⁷⁰ recently developed a conceptual framework for understanding the drivers of child marriage among girls. According to this framework, five core drivers exist: social norms, poverty, lack of opportunity, lack of agency, and fear of girls' sexuality/pregnancy.²⁷¹ Additionally, the authors propose that social norms and poverty are the primary drivers of child marriages.²⁷²

A recent study by Emirie, Jones, and Kebede²⁷³ emphasizes that the factors driving child marriage are largely context-specific and are mediated by social norms related to gender,

²⁶⁴ Ibid

²⁶⁵ See (Murphy 2019)

²⁶⁶ Ibid

²⁶⁷ See (Girls Not Brides 2024a)

²⁶⁸ See (Tefera, Paola, and Guday 2013, 25)

²⁶⁹ See (Gelfand, Nishii, and Raver 2006)

²⁷⁰ See (Psaki et al. 2021)

²⁷¹ Ibid

²⁷² Ibid

²⁷³ See (Emirie, Jones, and Kebede 2021)

age, and inheritance practices. The study examined the impact of child marriage on girls and boys in the Amhara and Oromia regions, using semi-structured interviews with 190 adolescents, 44 parents, and 20 critical informants from 2017 to 2020.²⁷⁴ The results highlight the influence of economic and gender norms on both adolescent-initiated and parent-arranged child marriages, impacting girls and boys differently.²⁷⁵ The study suggests that eradicating child marriage, in line with SDG target 5.3, requires tailored gender-specific strategies.²⁷⁶ In Ethiopia, factors such as gender, age, and inheritance practices significantly influence experiences of child marriage, which are further influenced by social norms, access to essential services like secondary schools, and policies promoting youth skills building and gender-responsive social protection.²⁷⁷ The findings of this study informed my dissertation research question, which delved into the agency of adolescent girls. Upon analyzing how these girls exercised agency, the findings emphasized the importance of considering constrained or passive agency. It also highlighted that exerting agency should not be narrowly viewed solely as resisting child marriage.

Bunting²⁷⁸ argues the very low age at marriage for girls than boys is often attributed to the deeply ingrained stereotypes regarding gender roles that view girls primarily as mothers and wives, which are prevalent in the majority of cultures. A study by Jones, Tefera, Emirie et al.,²⁷⁹ found that childbearing is a significant driver of child marriage in the targeted study areas. Kassegne et al's²⁸⁰ research on the Amhara region, particularly the Kewet and Bahir Dar Zuria *Weredas*, indicated that child marriage is linked to social norms emphasizing girls' sexual purity, and the community's ideal of a “good wife” was shared by 74% of participants.

Recent literatures show that the international norm adoption and diffusion in child marriage now made a shift towards a “feminist sexuality frame.”²⁸¹ Combating child

²⁷⁴ Ibid

²⁷⁵ Ibid

²⁷⁶ Id at 1270

²⁷⁷ Ibid

²⁷⁸ See (Bunting 2005, 27)

²⁷⁹ See (Jones, Tefera, Emirie, et al. 2016)

²⁸⁰ See (Kassegne, Kwaak, and Kok 2023)

²⁸¹ See (Barney et al. 2022, 503)

marriage requires accelerating efforts and adopting a specific approach to conceptualize the root cause that sustains this practice. The "feminist sexuality frame" represents a perspective that views child marriage as an expression or "*manifestation of patriarchy*."²⁸² Greene et al. argues child marriage is "*an expression of gender inequality and the structures of patriarchy: unlike boys, adolescent girls face lives that are ruled by management of their sexuality*."²⁸³ The pervasive issue of gender inequality, deeply rooted in patriarchal societal norms, manifests itself in the devaluation of girls including the perception that "*girls are not valued as much as boys and are considered to be a burden or a commodity*."²⁸⁴ Girls Not Brides,²⁸⁵ a global network of 1600 Civil Society Organizations from more than 100 countries that aims to end child marriage, identified gender inequality as the root cause of child marriage, which is further exacerbated by poverty, lack of education, harmful social norms, and insecurity.²⁸⁶ Bunting asserts "*gender inequality is both a cause and an effect*" of child marriage.²⁸⁷

Feminist's literature has asserted the importance of the "*centrality of sexuality*" as a theoretical framework for understanding and addressing the root causes and maintaining the practice of child marriage.²⁸⁸ Barney et al.²⁸⁹ posits that advocates for human rights have adopted their approach to shaping the international standard against child marriage in recent times. They argue that while historical perspectives identified poverty and underdevelopment as the predominant drivers of child marriage, contemporary advocates have increasingly embraced a feminist sexuality framework in their discourse on the subject.²⁹⁰ Employing a multi-method approach involving machine-learning text analysis,

²⁸² Id at 504

²⁸³ See (Greene et al. 2018, 4)

²⁸⁴ See Africa Union, Five year Strategic Plan on AU Campaign to End Child Marriage, Page 8; See also Girls Not Brides, a global network of 1600 Civil Society Organizations from more than 100 countries that aims to end child marriage, defined 'gender inequality' stating, "*women and girls treated as second-class citizens, denied their human rights and valued less because of their sex*." Available on <https://www.girlsnotbrides.org/about-child-marriage/why-child-marriage-happens/>

²⁸⁵ See Girls Not Brides. *How we work*. Available on <https://www.girlsnotbrides.org/about-us/how-we-work/>

²⁸⁶ Ibid

²⁸⁷ See (Bunting 2005, 28)

²⁸⁸ See (Greene et al. 2018), see also (Psaki et al. 2021, 515) who argues "fear of girls sexuality and pregnancy" as a key driver of child marriage in patriarchal communities

²⁸⁹ See (Barney et al 2022)

²⁹⁰ Ibid

process tracing, and interviews, the research examined the process of frame adoption among international norm entrepreneurs.²⁹¹

Murphy²⁹² argues that child marriage persists as a challenge for developed and developing nations. Being mindful of this fact, she claims, "*women, in any economic standing, are seen as a financial burden, as they are often not allowed or not educated enough to work.*"²⁹³ Global literature and national previous studies have similar explanations on how patriarchy is expressed in family honor, female purity, and controlling females' sexuality and sustains child marriage.²⁹⁴ Moghadam²⁹⁵ argues that patriarchal communities attach female virginity with family honor, and girls are married at a very young age. With a similar finding in Ethiopia, Jones et al.²⁹⁶ stated that social norms dictate "girls' virginity as a symbol of their worth to their families." Similarly, another recent study by Jones, Presler-Marshall, et al.²⁹⁷ also show that parental arranged marriages aims to control girls sexuality driven by protection of family honor. Bunting additionally addressed the topic of "shame" that a young woman may bring upon her parents if she becomes pregnant outside of marriage.²⁹⁸ As a result, child marriage is often promoted as a solution to marry her off being a virgin.²⁹⁹

2.3 Conceptual Framework of the Study

Adom, Emad & Joe³⁰⁰ argue "*the theoretical and conceptual framework explains the path of a research, grounds it firmly in theoretical constructs... and makes research findings more meaningful.*" Utilizing Salle Eagle's vernacularization framework,³⁰¹ I formulated the following conceptual framework for this study.

²⁹¹ Ibid

²⁹² See (Murphy 2019)

²⁹³ Id at 8

²⁹⁴ See (Girls Not Brides 2024a; Emirie and Eshetu 2016; MoWSA 2019; Jones, Bekele, et al. 2015; Jones, Presler-Marshall, Baird, Hicks, Emirie, Yadete, et al. 2019)

²⁹⁵ See (Moghadam 2004)

²⁹⁶ See (Jones et al. 2018, 43)

²⁹⁷ See (Jones, Presler-Marshall, et al. 2020)

²⁹⁸ See (Bunting 2005, 28)

²⁹⁹ Ibid

³⁰⁰ See (Adom, Hussein, and Adu-Agyem 2018, 438)

³⁰¹ See (Merry 2006; Goodale and Merry 2007; Levitt and Merry 2009; Merry 2017; Merry and Levitt 2019; Destrooper and Merry 2018)

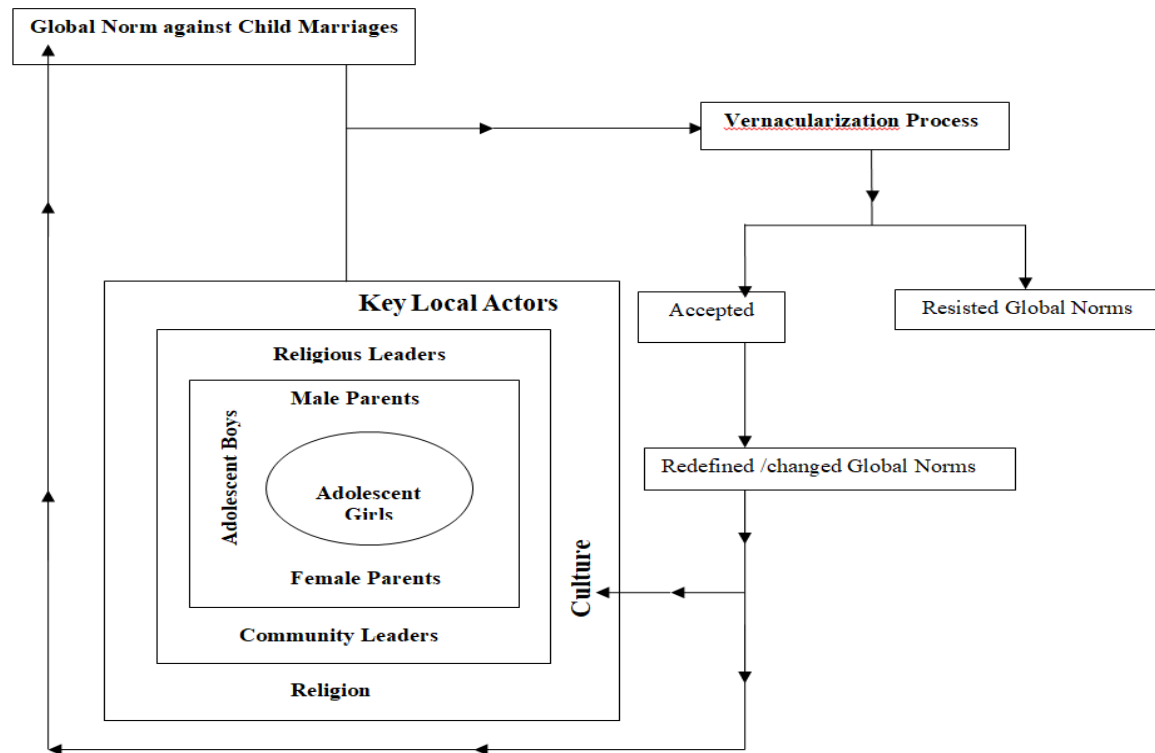


Fig.1 Conceptual Framework of this study: Developed based on Vernacularization Framework

The model starts with globally defined norms against child marriages: the global, and also national, minimum marriage age of 18 years and the requirement for free, full, and informed consent. These norms have been incorporated into international, regional, and national human rights instruments, and hence, a line is drawn to connect the global norm with local norms. However, there is a gap in enforcement at the community level, as indicated by the line without an arrow in the model.

The present study focuses on the issue of child marriage among girls, with adolescent girls being the central theme and depicted by an oval shape at the center of key local actors in the model. In arranged child marriages, parents have a significant influence and impact, whereas adolescent boys play a significant role in adolescent-led child marriages. Therefore, they are included within the first rectangle, indicating their influence on adolescent girls' agency in marital choice and decision-making. The views of both male and female parents, as well as adolescent girls and boys, on the appropriate age for

marriage, are influenced by religious and cultural beliefs. Hence, this study documents the views and perspectives of religious leaders and community elders regarding the appropriate marriageable age of girls in the study area, as portrayed in the second layer of the rectangle. The third layer of the study reveals the intricate interplay between culture and religion, showcasing the overall views and perceptions of the grassroots community.

To understand how local communities interpret and appropriate global laws against child marriages, this study utilized a vernacularization³⁰² framework. This framework examines the role of local translators, i.e. the local government, CBO's and global partners working closely with key local actors, in actively redefining global norms so that they can be accepted by local communities.³⁰³ The model predicts that global norms on child marriage will undergo expected replication or hybridization processes, resulting in redefined or changed norms.³⁰⁴ Accordingly, the vernacularization process reveals whether global laws are accepted or resisted by local communities and why.

The arrow in the model shows the path³⁰⁵ of this research which endeavors to provide a comprehensive understanding of how key local actors (adolescent girls, female parents, male parents, adolescent boys, religious fathers, and community elders) comprehend global law. It seeks to identify and analyze their justifications for resisting global laws against child marriage, as well as to document any changes or redefinitions³⁰⁶ that have been made to these norms. Additionally, this study aims to investigate how these redefined laws and regulations influence the international legal system regarding child marriage, as indicated by the upward-pointing arrows.³⁰⁷

³⁰² Ibid

³⁰³ Ibid; see also (Merry 2006, 39)

³⁰⁴ Ibid; see also (Merry 2017, 5)

³⁰⁵ See (Adom, Hussein, and Adu-Agyem 2018)

³⁰⁶ See (Merry 2017, 5)

³⁰⁷ Id at 4; see also (Vandenhoe 2018)

CHAPTER THREE

Review of Relevant Literatures: Child Marriage and the Law

This chapter provides a comprehensive analysis of the existing literature on child marriage with a specific focus on how it is regulated by law. It is structured into four sections. The first section examines the prevalence of child marriages at global and regional levels, and then explores the consequences of this practice, emphasizing the harm it inflicts on individual child brides, their families, and a country as a whole. The second section delves into the debates surrounding the protection of women and girls' human rights in the face of cultural diversity, and the two competing approaches: 'the right of exit' and 'constructive dialogue.' The third section presents a human rights framework that seeks to eliminate child marriages through a process of 'constructive dialogue,' linking the global, African, and national frameworks, along with their respective enforcement mechanisms. The fourth section explores the existing literature on the efficacy of the law in defining and addressing child marriage.

3.1 Literatures on Child Marriage

3.1.1 Prevalence: Global and Regional Level

Child marriage is a gender-based challenge that disproportionately affects girls.³⁰⁸ Recent statistics reveal that 1 in 5 girls are married as children worldwide.³⁰⁹ In contrast, a study by Gastón, Misunas and Cappa³¹⁰ showed that approximately 1 in 30 boys get married as children globally. Their research further indicated that the prevalence of child marriage among boys has decreased compared to the past 25 years.³¹¹ A data from UNICEF indicates approximately 115 million boys and men across the globe have been married

³⁰⁸See (Zaman and Koski 2020; The Child Marriage Research to Action Network (the CRANK) 2023; Raj 2010; V. Chow and Vivalt 2021; Deane 2021)

³⁰⁹ See (UNICEF 2023), before 10 years ago, girls brides were one in four ; See also See UN Human Rights Office of the High Commissioner, *Child and Forced Marriage including in Humanitarian settings*: OHCHR Women's Human Rights and Gender Equality. Accessed 4 February 2024. Available on <https://www.ohchr.org/en/women/child-and-forced-marriage-including-humanitarian-settings>

³¹⁰See (Gastón, Misunas, and Cappa 2019); In Ethiopia, for example, only 5% of boys are married before the age of 18 years, see (MoWSA 2019)

³¹¹ Ibid

while still in their childhood.³¹²The child grooms accounts for only one-sixth of the child brides.³¹³ It is estimated that around 640 million girls and women currently living have been married during their childhood.³¹⁴ Researches indicate that 12 million girls are married before attaining eighteen years every year worldwide.³¹⁵This means: 23 girls every minute and nearly 1 girl every three seconds or approximately 41,000 girls daily are becoming child brides globally.³¹⁶Because of the gender dimension of child marriage, SDG measures child marriage among girls.³¹⁷

Research indicates that the prevalence of child marriage is declining; however, this issue remains a pressing concern.³¹⁸The progress made in addressing child marriage has been criticized for being slow³¹⁹ and ‘uneven’ as it fails to adequately protect the most vulnerable girls.³²⁰The practice of child marriage is most pervasive within the poorest households, among individuals with limited or no formal education, and in rural areas.³²¹Furthermore, the rate of reduction is insufficient to meet the SDG goal of eradication by 2030.³²² Unfortunately, if current trends continue, it is estimated that it will take an additional 300 years to eliminate child marriages.³²³The pace of decline in the prevalence of child marriage is expected to accelerate significantly, with a projected reduction of nearly 20 times the current rate, to achieve the goal of eradicating the practice by 2030.³²⁴

Child marriage is a global problem affecting both developed³²⁵ and developing nations but with high regional disparity.³²⁶According to recent data, a significant proportion of

³¹² See UNICEF. *First Ever Analysis on Child Grooms*. 6 June 2019. Accessed 4 February 2024
<https://www.unicef.org/press-releases/115-million-boys-and-men-around-world-married-children-unicef>

³¹³ Ibid

³¹⁴ See (UNICEF 2023)

³¹⁵ See (Girls Not Brides 2024b)

³¹⁶ See UN ONCHR, Supra note 305; See also Girls Not Brides. *About Child Marriage*. Accessed 4 February 2024. Available on <https://www.girlsnotbrides.org/about-child-marriage/>

³¹⁷ See SDG 5.3.1

³¹⁸ See (UNICEF 2023), before 10 years ago, it was one in four

³¹⁹ See (UNICEF 2022, 11)

³²⁰ Ibid

³²¹ Ibid, See also (UNICEF 2022, 10)

³²² See (UNICEF 2023)

³²³ Ibid

³²⁴ Ibid

³²⁵ See (Murphy 2019; Hamilton 2020; Zaman and Koski 2020)

³²⁶ See (Hodgkinson, Koster, and Miedema 2016)

girls in the least developed countries are married below the statutory age of 18, with a rate almost double that of developed countries.³²⁷ In developing countries, 40% of girls are married before the age of 18, while 12% are married before the age of 15.³²⁸ South Asia accounts for the largest proportion (45 %), followed by sub-Saharan Africa (20%).³²⁹ East Asia and the Pacific region hold 15 %, while Latin America and the Caribbean hold 9 % of the child-brides.³³⁰ Child marriage is truly a global concern, Hamilton³³¹ posited that even though child marriage is occurring every day across the United States there is a widely held misconception that it is not a problem in America.

3.1.2 Consequence of Child Marriage: The Cultural Harm

Child marriage poses significant adverse consequences on the physical, emotional, and socioeconomic well-being of child brides, as well as their long-term familial and national contributions leading to ‘*intergenerational cycle of poverty*.’³³² Child marriage “*robs girls of their childhoods and denies them the chance to determine their own future*.”³³³ Existing literature highlights the detrimental effects of child marriage on the sexual and reproductive health,³³⁴ education,³³⁵ vulnerability to sexual and domestic violence³³⁶ as well as enjoyment of human rights³³⁷ by child-brides.

Child marriages pose a threat to human rights, gender equality, public health, and socioeconomic development.³³⁸ Eradicating this practice has been a top priority worldwide, directly targeted by objective five, and is crucial for attaining nearly half of

³²⁷ See UN OHCHR, Supra note 305

³²⁸ Ibid

³²⁹ See (UNICEF 2023)

³³⁰ Ibid

³³¹ See (Hamilton 2020, 539:28)

³³² See (Tekile, Woya, and Basha 2020; Rembe et al. 2011; Malhotra and Elnakib 2021; Kassegne, Kwaak, and Kok 2023; V. Chow and Vivalt 2021; Malhotra 2010, 12)

³³³ See (ACPF and Plan 2019, 68)

³³⁴ See (Taylor et al. 2019; Irani and Latifnejad Roudsari 2018; Raj 2010)

³³⁵ See (Emirie 2005; Kassegne, Kwaak, and Kok 2023, 5; Wodon et al. 2018, 9)

³³⁶ See (Abera et al. 2020; Kassegne, Kwaak, and Kok 2023; Wodon et al. 2018)

³³⁷ See (Rembe et al. 2011; Raj 2010; Zaman and Koski 2020; Ntombela 2023; ACPF and Plan 2019); See also African Union, *The Campaign to End Child Marriages in Africa: Call to Action*. Available on https://au.int/sites/default/files/pages/32905-file-campaign_to_end_child_marriage_in_africa_call_for_action-english.pdf (page 4 – “Child marriage as a Violation of Human Rights)

³³⁸ See (Dahl 2010; Tekile, Woya, and Basha 2020; Malhotra and Elnakib 2021)

the SDGs.³³⁹ Recent literatures have brought attention to the economic and social consequences of child marriage among girls, underscoring its impact on society as a whole.³⁴⁰ The "*Economic Impacts of Child Marriage*" has been extensively studied both globally³⁴¹ and in Ethiopia,³⁴² highlighting the financial impacts in key thematic areas: early childbirths, fertility and population growth, health, nutrition, and violence, education, labor, and earnings, women's decision-making, as well as additional important themes such as land ownership, HIV/AIDS knowledge, and birth registration.

The primary focus of the majority of studies on the consequences of child marriage is the public health risks associated with the practice.³⁴³ Child-brides lack the necessary physical, physiological, and psychological readiness to assume the responsibilities associated with marriage and childbearing.³⁴⁴ The reproductive and sexual health consequences of child marriage are numerous and significant, and affect both physical and mental well-being.³⁴⁵ Child brides are at risk for physical and sexual violence, isolation, depression, and cervical cancer.³⁴⁶ Additionally, they are at increased risk of sexually transmitted diseases (STDs) and are also frequently afflicted with obstetric fistulas.³⁴⁷ Teenage pregnant women who are child brides are particularly vulnerable to health complications related with early pregnancy, with a higher likelihood of experiencing preterm birth and neonatal death than older women.³⁴⁸ Furthermore, childbirth-related mortality rates are significantly higher for girls under the age of 15 than

³³⁹ See (United Nations Entity for Gender Equality and Empowerment of Women (UN Women) 2020, 18); See also (Batyra and Pesando 2021), Child marriage impedes the realization of nearly half of SDGs, particularly those about 'no poverty,' 'zero hunger,' 'good health and well-being,' 'inclusive and equitable quality education,' 'gender equality,' 'decent work and economic growth,' and 'reduced inequality.'

³⁴⁰ See (Murphy 2019; Wodon et al. 2018; Wodon, Malé, and Onagoruwa 2020)

³⁴¹ See (Wodon et al. 2017)

³⁴² See (Wodon et al. 2018)

³⁴³ See (Marshall et al. 2016, 26)

³⁴⁴ See (Irani and Latifnejad Roudsari 2018; Raj 2010; Kassegne, Kwaak, and Kok 2023; Wodon et al. 2017; 2018)

³⁴⁵ Ibid

³⁴⁶ Ibid

³⁴⁷ See (Kassegne, Kwaak, and Kok 2023, 5; Wodon et al. 2018)

³⁴⁸ (Irani and Latifnejad Roudsari 2018)

for women between the ages of 20 and 24.³⁴⁹ Girls under 15 years of age were five times more likely to die during childbirth than women in this age group.³⁵⁰

The practice of child marriage serves as a catalyst that initiates a cycle of violence and subordination that faces child brides, who are more susceptible to intimate partner violence, increased possibility for being drop out and limits their income/labor participation.³⁵¹ It has been observed that a significant number of female students drop out of school due to child marriage, with estimates ranging from 10 to 30 percent.³⁵² Regrettably, the value accorded to girls' education is low, and some parents grapple with the decision to send their daughters to secondary school because of concerns about abduction and rape.³⁵³ Consequently, 68% of uneducated Ethiopian girls were married before turning 18, while only 13% had completed secondary education.³⁵⁴ The practice of child marriage leads to a reduction in wages during their adulthood by an average of 9 percent.³⁵⁵

The impact of child marriage, although initially felt at the level of the individual child bride, has a ripple effect that extends to the family, the community, and ultimately the country level.³⁵⁶ If every girl delays pregnancy until adulthood, the Ethiopian economy could potentially gain 15% of its gross domestic product (GDP) over her lifetime.³⁵⁷ Accordingly, ending child marriage in Ethiopia could result in a 9.3% increase in earnings for women who are married at a childhood and up to USD 1.5 billion in additional earnings and productivity for the nation as a whole.³⁵⁸ These findings set the scene and underscore the significance of addressing child marriage. The subsequent section provides an overview of child marriages in Ethiopia, including its prevalence, forms, patterns, and trends.

³⁴⁹ See (ACPF and Plan 2019, 68), See also (Kassegne, Kwaak, and Kok 2023; Ntombela 2023)

³⁵⁰ Ibid

³⁵¹ See (Wodon et al. 2018; Abera et al. 2020; Ntombela 2023)

³⁵² See (Wodon et al. 2017; 2018); See also CEDAW Committee, Joint General Recommendation 31 / General Comment 18, 324 Paragraph . 22

³⁵³ See (Girls Not Brides 2024c)

³⁵⁴ Ibid; See also UNICEF, *Ending Child Marriage a Profile of Progress in Ethiopia*. Updated 17 April 2-19, Accessed 8 February 2014, Available on <https://data.unicef.org/resources/child-marriage-in-ethiopia/>

³⁵⁵ See (Wodon et al. 2017; 2018; Girls Not Brides 2024c)

³⁵⁶ See (Ntombela 2023, 1778)

³⁵⁷ See (Wodon et al. 2017; 2018; Girls Not Brides 2024c)

³⁵⁸ Ibid

region in Ethiopia has the highest incidence of child marriages, with approximately 45% of girls being wedded before 18 years of age.³⁷⁰

The existing body of literature indicates that socioeconomic status and educational enrollment/attainment serve as crucial determinants of the prevalence of child marriage. The data from UNICEF reveal that child marriage is prevalent among girls in poorest (52%) and, uneducated (68%), and rural (48%) areas when compared with girls in more favorable economic circumstances (50% middle and 19 % richest), educated (43% primary and 10% secondary or higher level), and urban (16%) settings.³⁷¹ Other literatures similarly showed rural-urban variation in child marriage prevalence, highlighting rural areas with higher risk.³⁷² According to recent data, approximately 58% of girls residing in the poorest households are wedded before attaining the age of 18.³⁷³ Wodon et al.³⁷⁴ also suggested that poverty is a significant factor that contributes to the prevalence of child marriage. The data from UNICEF further indicates that a significant proportion of currently married/ in a union, child brides are out of school, with 90% falling into this category.³⁷⁵ Conversely, only 10% of child brides are in school. Similarly, among young never-married/in-a-union girls, 73% are in school, while 27% are out of school.³⁷⁶

3.1.3.2 Patterns and Forms

Child marriage is a prevalent issue affecting girls across different religions, ethnicities, and geographic regions within the country.³⁷⁷ Its pattern, however, exhibits pronounced diversity, assuming distinctive forms in various regions across the nation.³⁷⁸ The prevalence of child marriage and the age at which girls first marry differs noticeably across various geographical locations: across regions, *Weredas* and even between *Kebeles*.³⁷⁹ As Jones et al. discovered, child marriage in East Hararghe typically takes the

³⁷⁰ Ibid

³⁷¹ See (UNICEF 2022, 36)

³⁷² See (MoWSA 2019; Kassegne, Kwaak, and Kok 2023)

³⁷³ See UNICEF, Ending Child Marriage a Profile of Progress in Ethiopia, Supra note 350; See also (Girls Not Brides 2024c)

³⁷⁴ See (Wodon et al. 2018)

³⁷⁵ Ibid

³⁷⁶ Ibid

³⁷⁷ See (Jones, Emirie, Tefera, et al. 2016a)

³⁷⁸ Ibid

³⁷⁹ See (Jones, Tefera, Emirie, et al. 2016)

form of adolescent girls marrying against their parents' wishes.³⁸⁰ In contrast, the traditional practice of 'absuma marriage' in the Afar culture involves instances of child marriage, where marriage partners are typically chosen from among maternal cousins, and girls, who usually married off at the age of sixteenth or seventeenth,³⁸¹ have no agency or control over the selection or timing of their spouses.³⁸² In the Amhara region, arranged marriages of young girls are common,³⁸³ with some being married off as early as five years of age.³⁸⁴ In Oromia, local marriageable age of girls is dropping from the common age of 17 while girls are exerting agency in their marital choice.³⁸⁵

In Ethiopia, the drivers of child marriage are "*multi-faced and entangled*"³⁸⁶ but mainly related with girls "purity" and their role as 'mothers and wives'³⁸⁷; overall rooted in the attempt to control girls sexuality.³⁸⁸ It is important to highlight that legal impunity³⁸⁹ is a significant contributing factor for prevalence of child marriage in the country.³⁹⁰ In contrast, poverty does not appear to be a dominant factor driving child marriages.³⁹¹ While economic motives were widespread, they were primarily aimed at enhancing wealth through bride prices and displaying social standing rather than stemming from extreme poverty.³⁹² In these circumstances, girls are often treated as a form of "currency" to guarantee the well-being of other family members.³⁹³

³⁸⁰ See (Jones, Presler-Marshall, Baird, Hicks, Emirie, and Yadete 2019, 3)

³⁸¹ See (Jones, Presler-Marshall, Baird, Hicks, Emirie, Yadete, et al. 2019, 18; Jones, Presler-Marshall, et al. 2020, 304)

³⁸² Ibid

³⁸³ See (Jones, Presler-Marshall, et al. 2020, 305)

³⁸⁴ See (Jones, Emirie, Tefera, et al. 2016a, 7; Jones, Presler-Marshall, Baird, Hicks, Emirie, Yadete, et al. 2019, 24)

³⁸⁵ See (Jones et al. 2021, 305–6)

³⁸⁶ See (MoWSA 2019, 13; Jones, Presler-Marshall, et al. 2020)

³⁸⁷ See (Jones, Emirie, Tefera, et al. 2016a)

³⁸⁸ See (Jones, Presler-Marshall, Baird, Hicks, Emirie, and Yadete 2019, 2; Jones, Tefera, Emirie, et al. 2016, 23)

³⁸⁹ Legal impunity refers to gaps in the effective implementation or enforcement of law and hence, in this particular study, limited enforcement of minimum marriageable age and free/full consent requirement of national law.

³⁹⁰ See (MoWSA 2019; Emirie and Eshetu 2016)

³⁹¹ The exception is Somali region, See (Jones, Emirie, Tefera, et al. 2016a, 7)

³⁹² Ibid

³⁹³ Ibid

The forms of child marriages in Ethiopia are highly varied, reflecting the country's religious and ethnic diversity.³⁹⁴ Jones et al. identified twenty-seven types of child marriages across different regions in Ethiopia.³⁹⁵ They identified the following seven forms as being practiced in the Amhara region:³⁹⁶

1. **Contract marriages:** Involves temporary wives, usually between the ages of 16 and 18, who accompany older migrating men in Quarit, Amhara. Girls are expected to provide both sexual and domestic work services and are theoretically paid in cash for their work. Traditionally known as *kelabit mist* or *yekoterat gabecha*, which was previously it was known as *yäcən gāräd gabəčča*, a type of marriage arrangement for a woman or a girl as both a servant and wife.
2. **Dersomelse gabecha:** Known as ‘go-back’ marriages. These marriages are arranged when girls are between five and 11 years old, are conducted by village elders under customary law, and are uniformly seen as merely symbolic in Quarit, Amhara. Girls typically spend ‘a short period of time, not even more than a week’ at their in-laws’ house, sleeping with their mothers-in-law, and are treated like the children they are.
3. **Kelabit mist:** Temporary wife in Quarit, Amhara.
4. **Religious marriage:** Marriage between a virgin girl and a priest in Aneded and Quarit, Amhara. In Quarit, however, religious marriage can also be made by the mutual consensus of the two couples, after they are well matured, regardless of whether the man is a member of the clergy but does not allow divorce.
5. **Yegalemota gabecha:** When girls get married for the second time in Aneded, Amhara, arranged through marriage negotiators and community elders and requires no elaborate wedding ceremony
6. **Yelewut gabicha:** Exchange marriage where parents marry their children with children of another parent just by exchanging the children without any marriage related payments in Aneded, Amhara.

³⁹⁴ See (Jones, Presler-Marshall, et al. 2020)

³⁹⁵ See (Jones, Tefera, Emirie, et al. 2016, 10–11)

³⁹⁶ Ibid

7. **Yäsämanya wəl/yesemanya wole:** This is a contractual marriage agreement that states that the marriage is conducted based on the equal agreement of the married couples and their parents and the amount of wealth each parent has contributed in Aneded, Amhara.

Since drivers of the practice are varied, there are regional disparities in the trend of child marriage prevalence which fails to reflect the decrease in the prevalence of child marriage at the national level. Jones et al. strongly posited that “*one size does not fit all.*” The practice of child marriage varies in its manifestations and motivations, with some instances driven by adolescents themselves rather than by their parents in certain regions.³⁹⁷ In Amhara, the age at first marriage has been steadily increasing at an alarming rate, whereas in Afar and Oromia, there has been little to no change in this regard.³⁹⁸ As the age at first marriage among girls in the Amhara region has been increasing, so has the agency of girls in making marital decisions.³⁹⁹

3.2 The Issue of Child Marriage with an Appeal to Culture

The 1994 International Conference on Population and Development held in Cairo marks the first global program of action that called for eliminating child marriages.⁴⁰⁰ Then, the fourth International Women’s Conference held in Beijing, 1995 underlines the commitment by states to ending all forms of discrimination against women and girls, including child marriage.⁴⁰¹ Concerning women/girls’ human rights in general and particularly global norms on child marriage, the coming into force of CEDAW shows how the international human rights system should go beyond the public sphere and regulate the social and cultural aspects of women/girls’ human rights.⁴⁰² It explicitly remarks that the signatory states are duty-bound to combat discriminations enshrined under various cultures and practices as well as to take appropriate measures to eliminate such prejudices.⁴⁰³ Nevertheless, the state’s right of reservation with an appeal to the

³⁹⁷ See (Jones, Tefera, Emirie, et al. 2016, 22)

³⁹⁸ See (Jones, Presler-Marshall, Baird, Hicks, Emirie, and Yadete 2019, 18; Jones, Presler-Marshall, et al. 2020, 306)

³⁹⁹ See (Jones, Presler-Marshall, Baird, Hicks, Emirie, Yadete, et al. 2019, 24)

⁴⁰⁰ See (“Report of the International Conference on Population and Development: Cairo, 5-13 September 1994” 1995)

⁴⁰¹ See (Vereinte Nationen 1996)

⁴⁰² See CEDAW

⁴⁰³ See Article 2(f) and Article 5(a)

culture created a loophole even if this justification is not acceptable in relation to its core principle articles.⁴⁰⁴

The CEDAW does not explicitly classify child marriages as a form of VAWG, but in its General Recommendations 19 on Violence against Women,⁴⁰⁵ identifies ‘forced marriage’ as a form of family violence.⁴⁰⁶ Loaiza & Wong⁴⁰⁷ argue “*child marriage is often referred to as ‘early’ and/or ‘forced’ marriage since children, given their age, are not able to give free, prior and informed consent to their marriage partners or to the timing of their marriage.*” Similarly Devonald et. al.⁴⁰⁸ views child marriage as an institution that “forces” or compels child brides to take on “adult responsibilities” prematurely. These arguments concur with the Human Rights Council conceptualization of child marriage as a ‘forced marriage.’⁴⁰⁹ This is, however, contested with children’s rights literature that emphasizes agency. For instance, Hori⁴¹⁰ asserts that the prevailing literature on agency in the context of child marriage is excessively narrow. She challenges it by contending that, while international human rights institutions laud girls’ exercise of their agency to resist marriage, they fail to acknowledge their agency when they consent to marriage.⁴¹¹

Human rights of women/girls and the right to cultural diversity are the two important international human right norms that are often theoretically and practically incompatible. Addo argues “*a balance is generally expected to be drawn between culture and human rights.*”⁴¹² Addo posits that the UN human rights treaty bodies have developed a practice that views cultural diversity and universal human rights as complementary rather than conflicting.⁴¹³ This involves establishing a legal framework that challenges cultural practices deemed detrimental or contradictory to human rights while simultaneously

⁴⁰⁴ Article 2 and 16

⁴⁰⁵ See (CEDAW General Recommendation No. 19: Violence against Women, Adopted at the Eleventh Session of the Committee on the Elimination of Discrimination against Women, in 1992 (Contained in Document A/47/38) 1992), Articles 2(f), 5 and 10(c)

⁴⁰⁶ See (De Silva De Alwis and Wellesley Centers for Women 2007, 30)

⁴⁰⁷ See (Loaiza and Wong 2012, 11)

⁴⁰⁸ See (Devonald et al. 2021, 2)

⁴⁰⁹ See Chapter two section 2.1.2 of this dissertation

⁴¹⁰ See (Hori 2022)

⁴¹¹ Ibid

⁴¹² See (Addo 2010)

⁴¹³ Ibid

acknowledging the significance of cultural diversity.⁴¹⁴ This perspective offers an alternative to the long-dominant discourse of universalism and cultural relativism.⁴¹⁵ The analysis presents an approach that endeavors to reconcile cultural diversity with the universality of human rights. His arguments broadly examined the need to reconcile human rights norms with the reality of cultural diversity. Moreover, in this regard, he argued, the UN human rights treaty bodies should stay in the middle ground position of reconciliation rather than being occupied with the long-standing debates of universalism and cultural relativism.⁴¹⁶ Accordingly, his arguments pave the ground for my dissertation research question, which aims to investigate how the global and local actors translate the globally defined norms against child marriage to get acceptance at the grassroots community level.

Despite the ongoing debate about the effectiveness of enforcement, international law continues to be the most robust mechanism for promoting and protecting women's/girls human rights globally.⁴¹⁷ And the pathway for making cultural diversity compatible with women human rights under international law may theoretically pass through two options: “the right of exit” and “constructive dialogue.” The following section briefly looks into these options.

3.2.1 The Right of Exit

In line with the “right of exit” approach, cultural practices should be evaluated by their own members.⁴¹⁸ Those who believe that these practices will cause significant harm should refrain from engaging in them, and instead take the lead in reshaping them over time.⁴¹⁹ Accordingly, “the right of exit” approach presupposes a dynamic and progressive implementation of women/girls human rights.⁴²⁰ This approach would enable the

⁴¹⁴ Ibid

⁴¹⁵ Ibid

⁴¹⁶ Ibid

⁴¹⁷ See (Iordache 2013)

⁴¹⁸ See (Andrew 2017)

⁴¹⁹ Ibid

⁴²⁰ Ibid, See also (Holtmaat and Naber 2011)

international human right law to support women's human right and cultural diversity at the same time.⁴²¹

Shachar⁴²² asserts that communities generally resist externally imposed changes, such as secularism or modernity, to preserve their cultural heritage. She refers to this phenomenon as "reactive culturalism" and emphasizes that it is within this context that women and girls often face limitations and obstacles to progress.⁴²³ She argued that those who attempt to challenge the status quo may encounter resistance from those who feel that their identity is threatened.⁴²⁴ Consequently, deviations from cultural norms are discouraged, and individuals are typically expected to conform to the community's interests.⁴²⁵ The Anthropologist Fagan concurred with Shachar's assertion that the re-evaluation of human rights norms for acknowledging culture should not extend to inflicting "unambiguously intolerable harm."⁴²⁶ Fagan typically argued that those who suffer intolerable harm in the name of culture are typically "largely unable to say no."⁴²⁷ As a result, there is no room for external intervention, and dissenters face negative imposition and oppression from the larger community.⁴²⁸ Furthermore, Fagan contends that the "right to exit" does not provide a comprehensive policy approach because it is centered on the individual, rather than the state's responsibility to protect its citizens.⁴²⁹ This approach is also controversial because it exempts the state from its duty to protect its citizens and can cause harm to the "victim."⁴³⁰ Particularly to this dissertation, the right of exit causes harm upon resisting child brides since it expects individual based solution and hence, they option is to abandon their family and community.

⁴²¹ See (Shachar 2001)

⁴²² Ibid

⁴²³ Id at 35

⁴²⁴ Ibid

⁴²⁵ Ibid

⁴²⁶ See (Andrew 2017)

⁴²⁷ Ibid

⁴²⁸ Ibid

⁴²⁹ Ibid

⁴³⁰ Ibid

3.2.2 Constructive Dialogue

The promotion of cultural diversity and the elimination of restrictions on cultural expressions in the cultural rights discourse foster constructive dialogue among different cultures rather than entrenching positions.⁴³¹ And this has been achieved by encouraging intercultural understanding and cooperation.⁴³² Similarly, Jakubowski and Jagielska-Burduk⁴³³ argued that the multifaceted nature of cultural rights and their diverse range of applications demonstrate that their primary purpose is to safeguard the fundamental principle of human dignity while simultaneously fostering mutual respect for cultural diversity. They further highlighted the importance of intercultural dialogue as a crucial component in achieving this goal.⁴³⁴ Ezeilo⁴³⁵ emphasizes the significance of constructive dialogue in maintaining a balance between respecting the customs of communities and safeguarding the human rights of their members while adhering to prevailing norms. Similarly, Murphy posits that a transformative ‘*cultural shift*’ is essential for effectively addressing the issue of child marriage among girls.⁴³⁶

The following section discusses the role of ‘constructive dialogue’ in guiding the mandates of human rights institutions at international, regional, and national levels.

3.3 Human Rights Instruments for Combating Child Marriage

The key human rights instruments in combating child marriage are rooted in international human rights standards, of mainly⁴³⁷ CRC and CEDAW as well as ACRWC which ought

⁴³¹ See (Yúdice 2009, 119)

⁴³² Ibid

⁴³³ (Jakubowski and Jagielska-Burduk 2021, 5)

⁴³⁴ Ibid

⁴³⁵ See (Ezeilo 2005)

⁴³⁶ See (Murphy 2019, 24)

⁴³⁷ The international legal framework for combating child marriage additionally includes key provisions in the (*International Covenant on Civil and Political Rights (ICCPR)*, Dec. 16, 1966, 999 U.N.T.S. 171, 6 I.L.M. 368 (1967) (Entered into Force Mar. 23, 1976 1966) and (*UN General Assembly, International Covenant on Economic, Social and Cultural Rights (ICESCR)*, December 16, 1966, United Nations, Treaty Series, Vol. 993 1966). The ICCPR emphasizes the right to marry, where both men and women of a recognized marriageable age (See Article 23(2). Furthermore, it stipulates that free and full consent must be obtained as a prerequisite for entering marriage under Article 23(3). The ICESCR also mandates the need for free and full consent for the formation of a family under Article 10(1); See also (*Vienna Declaration and Programme of Action* 1993), Paragraph 36

to be incorporated into national legislation.⁴³⁸ Once a national framework is established, it is essential to make changes at the grassroots community level. The CRC and CEDAW have established a body of independent experts whose mandate is to monitor the progress made by states in realizing their substantive obligations under the Conventions.⁴³⁹ Similarly, the African Committee of Experts on the Rights and Welfare of the Child serves as the treaty body or enforcement mechanism for the African Convention on the Rights and Welfare of the Child.⁴⁴⁰ In line with this, this section provides an overview of the key international, African and national human rights instruments and mechanisms of enforcement. The human rights framework in Africa is explored by highlighting the initiatives aimed at ending child marriages on the continent. And a particular emphasis on federal laws/policies and the Amhara region's family law is made in the discussion of the approaches and legal frameworks in Ethiopia.

3.3.1 The Global Human Rights Framework

Marriage age legislation dates back to the 1948 Universal Declaration of Human Rights (UDHR).⁴⁴¹ UDHR sets the foundation for the subsequent global norms to acknowledge the right to establish a family on the condition that both spouses are of 'full age'⁴⁴² and provided their 'free and full consent.'⁴⁴³ It is essential to highlight that UDHR has not explicitly specified the minimum age for establishing marriage. It was then followed by the Supplementary Convention on the Abolition of Slavery,⁴⁴⁴ which implicitly prohibited child marriage, considering it as an institution or a practice like slavery. The

⁴³⁸ See (Bunting 2005)

⁴³⁹ See Article 18 of CEDAW and Article 44 of CRC

⁴⁴⁰ See Article 43 of the ACRWC; See also (Abduletif et al. 2013)

⁴⁴¹ See (UN General Assembly, *Universal Declaration of Human Rights*, 10 December 1948)

⁴⁴² Id at Article 16 which under (2) states "Marriage shall be entered into only with the free and full consent of the intending spouses"

⁴⁴³ Providing free and full consent entails 'non-coercive agreement to the marriage with a full understanding of the consequences of giving consent,' see (ACHPR and ACERWC 2017)

⁴⁴⁴ See (UN Economic and Social Council (ECOSOC), *Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery*, Geneva, 7 September 1956, United Nations 1957)- Article 1 (c) (i) reads "Each of the States Parties to this Convention shall take all practicable and necessary legislative and other measures to bring about progressively and as soon as possible the complete abolition or abandonment of any institution or a practice where by a woman, without the right to refuse, is promised or given in marriage on payment of a consideration in money or in kind to her parents, guardian, family or any other person or group"; See also (Gaffney-Rays 2011)

Supplementary Convention requested state parties to abolish parental arranged marriages, undertaken against the will of a bride with a view only to getting a dowry.⁴⁴⁵

For the first time, child marriage was broadly and explicitly addressed by the Convention on the Consent to Marriage, Minimum age of Marriage, and Registration of Marriage.⁴⁴⁶ The Convention required member states to set protective minimum ages and denounce the betrothal and subsequent marriage of children as a void.⁴⁴⁷ It also requested states to abolish customs inconsistent with the Convention's provisions.⁴⁴⁸ In addition, the 1965 recommendation on Consent to Marriage, Minimum age of Marriage, and Registration of Marriage⁴⁴⁹, though a non-binding instrument, recommended the minimum age of marriage to be 15 with an exception clause.⁴⁵⁰

Child marriage among girls reveals the intersections of vulnerabilities due to age and gender. In this regard, legislation against child marriage must have 'two parallel' milestone provisions from international child rights and women's human rights instruments. The cumulative reading of the two key instruments, the CRC⁴⁵¹ and the International Bill of women's Rights - CEDAW⁴⁵² is important and necessary.' CEDAW is silent about the age limit of a child but outlaws the betrothal and marriage of a child.⁴⁵³ Hence, child marriage remained vague till CRC provided the definition.⁴⁵⁴ In line with CRC, a child refers to "every human being below the age of eighteen years unless under

⁴⁴⁵ Ibid

⁴⁴⁶ See (UN General Assembly, *Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages*, 7 November 1962 1962); See also <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-consent-marriage-minimum-age-marriage-and> (the Convention has 16 state signatories, but not signed by Ethiopia), accessed 14 December/2022

⁴⁴⁷ Id at Article 2

⁴⁴⁸ Ibid; See also (Mukherjee 2006) who noted that India used national law for the first time to prevent child marriage in 1929 (known as Sarda Act).

⁴⁴⁹ See (UN General Assembly, *Recommendation on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages*, 1 November 1965 1965), Principle II

⁴⁵⁰ Ibid, stipulates a competent authority has granted a dispensation as to age, for serious reasons, in the interest of the intending spouses.'

⁴⁵¹ See (UN General Assembly, *Convention on the Rights of the Child*, 20 November 1989, United Nations, *Treaty Series*, Vol. 1577 1990)

⁴⁵² See (UN General Assembly, *Convention on the Elimination of All Forms of Discrimination Against Women*, 18 December 1979, United Nations, *Treaty Series*, Vol. 1249, p. 13 1979)

⁴⁵³ See CEDAW Article 16(2), which reads: "The betrothal and the marriage of a child shall have no legal effect, and all necessary action, including legislation, shall be taken to specify a minimum age for marriage and to make the registration of marriages in an official registry compulsory."

⁴⁵⁴ See (Gaffney-Rays 2011)

the law applicable to the child, majority is attended earlier.”⁴⁵⁵ The CRC contains provisions that direct the accountability of states and safeguards girls against child marriage.⁴⁵⁶ The CEDAW unambiguously upholds the right to choose a spouse and enter marriage without any gender-based discrimination.⁴⁵⁷ In addition, this right must be exercised with full and free consent.⁴⁵⁸

The complexities and differences in child rights and gender equality standards, which in the view of some, ultimately deterred the child marriage laws from effectively addressing the concerns of child brides.⁴⁵⁹ The CRC does not explicitly mention the practice of child marriages. However, it does include a provision that advocates the eradication of customs and traditions that are harmful to the well-being of children under Article 24(3).⁴⁶⁰ Nonetheless, some argue CRC's focus is limited only to the age aspect, excluding the different realities of girls due to gender and harmful practices.⁴⁶¹ The critics contend that CRC dealt with harmful practices under Article 24 only concerning the highest attainable standard of health.⁴⁶² One can also reasonably argue by citing Article 19 (1) of CRC⁴⁶³ which protects a child from all forms of violence encompassing the impacts of child marriage. However, the counter arguments⁴⁶⁴ state despite a reference to gender in CRC it has a gender-neutral standard. CEDAW, on the other hand, addressed the issue of child

⁴⁵⁵ See CRC Article 1

⁴⁵⁶ The CRC provisions addressing child marriage include Article 3, which sets the standard of the child's best interest; Article 12, which allows children to express their views on matters affecting their lives; Articles 28 and 29, which address the right to education; Article 6, which ensures children receive maximum support for survival and development; Article 9, which prohibits separation from parents against their will; Article 19, which protects children from physical or mental violence, injury, or abuse, including sexual abuse; Article 24, which protects children from sexual exploitation; Article 34, which protects children from abduction, sale, or trafficking; Article 35, which protects children from abduction/ sale or trafficking; and Article 36, which ensures children are protected from all forms of exploitation.

⁴⁵⁷ See Article 16(1) and (2)

⁴⁵⁸ Ibid

⁴⁵⁹ See (ACPF and Plan 2019)

⁴⁶⁰ Article 24(3) of the CRC, stipulates that it is the responsibility of states to "take all effective and appropriate measures to eliminate customary practices (emphasis added) that are detrimental to the health/well-being of children."

⁴⁶¹ See (Blok et al. 2017)

⁴⁶² See (ACPF and Plan 2019)

⁴⁶³ Article 19 (1) reads "States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child."

⁴⁶⁴ See (Blok et al. 2017; ACPF and Plan 2019)

marriage boldly and explicitly under Article 16(2).⁴⁶⁵ As per the provisions of the CEDAW, it is the responsibility of state parties to guarantee that child marriages are considered null and void, establish a clear legal age limit for marriage, and ensure the mandatory registration of all marriages.⁴⁶⁶

The exception clause provided by CRC broadens state legislative measures and provides legitimacy to national laws for the lower end of childhood below 18 years.⁴⁶⁷ The CRC and CEDAW committees have jointly filled these gap by requesting states to set 18 as the age limit, and hence, no room for having discriminatory minimum ages between boys and girls.⁴⁶⁸ Nonetheless, recent research has unveiled pervasive gender discriminatory provisions in laws governing the minimum age of marriage. A recent study conducted by Arthur et al.⁴⁶⁹ examined the national laws of 193 member states of the UN (based on longitudinal data from 1995 to 2013) and determined that in 59 of these countries have discriminatory national legal frameworks, i.e. girls are legally allowed to marry at an age younger than their male counterparts with parental consent. Furthermore, there research shows 23 countries allow for the legal marriage of girls under the age of 18 years without any special authorizations or exemptions.⁴⁷⁰

The states are primarily responsible for 'respecting,' 'protecting' and 'fulfilling' their obligations as stipulated in relevant international laws to combat child marriages.⁴⁷¹ Moreover, the international human rights framework supplements the state's responsibilities by including enforcement and implementation of monitoring

⁴⁶⁵ See also Article 2(f) of the CEDAW mandates that member states eliminate customs or practices that discriminate against women.

⁴⁶⁶ Ibid

⁴⁶⁷ According to the country's domestic laws, a majority can be attained before 18. See CRC Article 1; Committee on the Elimination of Discrimination against Women, General Recommendation 21, Equality in marriage and family relations, 1994, Paragraph 38 (which reads: "Some countries provide for different ages for marriage for men and women. As such, provisions assume incorrectly that women have a different rate of intellectual development from men, or that their physical and intellectual development at marriage is immaterial; these provisions should be abolished. In other countries, the betrothal of girls or undertakings by family members on their behalf is permitted. Such measures contravene not only the Convention but also a women's right freely to choose her partner")

⁴⁶⁸ See (CEDAW and CRC Committee 2019)

⁴⁶⁹ See (Arthur et al. 2018)

⁴⁷⁰ Ibid

⁴⁷¹ See (Abduletif et al. 2013)

mechanisms.⁴⁷² Child marriage is a long-standing issue that continues to pose a global challenge.⁴⁷³ Accordingly, the Human Right Council adopted six resolutions⁴⁷⁴ while the UN member states adopted six substantive resolutions.⁴⁷⁵

3.3.2 The African Human Rights Framework

The African Human rights framework set the minimum age limit for marriage as 18.⁴⁷⁶ The right to establish marriage presupposes the consent of both couples.⁴⁷⁷ Unlike the ‘flexible’ global legal regime set by CRC, legislation against child marriage in the region started following a ‘strict’ or no exception clause.⁴⁷⁸ Besides, betrothal and child marriage below the age of adulthood is prohibited.⁴⁷⁹ However, child marriage is a pervasive issue across every country in Africa, albeit at different levels of occurrence.⁴⁸⁰ Africa comprises 18 of the 20 top countries holding the world's highest rates of child marriage.⁴⁸¹ The AU report further reveals that out of the 55 total member

⁴⁷² Ibid

⁴⁷³ See (Hamilton 2020); See also (Greene et al. 2018, 4)

⁴⁷⁴ Human Right Council Resolution 24/23 (adopted on 25 September 2013); second resolution 29/8 on 2 July 2015; Resolution 35/16 (22 June 2017); Resolution 48/8 (16 November 2020), and the fifth resolution on 8 October 2021 (focused on impact of COVID 19) and the sixth resolution adopted in its 53rd session on 13 July 2023

⁴⁷⁵ Resolution 68/148 of 18 December 2013; Resolution 69/156 of 18 December 2014 (the first substantive resolution); Resolution 71/175 of 19 December 2016; Resolution, 15 November 2018, and the fourth Substantive Resolution on 10 November 2020 (focused on COVID 19); UN General Assembly, Child, early and forced marriage: *resolution / adopted by the General Assembly, A/RES/75/167*, 16 December 2020; UN General Assembly, Child, early and forced marriage: *resolution / adopted by the General Assembly, A/RES/77/202*, 15 December 2022

⁴⁷⁶ See (*Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa, Adopted by the 2nd Ordinary Session of the African Union General Assembly in 2003 in Maputo CAB/LEG/66.6(2003)* 2003), see Article 6 (a) and (b); See also (*The African Charter on the Right and Welfare of the Child, 11 July 1990, CAB/LEG/24.9/49(1990)*), See Article 21(2); (*The Addis Ababa Declaration on Ending Child Marriage in Africa, 23rd Session of the African Committee of Experts, 11 April 2014* 2014)

(*The Addis Ababa Declaration on Ending Child Marriage in Africa, 23rd Session of the African Committee of Experts, 11 April 2014* 2014); See also (*African (B2I) Charter on Human and Peoples’ Rights, 1981* 1981), Article 18(3) - Ensures the safeguarding of the rights of women and children as mandated by international treaties and agreements.

⁴⁷⁷ Ibid.

⁴⁷⁸ Ibid, (*Southern African Development Community (SADC) Protocol on Gender and Development, 2008* 2008) is an exception. Under Article 8(2), it reiterates 18 years as minimum age requirements and also underlines the free and full consent of marrying couples. However, provides a legal loophole for lowering the age, considering the best interest and welfare of children's requirement.

⁴⁷⁹ ACRWC Article 21(2) ; See also

⁴⁸⁰ See (ACPF and Plan 2019, 67)

⁴⁸¹ See (ACPF and Plan 2019, 68; Girls Not Brides 2024c); See also UNICEF. *Child Marriage in Eastern and Southern Africa: A Statistical Review and Reflection on Ending the Practice.*

states, child marriage is legalized⁴⁸² in 39 (71 %).⁴⁸³ Ten member states (18%) have discriminatory marriageable ages.⁴⁸⁴ Further, the existing legal exceptions in domestic law based on parental consent, socio-cultural and religious reasons create a loophole for underage marriage practices to persist. The decision of the African Court on Human and Peoples' Rights against Mali (APDF and IHRDA v Republic of Mali⁴⁸⁵) clearly evidences community protests (based on Islamic religious grounds) shall not be taken as a force majeure defense from complying with States obligations on marriageable age.

In May 2014, the AU launched a four-year campaign to end child marriage, which encouraged governments to develop strategies to raise awareness on child marriage and address its harmful impact.⁴⁸⁶ The campaign has two phases: 2014-2017 and 2018 - 2023.⁴⁸⁷ The campaign resulted in the enactment of the five-year strategic plan (2019-2023) to end child marriage.⁴⁸⁸ Other promising developments, in the year of 2014, include the appointment by the AU of a Special Rapporteur and Goodwill Ambassador to address the issue of child marriages.⁴⁸⁹ The Agenda 2063, “*the Africa We Want*,” includes important initiatives against child marriages.⁴⁹⁰ The African Union's Heads of State and

16 June 2022. Accessed 10 February 2024. Available on <https://data.unicef.org/resources/child-marriage-in-eastern-and-southern-africa-a-statistical-overview-and-reflections-on-ending-the-practice/>

⁴⁸² Child marriage legalization refers to member states with no minimum age for marriage, states without legal frameworks putting the minimum age as 18 years old and above, and states where frameworks putting the minimum age for marriage at 18 years old and above exist, with exceptions allowing child marriage or with contradictions between customary, religious, and civil laws, See (African Union 2018, iv)

⁴⁸³ See (African Union 2018, iv)

⁴⁸⁴ Ibid, See also (ACPF and Plan 2019, 69) Some have set a discriminatory minimum age of marriage for boys and girls; for example, Niger, DRC, Cameroon, Gabon, Seychelles, and Tanzania have set 15 for girls and 18 for boys. Sudan has set 10 for girls and 15 for boys, while Senegal has acknowledged 16 for girls and 18 for boys. Guinea-Bissau has set the minimum age of 16 for both girls and boys.

⁴⁸⁵ APDF & IHRDA v Republic of Mali (046/2016) [2018] AfCHPR 15; (11 May 2018) (African Court on Human and Peoples' Rights) Decision of 11 May 2018.

⁴⁸⁶ See African Union, *African Union Campaign to end child Marriage*, Supra note 26 ; See also African Union, *The Campaign to End Child Marriages in Africa: Call to Action*, Supra note 333

⁴⁸⁷ See African Union. The AU Campaign to End Child Marriages, See Supra note 26 ; see the second phase of the campaign

⁴⁸⁸ African Union. *Fourth Ordinary session of the Specialized Technical Committee on Social Development, Labor and Employment (STC-SDLE-4)*, 04-8 April 2022. Available on https://au.int/sites/default/files/newsevents/workingdocuments/41106-wd-AU_Campaign_to_End_Child_Marriage_-_ENGLISH.pdf

⁴⁸⁹ See (ACPF and Plan 2019, 71)

⁴⁹⁰ Agenda 2063 is a framework that serves as a comprehensive strategy for the socioeconomic advancement of Africa over the next 50 years. It comprises a key objective (6.1.2) to eradicate within this generation the social norms and customary practices that are detrimental to the well-being of women and girls, as well as those that perpetuate violence, See African Union. *The AU Campaign to End Child Marriage: Agenda 2063*. Accessed 10 February 2024. Available on

Governments formally adopted the African Common Position on the AU Campaign to End Child Marriage in Africa, which is another significant regional initiative aimed at combating child marriages.⁴⁹¹

Ethiopia submitted its initial report to the African Committee of Experts on the Rights and Welfare of the Child and maintained only one communication during the first periodic report.⁴⁹² In its concluding recommendations received in 2022, the Committee underscored the prevalence of child marriage is as a pressing concern.⁴⁹³ Among the recommendations put forth by the Committee, it is emphasized that investing in education for girls, raising awareness through the involvement of parents, religious and community leaders, and girls themselves, providing shelter for girls who have escaped child marriage, and ensuring enforcement of the law are highlighted.⁴⁹⁴

The African Committee of Experts raised the issue of birth registration as a concern.⁴⁹⁵ While the amendment to the proclamation governing vital events in 2017 is seen as a positive development, gaps still exist, highlighting the fact that birth registration is still very low.⁴⁹⁶ The committee further noted that some birth registrations had not received certification.⁴⁹⁷ Additionally, a fee is required for birth registration, there is a penalty for

<https://www.aucecm.org/the-au-campaign-to-end-child-marriage/#1698937981068-d88018d0-70f4>

⁴⁹¹ AU. *The African Common Position on the on the AU Campaign to End Child Marriage in Africa*. Accessed 1 March 2024. Retrieved from https://au.int/sites/default/files/documents/31010-doc-cap_on_ending_child_marriage_english_0.pdf

⁴⁹² Ethiopia submitted its initial report on 16 December 2004, and its initial periodic report on 27 December 2007, See *The African Committee of Experts on the Rights and Welfare of the Child*. Accessed 9 February 2024, Available on <https://www.acerwc.africa/en/member-state/ratifications/66/ethiopia> ; See also (Abduletif et al. 2013, 19) who indicated the Committee had only received two communications by 2011, even though Ethiopia was supposed to submit its second periodic report by October 2007, but had yet to do so.

⁴⁹³ Paragraph 40, See Concluding Recommendation by the African Committee of Experts on the Rights and Welfare of the Child on the First Report of On the Federal Democratic Ethiopia on the Status of Implantation of the African Charter on the Rights and Welfare of the Child, February 2022. Accessed 10 February 2024. Available on https://www.acerwc.africa/sites/default/files/2022-06/Concluding-Observations_-Ethiopia.pdf

⁴⁹⁴ Ibid

⁴⁹⁵ Ibid, see paragraph 16

⁴⁹⁶ Ibid, See (*Proclamation No.1049/2017 Vital Events Registration and National Identity Card Proclamation 2017*); See also ACRWC that underscored the relevance of birth registration as an intrinsic element for combatting child marriage – Article 21(2)

⁴⁹⁷ Ibid

late registration, and the requirement mandates that the presence of both parents be raised as an issue that may present barriers for some individuals.⁴⁹⁸

The African Committee on the Rights and Welfare of the Child and the African Commission on Human and People's Rights, in their joint efforts to combat child marriage, developed the AU Joint General Comments on the Prohibition of Child Marriage.⁴⁹⁹ These guidelines, finalized in 2016, provide a comprehensive set of implementation measures aimed at eradicating child marriages.⁵⁰⁰ These measures include, but are not limited to, legal reforms, the development of policies, the promotion and enforcement of criminal provisions, and the establishment of effective awareness-raising mechanisms.⁵⁰¹

3.3.3 The Ethiopian Human Rights Framework

Ethiopia's legal framework is “geared” towards the elimination of the practice of child marriage.⁵⁰² At the Global Girls Summit in London in 2014, the government committed to eradicating child marriage by 2025.⁵⁰³ In line with this, Ethiopia has adopted a National Coasted Roadmap to end Child Marriage (and also FGM).⁵⁰⁴ The country's dedication to eradicating child marriage is underscored by a five-year timeline that precedes SDG Target 5.3, as outlined in its strategic Roadmap.⁵⁰⁵ To expedite eradication efforts, the government of Ethiopia established the National Harmful Practice Platform and initiated the National Alliance to End the practice of child marriages.⁵⁰⁶ In the 2017 High-Level Political Forum's Voluntary National Review of SDGs, the government highlighted that its Women and Policy strategies aim to eliminate child marriages.⁵⁰⁷

⁴⁹⁸ Ibid

⁴⁹⁹ See Section VII(A)91, African Union Joint General Comments on the Prohibition of Child Marriage, 2016

⁵⁰⁰ Ibid

⁵⁰¹ Ibid

⁵⁰² See (V. Chow and Vivalt 2021, 185)

⁵⁰³ See (MoWSA 2019)

⁵⁰⁴ Ibid

⁵⁰⁵ Ibid

⁵⁰⁶ Ibid

⁵⁰⁷ See National Plan Commission, *The 2017 Voluntary National Reviews on SDGs of Ethiopia: Government Commitments, National Ownership and Performance Trend*, Accessed 8 February 2014, Retrived from <https://sustainabledevelopment.un.org/content/documents/16437Ethiopia.pdf>

Ethiopia sets a robust legal framework that denounced child marriages as a ‘harmful’ practice, with the existing comprehensive protection accorded by the adopted international and regional human rights instruments and the implied protection by the Constitution.⁵⁰⁸ The country has ratified CEDAW, CRC, and the ACRWC.⁵⁰⁹ Ethiopia has also recently ratified the Protocol to the African Charter on Human and People’s Rights on the Right of Women in Africa.⁵¹⁰ While the Revised Family Code came into force in 2000, the discriminatory⁵¹¹ minimum marriageable age of a girl has been raised from 15 to 18, and child marriage has been specified as voidable.⁵¹² The Amhara Regional Family code similarly sets 18 years as minimum marriageable age.⁵¹³ Child marriage is also a crime in the country.⁵¹⁴

⁵⁰⁸ See Article 35 (4) of the FDRE Constitution, which guarantees that "... Customs and practices that... cause bodily or mental harms to women are prohibited."

⁵⁰⁹ Ethiopia signed CEDAW on 8 July 1980 and ratified it on 10 September 1981. Under Article 9 (4) of the FDRE Constitution, CEDAW has become part of the law of the land but has yet to be justiciable. Proclamation 10/1992 and Proclamation 283/2002 confirm the notices of ratification for CRC and ACRWC, respectively, without publishing the full texts of CRC and ACRWC. Under the Ethiopian legal system, judicial notice is possible when laws are published under its official law *Gazetta*, Federal *Negarit Gazeta*. Consequently, arguments are often raised on the justiciability of the treaties. Counter-arguments state that the Cassation Bench of the Federal Supreme Court renders decisions based on CRS and ACRWC, showing the gap is already addressed, and they have already become integral parts of the laws of Ethiopia. See Aneme and Alemu (2012)

⁵¹⁰ See African Union, *List of Countries which have signed, ratified/acceded to the Protocol to the African Charter on Human and People’s Rights on the Right of Women in Africa*, Accessed 9 February 2024. Retrieved from [https://au.int/sites/default/files/treaties/37077-sl-PROTOCOL TO THE AFRICAN CHARTER ON HUMAN AND PEOPLES RIGHTS ON THE RIGHTS OF WOMEN IN AFRICA.pdf](https://au.int/sites/default/files/treaties/37077-sl-PROTOCOL%20TO%20THE%20AFRICAN%20CHARTER%20ON%20HUMAN%20AND%20PEOPLES%20RIGHTS%20ON%20THE%20RIGHTS%20OF%20WOMEN%20IN%20AFRICA.pdf), Ethiopia signed 1 June 2004 and ratified the MAPUTO Protocol on 18 July 2018

⁵¹¹ See Article 581 (1) of the Civil Code establishes the minimum age for marriage as 18 for boys and 15 for girls

⁵¹² Federal *Negarit Gazeta* of the Federal Democratic Republic of Ethiopia, The Revised Family Code Federal *Negarit Gazeta*, Issue number 1/2000, See Article 31(1) & (2) stated that child marriage is valid until it is dissolved by the application of a public prosecutor or any interested person. However, such an application will not be acceptable if it is made after the couple attained the full age of 18 years. Article 42 in the Amhara Regional Family Code is also identically statedHence, one cannot apply for validation after they have attained full age.

⁵¹³Article 7 (1) stipulates “neither a man nor a women who has not the full age of 18 years shall conclude marriage,” The Amhara Regional Family Code Article 18 employs identical wording

⁵¹⁴ *Criminal Code* [Ethiopia], Proclamation No. 414/2004, 9 May 2005, available at: <https://www.refworld.org/docid/49216b572.html>, Article 648 stipulates "who so ever concludes marriages with a minor apart from circumstances permitted by relevant family code is punishable with rigorous imprisonment not exceeding three years if the victim is 13 years or above and not exceeding seven years if she is below 13"

The Ethiopian legal regime does not contain a blanket prohibition of marriage under 18, and marriage from 16 is allowed if the Minister of Justice allows for a serious cause.⁵¹⁵ This provision, although not yet enforced, raises concerns for Ethiopia, as it is interpreted as the basis for legalizing child marriages.⁵¹⁶ The CRC Committee,⁵¹⁷ the CEDAW Committee⁵¹⁸ and the African Committee of Experts on the Rights and Welfare of the Child⁵¹⁹ urged Ethiopia to expedite the enactment of legislation that eliminates exemptions that allow for underage marriage. The existing legal loophole for allowing the age of 16 as marriageable age initiated counterarguments considering 'sexual consent' and 'age of majority.'⁵²⁰ The age of sexual consent can be inferred from the Criminal Code as 18 years.⁵²¹ And the age of majority is 18 in the country.⁵²²

Ethiopia has been continually co-sponsoring Human Rights Council resolutions on the child, early, and forced marriage held in 2013,⁵²³ 2015,⁵²⁴ and 2017⁵²⁵ as well as UN General Assembly resolutions in 2013,⁵²⁶ 2014⁵²⁷ and 2018.⁵²⁸ In 2014, Ethiopia signed a

⁵¹⁵ Indicates judicial authorization is an exception for lowering the legal marriageable age of girls in both at the Federal (see supra note 30) and Amhara Regional Family codes (see Article 18(2), Amhara National Regional Family Code, Proclamation No. 79/2003 A Proclamation to Approve the Amhara National Regional State Family Code," 2003. However, according to the in-depth interview with the justice office (AA001, April 27/22, Bahir Dar), there is no regulation for defining 'serious cause' justifying marriage to be lowered, and the justice office has made practically no decision under this article.

⁵¹⁶ See (African Union 2018, 18)

⁵¹⁷ See Supra note 530

⁵¹⁸ See Supra note 524

⁵¹⁹ Paragraph 11, See Concluding Recommendation by the African Committee of Experts on the Rights and Welfare of the Child on the First Report of On the Federal Democratic Ethiopia on the Status of Implantation of the African Charter on the Rights and Welfare of the Child, February 2022, Supra note 485

⁵²⁰ Marriageable age can be defined as the legally acceptable age at which one can establish a family

⁵²¹ See Criminal Code Article 626 (1)

⁵²² The Ethiopian Revised Family Code defined a minor (See Article 215) as 'A person who has not attained the full age of 18 years.'

⁵²³ See Girls Not Brides. *Ethiopia Country Profile: What international, regional, and national commitments has the country made.* Accessed 1 January 2024. Available on <https://www.girlsnotbrides.org/learning-resources/child-marriage-atlas/atlas/>; See also UN Human Rights Council, *Strengthening efforts to prevent and eliminate child, early and forced marriage : challenges, achievements, best practices and implementation gaps : resolution / adopted by the Human Rights Council, A/HRC/RES/24/23*, 9 October 2013

⁵²⁴ Ibid; See also UN Human Rights Council, *Strengthening efforts to prevent and eliminate child, early and forced marriage: resolution / adopted by the Human Rights Council, A/HRC/RES/29/8*, 2 July 2015

⁵²⁵ Ibid; See also UN Human Rights Council, *Child, early and forced marriage in humanitarian settings: resolution / adopted by the Human Rights Council, A/HRC/RES/35/16*, 22 June 2017

⁵²⁶ Ibid; See also UN General Assembly, *Child, early and forced marriage : resolution / adopted by the General Assembly, A/RES/68/148*, 18 December 2013

⁵²⁷ Ibid; See also UN General Assembly, *Child, early and forced marriage : resolution / adopted by the General Assembly, A/RES/69/156*, 18 December 2014

joint statement at the Human Rights Council to eliminate child marriage.⁵²⁹ It launched the African Union Campaign to end child marriages in the same year, in November.⁵³⁰

In line with Article 18 of CEDAW, Ethiopia has submitted eight periodic reports to the CEDAW Committee.⁵³¹ In 2019, the CEDAW Committee's concluding observations expressed concerns about the widespread occurrence and underreporting of child marriage cases in Ethiopia.⁵³² The Committee further recommended that Ethiopia effectively implementing the national strategy and action plan aimed at addressing harmful practices against women and children.⁵³³ During the 2014 Universal Periodic Review, Ethiopia expressed support for recommendations aimed at addressing deeply rooted child-marriage practices.⁵³⁴ Similarly, during its 2019 Universal Periodic Review, Ethiopia agreed to examine recommendations aimed at accelerating progress toward ending VAWG and harmful practices, including child marriage.⁵³⁵

Ethiopia has submitted seven periodic reports to the CRC committee⁵³⁶ in line with Article 44 (1) (b) of the Convention. The country highlighted its commitment to ending child marriage by recalling the enforcement of the National Roadmap as a continuation of the government's commitment to eradicate child marriage.⁵³⁷ The CRC committee recognized Ethiopia's dedication to eradicate harmful practices by implementing

⁵²⁸ Ibid; see also UN General Assembly, *Child, early and forced marriage: resolution / adopted by the General Assembly, A/RES/73/153*, 17 December 2018

⁵²⁹ See (Girls Not Brides 2024c), Ethiopian Profile

⁵³⁰ See African Union, *Campaign to end Child Marriage in Africa: Call to Action*, Supra note 333EA

⁵³¹ See Committee on the Elimination of Discrimination against Women, *Eighth periodic report submitted by Ethiopia under article 18 of the Convention, due in 2015*, Received 21 November 2017. Available on https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/ETH/8&Lang=en; Ethiopia has submitted the initial combined 1-3 reports on 22 April 1993; the second combined reports of the 4th and 5th were submitted on 25 September 2022; the combined 6th and 7th reports on 28 July 2009, See UN Human Rights Treaty Bodies. *Committee on the Elimination of Discrimination against Women.State Parties Reporting.Ethiopian Profile*.<https://www.ohchr.org/en/treaty-bodies/cedaw>

⁵³² See paragraph 21

⁵³³ Ibid

⁵³⁴ See OHCHR, *Universal Periodic Review – Ethiopia*, Available on <https://www.ohchr.org/EN/HRBodies/UPR/Pages/ETindex.aspx>

⁵³⁵ Ibid

⁵³⁶ Ethiopia has submitted the first initial period report on 10 August 1995; the 2nd periodic report on 28 September 1998; the 3rd periodic report on 27 April 2005; the combined 4th and 5th reports on 18 May 2012 and the combined 6th and 7th periodic reports on 25 February 2021, See UN Human Rights Treaty Bodies. *Committee on the Rights of the Child.State Parties Reporting.Ethiopian Profile*.<https://www.ohchr.org/en/treaty-bodies/crc>

⁵³⁷ Ibid, See Section VI (B) Paragraph 87

legislative reforms and conducting awareness-raising campaigns.⁵³⁸ Nonetheless, the Committee has expressed profound concerns about the gap in the enforcement of legal provisions prohibiting and criminalizing such practices, specifically regarding child marriages.⁵³⁹ The Committee specifically highlighted the significant proportion of unregistered children by emphasizing that an alarmingly low percentage (only 5%) is accounted for in rural areas.⁵⁴⁰

3.4 The Efficacy of Law in Defining and Addressing Child Marriage

The topic of legal development regarding the minimum age of marriage for girls and its impact on the prevalence of child marriage is a matter of great significance that warrants thorough examination. Studies documented differing views on the effectiveness of laws in reducing the practice of child marriage. Batria & Pesando⁵⁴¹ studied the trends of child marriage and the impact of increasing the minimum legal age for marriage to eliminate the practice. It employed a cohort perspective to compare six low- and middle-income countries that had modified their minimum legal age for marriage over the past two decades, including two from sub-Saharan Africa (Benin, Mauritania), two from Central Asia (Tajikistan, Kazakhstan), and two from South Asia (Nepal and Bhutan).⁵⁴² The researchers utilized individual-level data and a regression discontinuity design to evaluate the effectiveness of raising the age of marriage in reducing the prevalence of child marriage.⁵⁴³ The study discovered that increasing the minimum legal age for marriage did not significantly decrease child marriage rates in the four⁵⁴⁴ countries investigated. This indicates that while legal changes can have an impact, their success may be limited and context-dependent. The study emphasized the complexity of addressing child marriage solely through legal reforms, highlighting the need for comprehensive strategies that

⁵³⁸ The CRC committee concluding observation on the combined fourth and fifth periodic reviews of Ethiopia, see https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCRC%2FCQC%2FETH%2F20797&Lang=en, paragraph 47

⁵³⁹ Ibid

⁵⁴⁰ Committee on the Rights of the Child, *Concluding observations on the combined fourth and fifth periodic reports of Ethiopia*, See paragraph 33

⁵⁴¹ See (Batyra and Pesando 2021)

⁵⁴² Ibid

⁵⁴³ Ibid

⁵⁴⁴ Ibid, namely Benin, Mauritania, Kazakhstan, and Bhutan

encompass legal enforcement and monitoring, as well as alternative policy changes to promote access to education for girls.

A study by Maswikwa et al.⁵⁴⁵ shows having consistent laws against child marriage supports in declining the prevalence of child marriage among girls. In a study conducted by Maswikwa et al.,⁵⁴⁶ the relationship between marriage laws in 12 sub-Saharan African countries, including Ethiopia, was examined. This study aimed to determine whether enacting consistent laws that set the minimum age for girls to marry at 18 or older is associated with a reduction in the prevalence of both child marriage and adolescent birth.⁵⁴⁷ In this study, countries were considered to have consistent laws if they clearly set 18 years or more for girls to 'marry' with their own consent, to marry with parental consent, and also set 18 years for sexual consent.⁵⁴⁸ The research, which utilized data from the Demographic and Health Surveys and the Child Marriage Database, found that in countries with consistent⁵⁴⁹ laws, the prevalence of child marriage was 40% lower (and teenage childbearing was 25%) lower compared to countries without⁵⁵⁰ such laws.⁵⁵¹ De Siliva De Alwis refers to inconsistent legal frameworks as the 'paradox.'⁵⁵² Legal contradictions weaken the prohibition.⁵⁵³

⁵⁴⁵ See (Maswikwa et al. 2015)

⁵⁴⁶ Ibid

⁵⁴⁷ Ibid

⁵⁴⁸ Ibid

⁵⁴⁹ Ibid, Among the 12 sub-Saharan countries included in the Study, four of them (Ethiopia, Burundi, Uganda, and Rwanda) had consistent laws: minimum legal age for marriage, minimum legal age of marriage with parental consent, and legal age for sexual consent. Three of the countries set 21 years as minimum legal age for marriage for both males and females, except for Ethiopia, where the minimum age was 18 years for both sexes. Minimum age of marriage with parental consent is not available in Ethiopia and Rwanda while Uganda set 18 years for both male and females. Burundi, established 18 years as minimum age of marriage with parental consent for females and it is '*unavailable*' for males. Moreover, the four countries set age of sexual consent as 18 years for both male and female.

⁵⁵⁰ Ibid, Countries, included in the study, which had inconsistent laws, were Burkina Faso (had 20 as minimum legal age of marriage), Cameroon (had '*unavailable*' minimum legal age for marriage) and Gabon (had 21 years both sexes). On the other hand, Malawi, Mozambique, Senegal, Tanzania and Zimbabwe had uniform minimum legal age of marriage of 18 years for both sexes). However, age of consent in this countries was 13, 16, 18, 13, '*unavailable*,' 18 and 16 respectively. In these countries, minimum age of marriage with parents' consent for females was reported in the study as 17, 15, 15, 15, 16, 16, 15 and 16 respectively. On the other hand, minimum age of marriage with parents' consent for males was – '*unavailable*,' 18, 18, 16, and '*unavailable*' for the remaining three countries respectively

⁵⁵¹ Ibid

⁵⁵² See (De Siliva De Alwis and Wellesley Centers for Women 2007, 9)

⁵⁵³ See (ACPF and Plan 2019, 69)

Even if previous literature does not concur on the efficacy of law in defining and eliminating the practice, this study's findings by Maswikwa et al.⁵⁵⁴ highlight the relevance of clear and consistent laws. This suggests that consistent legal frameworks play a vital role in safeguarding adolescent girls from child marriage. The findings of this study are essential to my dissertation as they provide evidence of the effectiveness of consistent application of the law. In my dissertation, I am exploring the implementation of the law, and I argue that it is crucial to interpret and frame to be in line with existing local ideologies to minimize resistance from the community. This means that the law plays a pivotal role in efforts to eradicate the practice of child marriage among girls. However, since the factors driving child marriage vary, we need to address the issue from multiple socio-cultural and economic perspectives.

Legislation about child marriage is becoming more stringent, and states are increasing the minimum age at which girls can marry legally.⁵⁵⁵ Ebetürk⁵⁵⁶ stated that the trends of minimum age legislation from 1965 to 2015 show increasing ages without reverting to the earlier lower marriageable age.⁵⁵⁷ The research delves into the global adoption of laws on the minimum age for marriage from 1965 to 2015.⁵⁵⁸ The study offers a comprehensive analysis of legislative trends and the factors influencing the establishment of 18 years as the minimum marriage age.⁵⁵⁹ Utilizing world society theory, the study posits that global cultural norms and the presence of female legislators play pivotal roles in shaping these laws.⁵⁶⁰ On the other hand, recent studies noted that the deterrence effect of the law through raising the statutory marriageable age had not helped decline the practice.⁵⁶¹ Recent experiences from India and Indonesia also show that raising the

⁵⁵⁴ See (Maswikwa et al. 2015)

⁵⁵⁵ See (Arthur et al. 2018, 68; Ebetürk 2021)

⁵⁵⁶ See (Ebetürk 2021)

⁵⁵⁷ See also Oxford Analytical (2015), "Economics guide global marriage age decisions", *Expert Briefings*, <https://doi.org/10.1108/OXAN-DB201464>. The study explores the outcome of raising the marriageable age. The finding shows that the median age for girls' marriageable age has risen from 21.8 in the 1980century to 24.7 in 2000 across developing countries, mainly Africa and Asia.

⁵⁵⁸ Ibid

⁵⁵⁹ Ibid

⁵⁶⁰ Ibid

⁵⁶¹ See (Batyra and Pesando 2021; Collin, Talbot, and Bank 2017)

marriageable age of girls⁵⁶² without corresponding efforts that target the multi-faced determinants of girls' child marriage triggered resistance from human rights lawyers.⁵⁶³ The arguments state that *'economic and cultural considerations primarily contribute to child marriages among women, so raising the age might not make a difference.'*⁵⁶⁴

Collin, Talbot, and World Bank⁵⁶⁵ study is grounded in empirical research and examines the efficacy of age-of-marriage laws in developing countries. The authors contend that despite the presence of legal frameworks designed to curtail child marriages, child marriage persists, underscoring the need for more robust enforcement of these laws. They have utilized regression discontinuity methods to illustrate that these legal measures are not effectively enforced, and this trend requires attention. In conclusion, they assert a significant disparity between establishing age-of-marriage laws and their practical enforcement in developing countries. Their study implies that more than just enacting laws is necessary; effective implementation and enforcement are vital, necessitating enhancements in law enforcement monitoring mechanisms. The findings of this study contribute to my dissertation by justifying the need to interpret and frame globally defined norms against child marriage to combat underground child marriages due to community resistance. I agree with the authors that laws alone will not protect girls; effective implementation is imperative. Community resistance demonstrated through underground child marriages, is one of the several factors that hinder the enforcement of the law.

The study by Supraptiningsih⁵⁶⁶ delves into the contentious issue surrounding the enforcement of Law No. 16 of 2019, which raised the minimum marriage age in Indonesia. Prior to the implementation of this law, Indonesia had discriminatory

⁵⁶² Based on the 2021 Prohibition of Child Marriage (Amendment) Bill, India has raised the age of marriage for girls from 18 to 21. Indonesia has also increased the marriageable age of girls from 16 to 19, See (Mehrotra Abhinav and Kale Prajakta 2022; Supraptiningsih 2021)

⁵⁶³ They argue that increasing access to education for girls and reducing the poverty rate would be recommended. See https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4173156

⁵⁶⁴ Ibid

⁵⁶⁵ See (Collin, Matthew, Theodore Talbot, and World Bank 2017)

⁵⁶⁶ See (Supraptiningsih 2021)

minimum marriageable ages, 16 for girls and 19 for boys.⁵⁶⁷ However, with the introduction of the new law, a uniform minimum marriage age of 19 was set for both genders.⁵⁶⁸ The author utilized a qualitative methodology with discourse analysis, applying Pierre Bourdieu's theory of genetic structuralism to examine the societal dynamics of acceptance and resistance to the law.⁵⁶⁹ The research has yielded significant findings, identifying the benefits of increasing the marriage age, including a reduction in divorce rates, decreased school dropout rates, and lower maternal and child mortality rates.⁵⁷⁰ However, the study also brings to light the opposition rooted in cultural, economic, and lifestyle factors, with some community members resorting to unregistered marriages or exploiting legal loopholes to bypass the law.⁵⁷¹ The research also highlights the conflict between legal marriage requirements and Islamic law provisions, which some community members prioritize, revealing a discrepancy between statutory law and religious practices.⁵⁷² Furthermore, the study underscored the role of the Religious Courts in enforcing the law despite societal resistance.⁵⁷³ The study emphasizes the complexities of implementing legal reforms in a diverse society with varying religious and cultural values. The results of this study informs my research questions, which aim to explore the factors influencing grassroots community resistance or acceptance of globally defined norms against child marriage. The study illustrates that the increase in the minimum marriageable age was met with resistance from the local community, leading them to circumvent the law through underage marriages. This finding aligns with the results of my dissertation, further validating my research. My work seeks to interpret, redefine, and frame global norms in a way that resonates with the local context, making them more meaningful to the community.

⁵⁶⁷ Ibid

⁵⁶⁸ Ibid

⁵⁶⁹ Ibid

⁵⁷⁰ Ibid

⁵⁷¹ Ibid

⁵⁷² Ibid

⁵⁷³ Ibid

In this regard it is important to refer to the argument of De Silva De Alwis and the Wellesley Centers for Women.⁵⁷⁴ They contend that child marriage is a multifaceted issue deeply entrenched in cultural, economic, and legal frameworks.⁵⁷⁵ They argue that while legal interventions are crucial, they alone cannot eliminate the practice.⁵⁷⁶ Accompanying educational and economic empowerment strategies are also necessary.⁵⁷⁷ Despite existing legal regulations, Indonesia experiences high rates of underage marriage, leading to significant legal, health, and social implications.⁵⁷⁸ Accordingly, the Indonesian case supports De Silva De Alwis and the Wellesley Centers for Women's assertion, highlighting the influential role of legal, cultural, and economic factors in child marriage. Legal reforms are essential, but must be integrated into a comprehensive strategy encompassing education, economic empowerment, and cultural change in order to effectively address the issue of child marriage.

Correspondingly, based on the experience of Mali, lowering the legal 'cut-off' age may even have the adverse effect of intensifying the prevalence.⁵⁷⁹ Scholarlycommons and Batyra⁵⁸⁰ studied the impact of lowering the statutory minimum age at marriage, i.e. "reverse policy," on the incidence of girls' child marriage in Mali. In 2011, Mali introduced a new Family Code, which reduced the minimum marriage age from 18 to 16 in an attempt to combat child marriage.⁵⁸¹ However, following the implementation of the new law, there has been a concerning rise in child marriage among adolescent girls with limited education.⁵⁸² The prevalence of child marriage increased from 59% to 79% among the youngest cohort of women who were permitted to marry at the age of 16.⁵⁸³ Accordingly, their research indicated "reverse policy" of existing legal safeguards for

⁵⁷⁴ See (De Silva De Alwis and the Wellesley Centers for Women 2007)

⁵⁷⁵ Ibid

⁵⁷⁶ Ibid

⁵⁷⁷ Ibid

⁵⁷⁸ Ibid

⁵⁷⁹ See (Scholarlycommons and Batyra 2022) studied the impact of lowering the statutory minimum age at marriage on the incidence of girls' child marriage in Mali when the legal marriageable age was reduced from 18 to 16; the prevalence inclined from 59% to 79%.

⁵⁸⁰ Ibid

⁵⁸¹ Ibid

⁵⁸² Ibid

⁵⁸³ Ibid

girls may have adverse implications for the most marginalized members of society and could exacerbate child marriage.

Despite unequivocal legal responses to outlaw the practice, the sustained prevalence of child marriage has resulted in an intense discussion among scholars.⁵⁸⁴ Gaffney-Rhys⁵⁸⁵ posits that reliance on international treaties or national laws establishing a minimum legal age for marriage, while crucial, is insufficient to eradicate the practice.⁵⁸⁶ The law can significantly contribute to the campaign against child marriages by underscoring the gravity of the issue.⁵⁸⁷ Bunting⁵⁸⁸ is also skeptical about the efficacy of law in defining and addressing child marriage by arguing that "*a uniform marriageable age and a narrow rights-based analysis misses the complexity of marriage and age.*" She claims the importance of considering the local socio-economic contexts and the design of culturally relevant international strategies.⁵⁸⁹

A holistic strategy is vital to efficiently address child marriage.⁵⁹⁰ A finding from Rembe et al.,⁵⁹¹ indicated even though child marriage is outlawed, the practice persists due to deeply entrenched cultural beliefs and a lack of resources and commitment among stakeholders to enforce the law. And they expressed doubt about the effectiveness of child marriage laws in curbing the practice without education for girls and community mobilization to change their attitudes ingrained from culture. Gaffney Rays⁵⁹² similarly suggested that the law serves a critical role in communicating the unacceptability of child marriage. Nevertheless, he indicated, the law is insufficient on its own and must be complemented by local strategies that target the root causes of the practice.⁵⁹³

The strategies for preventing child marriage, as identified by Psaki et al.,⁵⁹⁴ can be grouped into five distinct classes: legal interventions, empowerment initiatives,⁵⁹⁵

⁵⁸⁴ See (Zaman and Koski 2020, 2; Batyra and Pesando 2021)

⁵⁸⁵ See (Gaffney-Rays 2011)

⁵⁸⁶ Ibid

⁵⁸⁷ Ibid

⁵⁸⁸ See (Bunting 2005, 38)

⁵⁸⁹ Ibid

⁵⁹⁰ See (ACPF and Plan 2019, 71)

⁵⁹¹ See (Rembe et al. 2011)

⁵⁹² See (Gaffney-Rays 2011, 373)

⁵⁹³ Ibid

⁵⁹⁴ See (Psaki et al. 2021, 515)

community participation programs,⁵⁹⁶ educational interventions,⁵⁹⁷ and economic support programs.⁵⁹⁸ They stressed the significance of integrating empowerment initiatives with community-based interventions, as demonstrated in contemporary research, to effectively prevent child marriage.⁵⁹⁹ In a study conducted by Chow and Vilval, ⁶⁰⁰ the impact of a substantial government program aimed at altering social norms through community discussions on child marriages was examined. The results demonstrated a decline in child marriages by four to seven percentage points owing to community participation and mobilization efforts. The significance of law, if coupled with continuous monitoring, in delaying child marriages among girls is acknowledged to be crucial, provided that complementary measures for the advancement of girls' through building their agency and educational attainment are implemented simultaneously.⁶⁰¹

One of the primary factors contributing to the continued existence of child marriage is the existence of various, frequently contrasting legal and societal definitions surrounding the practice.⁶⁰² Any disparity between the legal and social/or cultural definition of child marriage may hinder the implementation of child marriage laws at the grass-root level.⁶⁰³ The study of recent literature appears to be highly intrigued by the cultural significance in the context of child marriage, and there is a growing interest in incorporating this perspective into the definitions of the practice.⁶⁰⁴ In line with the legal explanation, child marriage is a marriage or informal union whereby at least one of the

⁵⁹⁵ Ibid, Programs designed to empower girls aim to enhance their agency and impart them with the necessary knowledge and abilities to combat child marriage

⁵⁹⁶ See (Psaki et al. 2021, 515), Community engagement initiatives are designed to raise awareness among parents and community members regarding the potential risks associated with child marriage, with the ultimate goal of transforming the prevailing social norms.

⁵⁹⁷ See (Psaki et al. 2021, 515), Educational interventions "encourage support for continued education as an alternative to marriage"

⁵⁹⁸ See (Psaki et al. 2021, 515), Economic support programs are designed to alleviate economic pressure and provide financial incentives for specific behaviors, such as delaying marriage and keeping girls in school.

⁵⁹⁹ Ibid

⁶⁰⁰ See (V. Chow and Vivalt 2021)

⁶⁰¹ See (Batyra and Pesando 2021; Kassegne, Kwaak, and Kok 2023)

⁶⁰² See (Hodgkinson, Koster, and Miedema 2016)

⁶⁰³ (United Nations Entity for Gender Equality and Empowerment of Women (UN Women) 2020)

⁶⁰⁴ See (The Child Marriage Research to Action Network (the CRANK) 2023; Bunting 2005; Hodgkinson, Koster, and Miedema 2016)

parties is below the age of eighteen.⁶⁰⁵ Apart from the legal definition, a closer look into what “child” and “marriage” means in different cultures is important.⁶⁰⁶ According to Hamilton⁶⁰⁷ age of puberty indicates the capacity of reproduction and hence, is taken as a guide for determining marriageable age of girls in most cultures. Research from Ethiopia by Presler – Marshall et al.⁶⁰⁸ also show first incidence of menstruation as an indicator for marriageable age. At the grass root community level, literatures show that the marriage of adolescent girls specifically from 15-17 is not perceived as “child” marriage.⁶⁰⁹ Rather, accepted as an ideal age of marriage for shouldering the responsibility of womanhood.⁶¹⁰ Such disparity between the legal and social definition of child marriage hinders the implementation of child marriage laws at the grass-root level.⁶¹¹

Child marriage is extensively studied globally.⁶¹² Kohno et al.⁶¹³ explore the various factors driving child marriage in Kota Bharu district, Kelantan, a northeast state in Peninsular Malaysia. The researchers used a social-ecological model as a conceptual framework.⁶¹⁴ They conducted semi-structured interviews with 18 former child wives and five key informants (i.e., "a government officer, a community leader, an officer from a religious department, and two mothers") to gain a nuanced understanding of the drivers of individual, familial, community, and societal levels.⁶¹⁵ The study's outcome reveals that immaturity in decision-making, family poverty and religious and cultural norm' are critical drivers of the practice.⁶¹⁶ They additionally emphasized the necessity of having

⁶⁰⁵ See Article 1, (*UN General Assembly, Convention on the Rights of the Child, 20 November 1989, United Nations, Treaty Series, Vol. 1577 1990*)

⁶⁰⁶ See (Hodgkinson, Koster, and Miedema 2016)

⁶⁰⁷ See (Hamilton 2020)

⁶⁰⁸ See (Presler-Marshall et al. 2020)

⁶⁰⁹ See (Jones, Emirie, Tefera, et al. 2016a; Jones, Presler-Marshall, Baird, Hicks, Emirie, Yadete, et al. 2019; Jones, Presler-Marshall, et al. 2020); See also (Jones, Tefera, et al. 2015, 61) that similarly reveals marriage after the age of 15 is not conceptualized as child marriage in many communities.

⁶¹⁰ Ibid; See also (Ministry of Women and Social Affairs 2019)

⁶¹¹ See (United Nations Entity for Gender Equality and Empowerment of Women (UN Women) 2020; The Child Marriage Research to Action Network (the CRANK) 2023)

⁶¹² See (Batyra and Pesando 2021; Deane 2021; Gastón, Misunas, and Cappa 2019; Greene et al. 2018; Hamilton 2020; Kohno et al. 2019; Zaman and Koski 2020; Murphy 2019; Steinhaus et al. 2019)

⁶¹³ See (Kohno et al 2019)

⁶¹⁴ Ibid

⁶¹⁵ Ibid

⁶¹⁶ Ibid

interventions on sex education and community awareness-raising activities that focus on the consequences of child marriage as a pre-requisite to eradicate the practice.⁶¹⁷ However, it is essential to note that the findings of this study may not be applicable beyond Kelantan's specific socio-cultural and regional context. Additionally, it is feminist research, and hence, the study focused on women's perspectives, which is essential as it gives voice to those who usually participate as victim witnesses. Nevertheless, critics may argue that the study overlooked the viewpoints of male parents who are in the driving seat to determine the appropriate marriageable age in their local setting. In addition, only one religious leader and one community elder are involved. The implication of the finding in this study, similarly informs my research question that aims to investigate various factors that impact the adoption or rejection of the globally defined norms on child marriage by local communities. The study found that sex education and community awareness-raising were effective strategies for eradicating child marriage in their targeted area of the research.⁶¹⁸ However, the findings of my dissertation contradict these results, as the community awareness-raising interventions were not successful despite being implemented.

Kenny et al.⁶¹⁹ explored the dynamics between the agency of adolescent girls and the gendered social norms that justify child marriage in Somaliland and Puntland. The authors posit that adolescent agency, influenced by technology and economic factors, contributes to the prevalence of child marriage.⁶²⁰ The study underscores the significance of technology as a catalyst for adolescent-driven child marriage, shedding light on the complex nature of the issue and its intersection with traditional societal structures.⁶²¹ The findings of this study contribute to my research question, which aims to explore and identify influential local actors involved in combating child marriage in the research area. In contrast, Horii⁶²² offers a critical analysis of the oversimplified binary perspective often used in international discussions on child marriage. She argues that this viewpoint

⁶¹⁷ Ibid

⁶¹⁸ Ibid

⁶¹⁹ See (Kenny et al 2019)

⁶²⁰ Ibid

⁶²¹ Ibid

⁶²² See (Horii 2022)

overlooks the agency of adolescents in traditional societies.⁶²³ The author examines explicitly the socio-legal realities of child marriage in Indonesia and grounds her arguments on reasons why girls marry, such as a lack of opportunities.⁶²⁴ Additionally, her book suggests that the child marriage framework and human rights framework, in general, are based on a narrow vision of human agency, failing to respect and promote the agency of all individuals, regardless of their gender, race, religion, or age.⁶²⁵ The author advocates for a more nuanced approach that considers diverse influences and legal pluralism to effectively address child marriage. The arguments in the literature on how to conceptualize agency informed my dissertation research question, which investigated the agency of adolescent girls under the context of child marriage. I disagree literatures that narrowly view agency, for example Kenny et al.⁶²⁶, and argue that exercising agency should not be narrowly construed as mere resistance to child marriage and that the focus should not be solely on the final decisions of the adolescent girl bride. Rather than focusing on their final decision to be child brides, my dissertation similarly argued that what should be highlighted is their intention and motivation to exert the limited agency they can exercise. I am convinced with Horii,⁶²⁷ and in this dissertation, I have argued that exerting agency should not be conceived as resisting child marriage by analyzing the distinctions between exercising passive and active agency.

Malhotra and Elnakib⁶²⁸ conducted a thorough review of the literature from 2000 to 2019 to identify effective interventions for preventing child marriage in low-income and middle-income countries. Their research involved a comprehensive search of electronic databases and grey literature, ultimately selecting 30 pieces of literature for in-depth review.⁶²⁹ The authors argue that access to girls' education and targeted life skills and livelihoods training consistently lead to successful delays in child marriage among

⁶²³ Ibid

⁶²⁴ Ibid

⁶²⁵ Ibid

⁶²⁶ See (Kenny et al 2019)

⁶²⁷ See (Horii 2022)

⁶²⁸ See (Malhotra and Elnakib 2021)

⁶²⁹ Ibid

girls.⁶³⁰ However, the study also highlights the limited success of multicomponent interventions, prompting questions about the effectiveness of complex program designs compared with single-component interventions.⁶³¹ Additionally, the review notes that assets or cash transfers conditional on delaying marriage and unconditional cash transfers for poverty mitigation have produced mixed results, contradicting some narratives suggesting that financial incentives alone are sufficient to delay marriage.⁶³² The findings of this study are directly relevant to my research question, which aims to explore the myriad factors influencing the acceptance or resistance of globally defined norms against child marriage by local communities. In particular, their study suggests that targeted interventions such as access to education, life skills, and livelihood training can significantly empower girls to exert agency.⁶³³ In my dissertation, I will delve into the extent to which local actors have shaped the implementation of these norms.

In Ethiopia, the existing research on child marriage focuses on understanding the nexus between social norms and the practice.⁶³⁴ For example the study by Jones, Eimire et al.⁶³⁵ investigated eight districts in Amhara Regional State by involving around 800 participants over a three-year period. Their findings indicate that although progress has been made, most adolescent girls in the region still face numerous threats to their well-being, primarily due to deeply ingrained, discriminatory gender norms.⁶³⁶ On one hand, girls in Amhara are now more likely to attend school than their male peers, and child and arranged marriages are on the decline.⁶³⁷ On the other hand, only 60% of girls in the region complete primary school, and over half are married before the age of 18.⁶³⁸ Moreover, their study found that many girls, particularly those from poor and remote rural households, have their options limited by repressive gender norms that assign them

⁶³⁰ Ibid

⁶³¹ Ibid

⁶³² Ibid

⁶³³ Ibid

⁶³⁴ See for example, (Asrese 2014; V. Chow and Vivalt 2021; Emirie and Eshetu 2016; Emirie, Jones, and Kebede 2021; Jones, Tefera, et al. 2015; Jones, Tefera, Presler-Marshall, et al. 2016; Jones, Tefera, Emirie, et al. 2016; Jones et al. 2018; 2017; Jones, Presler-Marshall, et al. 2020)

⁶³⁵ See (Jones, Emirie et al. 2018)

⁶³⁶ Ibid

⁶³⁷ Ibid

⁶³⁸ Ibid

excessive domestic and care work, resulting in high rates of academic failure.⁶³⁹ These entrenched norms also view girls' virginity as a symbol of their family's honor, leading many adolescent girls to be married off to older men, thereby restricting their access to the voice and agency necessary to pursue new futures.⁶⁴⁰ The findings of their study provide insight into the research questions of my dissertation on the various factors that influence the acceptance or rejection of the globally defined norms against child marriage in my dissertation target areas. Their results emphasize the significance of family honor and the value placed on girls' virginity in driving child marriage in the studied eight districts of the Amhara Region.⁶⁴¹ Additionally, their study revealed the pervasive gendered social norms that limit the agency of adolescent girls, providing valuable information for my dissertation on how to conceptualize girls' agency. It is important to note that exercising agency should not only be resisting child marriage and hence, exerting passive or constrained agency shall be taken in to account.

Chow and Vivalt⁶⁴² investigated interventions targeting the elimination of child marriage in Ethiopia. The researchers employed a weighting and difference-in-differences method to evaluate the effectiveness of interventions aiming to change social norms related to child marriage.⁶⁴³ These interventions included community discussions and providing economic incentives for girls to stay in school and unmarried.⁶⁴⁴ The results revealed that both interventions reduced the likelihood of marriage for girls aged 8-17 by approximately 4 to 7 percentage points.⁶⁴⁵ The study also highlighted challenges in shifting social norms, such as potential backlash and the limited impact on education, emphasizing the multifaceted nature of the issue.⁶⁴⁶ The results of this study inform my dissertation research questions, which aim to identify existing interventions on the one hand and trends in community resistance or reception on the other. The study reveals that wider community awareness raising has a positive impact on reducing child marriage,

⁶³⁹ Ibid

⁶⁴⁰ Ibid

⁶⁴¹ Ibid

⁶⁴² See (Chow and Vivalt 2021)

⁶⁴³ Ibid

⁶⁴⁴ Ibid

⁶⁴⁵ Ibid

⁶⁴⁶ Ibid

even if its impact is very low, less than 10%.⁶⁴⁷ The study further highlights the ‘backlash,’ which is similarly observed as an important finding in my dissertation.

Further, prior researches conducted in Ethiopia focused on the prevalence of the practice⁶⁴⁸ as well as looking into the causes and consequences of child marriage.⁶⁴⁹ For example, the study by Bezie and Addisu⁶⁵⁰ demonstrates the prevalence and determinant factors of child marriage among married women in Injibara town, North West Ethiopia. This research utilized a community-based cross-sectional study design and included 373 women, employing multistage sampling for participant selection.⁶⁵¹ The study revealed a high prevalence of early marriage at 44.8%, with determinant factors including the father's non-formal education level, family income, family size, and the educational level of the participants themselves.⁶⁵² The findings of their study inform my research question which aims to investigate the various factors that impact the adoption or rejection of the globally defined norms on child marriage by local communities. Specifically, their research suggests that interventions focused on providing access to education will reduce child marriage in Injibara town.⁶⁵³ Their findings provide valuable insights into the determinants of child marriage, despite the fact that it specifically addresses the case in Injibara town. Therefore, it is important to consider the drivers that surround the parents as decision-makers, which is far from the intention of the law which puts the would-be bride and the groom at the forefront of the decision-making process.

Other prior studies addressed its impacts on schooling⁶⁵⁴ and on women empowerment.⁶⁵⁵ Vergroesen⁶⁵⁶ studied how different actors value early marriage in Amhara region and how local NGOs use it in their interventions. The study by

⁶⁴⁷ Ibid

⁶⁴⁸ See for example (Bezie and Addisu 2019; Jones, Emirie, Tefera, et al. 2016a; Workineh, Getiye, and Genet 2015)

⁶⁴⁹ See for example (Fan and Koski 2022; Psaki et al. 2021; Naghizadeh et al. 2021)

⁶⁵⁰ See (Bezie and Addisu 2019)

⁶⁵¹ Ibid

⁶⁵² Ibid

⁶⁵³ Ibid

⁶⁵⁴ See for example (Emirie 2005)

⁶⁵⁵ See for example (Abera et al. 2020)

⁶⁵⁶ See (Vergroesen 2018)

Tayechem Girma Moges⁶⁵⁷ examined the effectiveness of international human rights law in supporting change at the grassroots communities based on the lived experience of former child wives. The study by Moges⁶⁵⁸ is a feminist research which gave voice to women who experienced child marriage. It is also based on their lived experiences that the study looks into the efficacy of the human rights law in regulating child marriage. The result of the study by Moges⁶⁵⁹ informs my research question which investigates the role of adolescent girls as one of the influential local actors in the fight against child marriage. However, my dissertation intends to document and understand the perspectives of not only adolescent girls but also local actors who are in the driving seat to define appropriate marriageable age of girls in their locality, mainly parents, priests, community elders and adolescent boys. The research gap that my dissertation attempts to fill is the gender dimension of the practice where these key local actors have a critical role in fixing locally appropriate age of marriage among girls in the study areas. And my dissertation further digs into the efforts of the local government, CBO's and UN agencies on how they frame and interpret the globally defined universal marriageable age of 18 and consent legal notions to get acceptance at the grass roots community level. And my research questions try to document, understand and analyze (based on age and gender) the perspectives of the above mentioned key local actors on why they resist or accept the globally defined norms prohibiting child marriage among girls.

A “top-down approach” has consistently driven the formulation of human rights standards.⁶⁶⁰ States are responsible for drafting treaties, which are then expected to be enforced at the grassroots community level.⁶⁶¹ However, this traditional approach has been “questioned” and “challenged.”⁶⁶² Vandenhoe⁶⁶³ argues the substance of the rights in question is generally not contested; the focus is on ensuring their effective implementation or realization.⁶⁶⁴ This particular dissertation is interested in exploring

⁶⁵⁷ See (Tayechem 2018)

⁶⁵⁸ Ibid

⁶⁵⁹ Ibid

⁶⁶⁰ See (Vandenhoe 2012, 80), see also (Vandenhoe 2018, 78)

⁶⁶¹ Ibid

⁶⁶² Ibid

⁶⁶³ Ibid

⁶⁶⁴ Ibid

how the globally defined norms against child marriage are contextualized in the targeted areas. In view of this, Vandenhoe's argument is well-founded. It highlights the significant challenges of effectively implementing child rights laws at the grassroots community level, which are primarily attributable to cultural diversity.⁶⁶⁵ Accordingly, the author's arguments are highly relevant to my dissertation, which examines the rights of the girl child. The contemporary view advocates a "bottom-up approach" that enables a response to context-specific challenges and local concerns.⁶⁶⁶ Consequently, this establishes the foundational basis for the critical research inquiries in my dissertation, particularly emphasizing the importance of interpreting and framing the globally defined norms against child marriage to create a meaningful understanding that resonates with the local context, a process commonly referred to as vernacularization.⁶⁶⁷

Few studies have been conducted on the adoption/translation of the globally defined norms against child marriage in Ethiopia. By drawing on the existing research gap, this dissertation explores how the globally defined norms of the minimum marriageable age of 18 and the (free, full, and informed) legal consent notions are interpreted, framed, and implemented while also seeking to understand the local community's receptiveness and/or resistance to this translation process. As a way of getting a nuanced understanding, the study starts by examining the local conceptualizations of "marriage," "girlhood," and "childhood" and identifies factors that sustain the practice of child marriage among girls in the targeted areas. Furthermore, the study explores how interventions targeting child marriage in the study area seek to align different norms (the global vis-a-vis the local social/gender norms).

⁶⁶⁵ Ibid

⁶⁶⁶ Supra note 39

⁶⁶⁷ See (Merry 2006; 2017)

CHAPTER FOUR

Research Methodology and Field Experiences

This chapter outlines the research methodology adopted in this dissertation. It not only delves into the research design and the data collection instruments utilized, but also discusses the theoretical literature that lends credibility to the use of both doctrinal and non-doctrinal qualitative case study approaches. It comprises seven sections. This chapter will first dwell on why the doctrinal and non-doctrinal qualitative case study research design is appropriate for answering the research questions of this dissertation. It then, discusses why Quarit *Wereda*, West Gojjam, Amhara Regional State of Ethiopia was selected as a target area. Next, data collection methods are discussed. The fourth section elucidates the field experience and provides an account of the data-collection process. The fifth section is devoted to data analysis and its subsequent section discusses the ethical considerations that were taken into account. The chapter concludes with a discussion of the dissemination of research findings, detailing the various means through which the findings were disseminated, such as through published articles and workshop presentations.

4.1 Design: Doctrinal and Non-doctrinal Legal Research

According to Coomans, Grunfeld and Kamminga,⁶⁶⁸ there is no specific research method or technique that is considered most suitable for conducting research in the field of human rights. Additionally, they asserted that the method selected for a research project should follow the project's research questions logically.⁶⁶⁹ Accordingly, in this dissertation, all of the research questions seek to explore the framing and translation of the globally defined marriageable age and consent legal notions, and at the same time, examining the community's conceptualizations and receptiveness/resistance. Hence, in line with the research questions, it employs both doctrinal or normative legal research as well as non-doctrinal or empirical legal research. Utilizing the normative or doctrinal aspect is necessary because of two reasons. When this research looks into the description

⁶⁶⁸ See (Coomans, Grünfeld, and Kamminga 2010, 185)

⁶⁶⁹ Ibid

of the globally defined law, which is, against child marriage and the role of the local government in the process of contextualization, it involves the normative or the description of the “*law as it is (lex lata)*.”⁶⁷⁰ In addition, when the local government interpreted the globally defined law and interpretes/ frames it to get acceptance by the local community, this involves what the law should be in the beholders opinion (*lex ferenda*).⁶⁷¹ Furthermore, this dissertation fits into what Budianto⁶⁷² refers to as a “Socio-legal” research. Specifically, this dissertation aims to investigate the questions of "how," "what," and "why" through an in-depth analysis of the contextualization of the universal marriageable age of 18 and free, full and informed consent legal notions. For this reason, this dissertation is mainly non-doctrinal or empirical and used qualitative case study research design to gather in-depth information in line with its research questions. The following sections explain why this research design is appropriate for addressing the research questions of this dissertation.

4.1.1 Why Qualitative Evidence and Approach?

The primary objective of a qualitative research design, as suggested by Berg, is to gain a deeper understanding of a specific subject matter.⁶⁷³ Again the importance of adopting a qualitative approach is emphasized when attempting to uncover ‘*meanings*’ and ‘*discover reasons*.’⁶⁷⁴ This study commenced by assessing the local conceptualizations and meanings of the terms 'marriage,' 'child,' and 'girlhood' within the study area to investigate the factors that sustain the practice. A qualitative approach is particularly advantageous in this case, as this study aims to attain a nuanced understanding of the local conceptualizations and meanings ascribed to the globally defined laws that prohibit child marriage.

Similarly, Patton and Cochran contend that a qualitative approach is suitable for comprehending the viewpoints of participants, delving into the meanings they attribute, or examining a process thoroughly.⁶⁷⁵ The first research query seeks to comprehend the

⁶⁷⁰ See (Coomans, Grünfeld, and Kamminga 2010, 186)

⁶⁷¹ Ibid

⁶⁷² See (Budianto 2022, 1339)

⁶⁷³ See (Berg 2001, 2)

⁶⁷⁴ See (Creswell and Creswell 2018, 40)

⁶⁷⁵ See (Patton and Cochran 2002, 7)

social definitions ascribed to "marriage," "girlhood," and "childhood" in the research targeted area. It then proceeds to inquire into the "what" question to identify the driving factors that condone the practice of child marriage among girls. Exploring the role of the local government and UN agencies as well as local actors involved in the elimination of the practice, as well as their effectiveness, is the aim of the third research query. As a result, the research questions started with examining the locally ascribed meanings and conceptualizations; and delve into understanding the interventions, the initiatives that aims to combat child marriage among girls in the study setting. The qualitative research approach offers a comprehensive understanding of the contextualization of the universal minimum marriage age and legal consent notions, as well as the views and experiences of the communities. It is crucial to employ the qualitative approach to comprehend the perspectives of community members who support the law, the reasons behind their acceptance, and those who reject the law, the rationale for their resistance.

Creswell argue qualitative study approach is useful for understanding the holistic picture through analyzing “*words and detailed views of informants.*”⁶⁷⁶ This dissertation aims to explore and understand not only the perspectives of local communities but also the informants from the local government, CBOs, and UN agencies involved in eradicating the practice of child marriage among girls in the study area. A qualitative research approach is considered suitable for exploring the strategies and tactics employed by the global and local actors who have a role in framing and shaping the universal minimum marriageable age of 18 and the notions of free, full, and informed legal consent intending to gain acceptance by the local communities. Consequently, employing qualitative research methods allows for a more thorough examination of the process of translations on one hand and the local aspects of reception and resistance against norms that prohibit child marriage among girls in the study area. The qualitative research approach is deemed necessary to answer the dissertation's research query, which asks, 'What are the trends in resistance and/or reception of the legal norms prohibiting child marriage among girls in the study area?' and 'What are the various factors that affect the reception and or/ rejection of these norms by the local community?' Additionally, the research aims to

⁶⁷⁶ See (Creswell 2009, 15)

identify the extent to which key local actors have been influential in the process of translation.

4.1.2 Case Study Research

According to Creswell,⁶⁷⁷ case study is appropriate qualitative research design when the intention is to investigate a case that is limited to a specific geographical area or time. This research endeavors to attain an ‘*in-depth understanding*’ of how the globally defined norms that prohibit child marriage are contextualized and framed within a particular local community context, i.e., the research targeted *Wereda* (i.e. *Quarit Wereda*, West Gojjam, in the Amhara region). Accordingly, from among the qualitative approaches,⁶⁷⁸ case study research is a best fit approach based on its geographic scope on one hand, and also its advantage of getting ‘in depth’ information to get response for the research questions outlined in my dissertation.

The second important point is to identify the type of a case study approach. In this dissertation, the selected *Wereda* serves as an illustrative example or ‘*an entire case*’ or ‘*a specific case*.’⁶⁷⁹ Stake⁶⁸⁰ posits that the intention behind conducting a case study research is of paramount importance. And this research is instrumental⁶⁸¹ case study since the issue of contextualizing global norms against child marriage at the community level is dominant, when compared with, the selected research site.

Consistent with Yin's⁶⁸² viewpoint, this study employed a variety of primary data collection methods, such as in-depth interviews, focus group discussions, key informant interviews, and secondary data. Data collection methods are described in the following sections.

⁶⁷⁷ See (Creswell 2013, 125)

⁶⁷⁸ According to (Creswell 2013, 111–28), qualitative research design can generally be grouped into five : narrative, phenomenology, ethnography, case study, and grounded theory.

⁶⁷⁹ See (Creswell 2013, 97–98)

⁶⁸⁰ See (Stake 1995)

⁶⁸¹ Ibid

⁶⁸² See (Yin 2009); See also (Creswell 2013)

4.2 Research Area

This study is conducted in *Quarit* (in Amharic: “ቋረቱ”) *Wereda*, *West Gojjam*, in the *Amhara* region. *Quarit* is surrounded by *Jabi Tehnan* to the southwest, *Sekela* to the west, *Yilmana Densa* to the north, the *Misraq Gojjam Zone* to the east, and *Dega Damot* to the southeast. It comprises of 33 *Kebeles*. The following figure shows the research area.

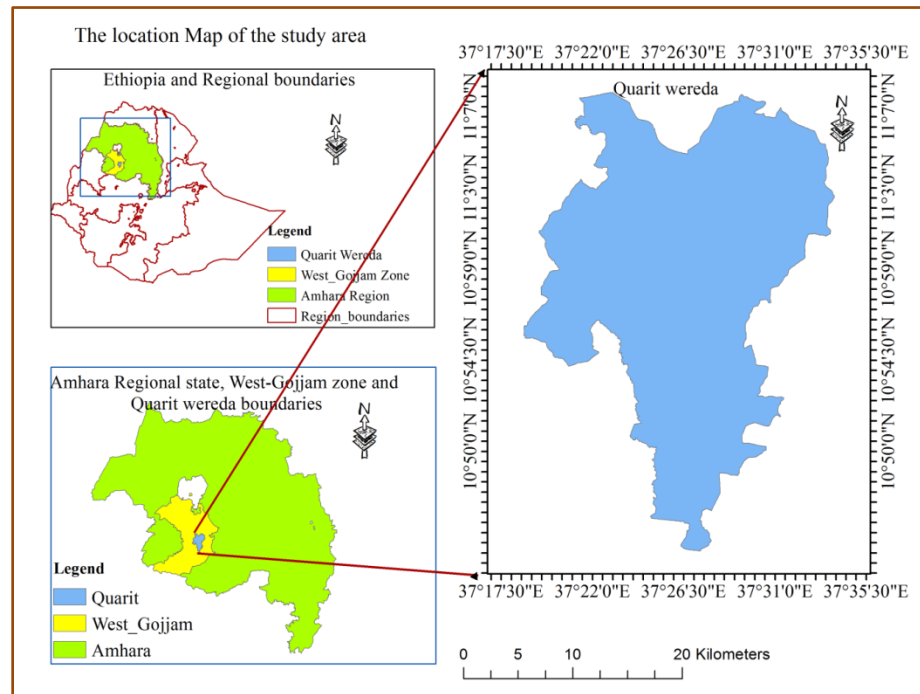


Fig. 2: Map showing the study area based on Ethiopian Administrative shape file (taken from Ethiopian Mapping Agency) ArcGIS 10.4

Amhara region is selected as the study area since it holds the country’s highest child marriage prevalence rate and also highest percentage of girls married between the age of 15-17.⁶⁸³ In addition, the 2016 EDHS indicated the median age of first marriage for women 20-49 is the least in Amhara region (16.2 years), followed by Afar (16.4), Tigray (17.2), Oromia (17.4), Somali (18.1), SNNPR (18.2); Harari (18.5) and Dire Dawa (18.7) regions.⁶⁸⁴ In addition, girls in Amhara region have the least agency in selecting their

⁶⁸³ See (Central Statistical Agency (CSA) and ICF 2016)

⁶⁸⁴ See (Central Statistical Agency (CSA) and ICF 2016)

future husbands (15%) when compared with all other regions in Ethiopia.⁶⁸⁵ This study particularly targeted *Quarit Wereda*, since it is identified as “hot spot”⁶⁸⁶ area with 32.1% ever married girls aged 10-17⁶⁸⁷ and 51.6% ever married girls aged 15-17.⁶⁸⁸

According to the 2016 EDHS, *Quarit Wereda* has a total population of 114,771 (56,767 men and 58,004 women), a 16.49% increase from the 1994 census. Only 4,750, or 4.14%, live in urban areas.⁶⁸⁹ The *Wereda* covers an area of 602.99 square kilometers, with a population density of 190.34 people per square kilometer, higher than the Zone average of 158.25 persons per square kilometer.⁶⁹⁰ However, recent projections indicate that the *Quarit* district now has a total population of 142,675, comprising 70,466 males and 72,209 females, with a population density of 236 persons per square kilometer.⁶⁹¹ During data collection, the *Quarit* Administration reported that the *Wereda* has an overall population of 142,712 (69,507 male and 73,205 Female) with 87% rural, 13% urban.⁶⁹² Its unique cultural and religious homogeneity is a notable feature. Nearly all of the inhabitants practice Ethiopian Orthodox Christianity, with 99.96% reporting it as their religion.⁶⁹³ Additionally, 99.9% of the district's residents are Amhara people, and 99.96% speak Amharic as their first language.⁶⁹⁴

Two specific target communities were selected in consultation with *Quarit Wereda* Women Mobilization Office.⁶⁹⁵ Since *Quarit* is included as part of UNICEF-UNFPA child marriage elimination intervention *Wereda*, all its 33 *Kebeles* are strategically

⁶⁸⁵ Ibid, According to the EDHS, marriage decision by “self” per region data indicates 17% in Afar, 19% in Tigray, 35% in Oromia, 54% in SNNPR, 58% in Gambella, 63% in Dere Dawa, 68% Somali, 76% Harari and 77% in Addis Ababa

⁶⁸⁶ Child marriage “hot spots” identify *weredas* with child marriage rates considerably higher than regional level averages, See (Ministry of Women and Social Affairs 2019, 21; Jones, Emirie, Tefera, et al. 2016a, 6)

⁶⁸⁷ See (Ministry of Women and Social Affairs 2019, 63)

⁶⁸⁸ See (Jones, Emirie, Tefera, et al. 2016a)

⁶⁸⁹ See (EDHS 2016)

⁶⁹⁰ Ibid

⁶⁹¹ Ibid

⁶⁹² This data is posted in the *Quarit Wereda* Administrator office

⁶⁹³ See (EDHS 2016)

⁶⁹⁴ Ibid

⁶⁹⁵ See FGD 017, 12 April 2022, *Quarit*

included.⁶⁹⁶ Nonetheless, remote *Kebeles* that cannot be accessed by car transportation are excluded. Accordingly, the two case study research sites selected are *Asheti Leba Gedel* and *Zambit Zeguda*. However, during the facilitation of FGDs with out-of-school adolescent girls and community facilitators, as well as in-depth interviews with *Kebele* administrators, I took advantage of the opportunity to get their insights when participants from different *Kebeles* attended trainings and workshops organized by UNICEF-UNFPA projects in Quarit *Wereda*. The data I obtained from the two selected *Kebeles* and the information I gathered from the Quarit *Wereda* stakeholders are consistent. Consequently, the two selected *Kebeles* are exemplary but not representative of Quarit.

4.3 Method of Data Collection

This study employed a rigorous approach to data collection with a focus on obtaining comprehensive and detailed information. It utilizes both primary and secondary data sources, with the former serving as the primary data source. Multiple data collection tools were employed and triangulated to ensure the accuracy and reliability of the findings. The following section will examine the three primary data collection methods employed in this dissertation, specifically in-depth interviews, key informant interviews (KIIs), and focus group discussions (FGDs), and it will briefly touch upon the type of secondary data sources and documents reviewed.

4.3.1 In-depth Interviews

In-depth interviews (n=124) were conducted with two sets of actors. In-depth interviews were conducted with members of the local community with a purpose of identifying and understanding the perspectives of adolescent girls (n=12). Additionally, relevant local actors (n=50), such as parents, religious fathers (priests), elders, and adolescent boys, were also interviewed with a view to document, analyze and understand their perspectives and experiences. Secondly, with a purpose of understanding the dynamics surrounding the contextualization and framing of global norms on child marriage in the

⁶⁹⁶ In-depth interview with IGO1 and IGO2, 29 April 2022; According to the study's participants, UNICEF and UNFPA previously targeted selected *Kebeles* for intervention in a *Wereda*. However, their approach has changed and now all *Kebeles* are strategically included in a targeted *Wereda*.

local context, semi-structured interviews were conducted with local government stakeholders (n=49) from various levels, including *Kebele*, *Wereda* (also conducted group interviews, n=13), Zone, and Region, who were involved in committees to eliminate harmful practices. The in-depth interview participants along with their pseudonym used in this study are summarized in the following table.

Table 1: Number of In-depth Interview Participants broken by Study Informants

	Participants	No of Participants	Pseudonym
Adolescents	Adolescent Girls	12(F)	AG1-AG12
	Adolescent Boys	11(M)	AB1- AB11
Parents	Female Parents	10(F)	FP1-FP10
	Male Parents	17(M)	MP1-MP17
Religious Fathers (Priests)	Priests	5(M)	P1-P5
Elders	Community elders	3(M)	E1-E3
Community facilitators	Community facilitators	4 (2F)	CF1 – CF4
Government Stakeholders	Quarit <i>Wereda</i>	16 (4 F)	A001-A021
	Group interview: Quarit <i>Wereda</i> Women Mobilization Experts	8 (1 F)	FGD 017
	Group interview: Quarit <i>Woreda</i> Administration	5 (1F)	FGD 010
	Quarit <i>Kebele</i>	11 (1F)	A01-A011
	Women Associations Focal	3(F)	WA1- WA3
	Youth Associations Focal	1(M)	YA
	Zonal Level/Finote Selam	10 (1F)	AA01-AA10
	Regional Level/ Bahir Dar	8 (1 F)	AA001-AA008
	Federal Level	12(5F)	AD1-AD12
Total (Local Government)		124 (36 F, 88M)	
Grand Total (Including Federal Level stakeholders)		136 (41 F, 95 M)	

The selection criteria for the in-depth interviews in this dissertation utilized purposive sampling. Specifically, the government stakeholders who participated in the study were members of the harmful practice elimination committee, and were therefore responsible for working together to eliminate child marriage. The priests and elders who were included in the study were selected based on criteria such as being highly esteemed

community members with influential roles in the efforts to eliminate child marriage in the targeted area. Similarly, the local community members who participated in the in-depth interviews were purposively selected in consultation with the local government stakeholders.

4.3.2 Key Informant Interviews

Key-informant interviews were conducted with key informants (n=12) with the purpose of getting in-depth knowledge since the purposefully selected informants played a vital role in the contextualization of global norms on child marriage in the targeted area. Semi-structured interviews were conducted with a diverse range of informants, including health/extension workers, school principals /vice principals, gender club focal female teachers, and focal persons from UNICEF and the UNFPA. The key informants of this dissertation came from diverse backgrounds and held different viewpoints, which ultimately contributed to the triangulation of data and enhanced the validity of the research.

The following table presents the summary of KII participants along with their pseudonym used in this study.

Table 2: Number of KII Participants broken by Study Informants

List of Key Informant Interviews Conducted	No of Participants	Pseudonym
School Principals/Vice Principals	4 (M)	SD1-SD4
Gender Club Focal Female Teachers	2 (F)	GCFFT1-GCFFT2
Health Extension Workers	3 (2 F)	HEW1-HEW3
Health Center Head	1 (M)	HCH
UNICEF/UNFPA Focal	2 (M)	IGO1-IGO2
Total	12 (4F, 8M)	

4.3.3 Focus Group Discussions

Focus group discussions (FGDs) are an effective method for conducting structured and simultaneous interviews with multiple participants.⁶⁹⁷ They provided an opportunity for participants to share their thoughts and opinions on the research topic to gain a deeper understanding by providing rich and detailed data.⁶⁹⁸ It is also an invaluable resource for collecting information by engaging in social interactions.⁶⁹⁹ According to Hennink, Bonnie & Merry,⁷⁰⁰ 4 FGDs are sufficient to identify a range of new issues, but more groups are needed in order to fully understand, so called meaning saturation. To gather in-depth information, 15 FGDs were conducted with adolescent girls, parents, religious fathers, elders, and adolescent boys in the study areas. The main purpose of conducting FGDs for this dissertation is to identify the areas of consensus and debate among the participants. I wanted to get the perspectives of ordinary community members, and hence, I have employed convenience sampling. Please see the below summary table.

Table 3: Number of FGD Participants broken by Study Informants

List of FGDs Conducted	Participants	No of FGDs	No of Participants	Pseudonym
Adolescent Girls	Out-of-school Adolescent Girls Club members	2	13(F)	FGD 008 & 013
	In-school girl's gender club members	2	12(F)	FGD 005 & 007
Adolescent Boys	Adolescent boys	1	8(M)	FGD 001
	In-school boy's gender club members	1	6(M)	FGD 004
Parents	Female parents only	2	12(F)	FGD 011 & 012
	Male parents only	2	16 (M)	FGD 002 & 003
Mixed	Community members	1	9 (2 F)	FGD 006
	Community facilitators	1	6 (2F)	FGD 014
Teachers	Teachers	1	6 (M)	FGD 009
Religious Fathers	Priests	1	10 (M)	FGD 016
Elders	Community Elders	1	6 (M)	FGD 015
Total		15	104 (41F, 63M)	

⁶⁹⁷ See (Babbie 2011); See also (Morgan 1996a; 1996b)

⁶⁹⁸ Ibid

⁶⁹⁹ See (Morgan 1996a; 1996b)

⁷⁰⁰ See (Hennink, Kaiser, and Weber 2019)

The FGDs I conducted with adolescent boys and girls were facilitated by using vignettes. Agostini, Schratz and Eloff⁷⁰¹ posits that vignette research possesses a distinct method, which involves the generation of data “by the researcher *within the experience itself, rather than being obtained from the experience*” (emphasis added). My justifications for employing vignette tool for this dissertation is with a view to investigate the lived experiences of research participants.⁷⁰² I found this tool to be extremely useful for facilitating discussions and enabling me to engage freely with them and secured active interaction among them. I also attempted to use vignettes with parents, but my efforts were unsuccessful. In two consecutive FGDs with female parents, they stated that the practice of child marriage among girls was abolished and they were not willing to open up and discuss the issue.⁷⁰³ I tried using the FGD question again, but they reiterated that the practice had been abolished and that they were not willing to engage in further discussion.⁷⁰⁴ Additionally, I attempted to use vignettes with one of the two male parents’ FGD,⁷⁰⁵ but they were not comfortable and opted to use the FGD question.

The following box describes the Vignette used in this study

Box 2: Vignette

I want to tell you a story about Zeritu. Let us assume that she lives in this village/*Wereda*. Please do not consider real Zeritu, if there is any, we are using this name as an example. I will tell you part of the story and kindly help me to complete it. Zeritu is 14 years old and a 6th-grade student. She is the eldest child in her family and has three brothers and two sisters. Zeritu is keen on being a teacher, but her aspiration is challenged when Ato Tariku (again, this name is an example) asks her parents (by sending elders) to marry her. Ato Tariku is a respected man, and the marriage will create an opportunity for establishing a family bond. Assume that Zeritu’s families are living in your village, and the request for marriage was presented a week ago. Please answer the following questions.

1. Do you think Zeritu’s parents will accept the marriage request? Why?

Probe: -

1.1 What is marriage?

1.2 Imagine that you are Zeritu’s sister/brother, Will your mother accept Zeritu’s

⁷⁰¹ See (Agostini, Schratz, and Eloff 2024, 9)

⁷⁰² Id at 12

⁷⁰³ FGD 011, 10 April 2022, Quarit; FGD 012, 2 April 2022, Quarit

⁷⁰⁴ Ibid

⁷⁰⁵ FGD 002, 2 April 2022, Quarit

marriage request? Why? Why not?

- 1.3 Imagine that you are Zeritu's sister/brother, what about your father. Will he accept Zeritu's marriage request? Why? Why not?

2. If I ask you to complete the story, what do you think will happen next?

Note : See Appendix 2.1 – for the full questions derived out of the vignette

To sum up, saturation⁷⁰⁶ of information was used to indicate the required number of all research participants for the in-depth interview, KII and FGD. Please see Annex 16 for complete information on the place, date, and duration of the three primary data collection methods mentioned above. The next section dwells on the review of secondary data

4.3.4 Review of Secondary Sources of Data and Relevant Documents

The secondary source of data review conducted under this dissertation thoroughly examined the global, regional, and national publications, predominantly consisting of journal articles, books/book chapters, and reports. The objective of this review is to gain an understanding of existing knowledge and to identify gaps in relation to my research questions. Additionally, it helped me to establish the relationship between the findings of this dissertation and prior literature. I stated by reviewing literatures on how to conceptualize culture and the debates surrounding it. Subsequently, relevant theoretical literature were analyzed to define the key concepts of the research, including child marriage, global norms/norms, social norms, gendered social norms, contextualization, and agency. Particular attention was paid to recent journal articles during this review process. The literature review then examined relevant books on women's human rights; the rights to cultural diversity; child rights; the foundational frameworks or theories of this dissertation: vernacularization and semiotics; child marriage and the law, and then research design. As for the reports, this dissertation utilized both the prevalence of child marriage reported data by the local government as well as a global databases and reports on child marriage. Among these secondary sources, critical review of 20 key literatures was made in line with the following five selection criteria's.

⁷⁰⁶ See (Hennink, Kaiser and Weber 2019)

1. Key literatures conducted on the driving factors that contribute to and perpetuate child marriage among girls : Six previous publications were selected and critically reviewed in line with my dissertation research questions
2. Key literature that addresses the challenges and dynamics associated with the contextualization of global norms, particularly in the areas of women's human rights and children's rights, and their effective implementation at the grassroots community level: Five previous publications were selected and critically reviewed in line with my dissertation research questions
3. Key Ligatures that deals with the efficacy of the law in defining and addressing child marriage: Three previous publications were selected and critically reviewed in line with my dissertation research questions
4. Key Literatures that show current state of Research: Five previous publications are selected and critically reviewed in line with my dissertation research questions
5. Key very related prior researches conducted in Amhara Region, Ethiopia: One previous publication is selected and critically reviewed in line with my dissertation research questions

Undertaking a doctrinal analysis, the examination of international, regional, and national legal frameworks governing child marriage was conducted with a purpose of understanding how child marriage is regulated by the law. This includes Ethiopian periodic reports to monitoring bodies (i.e. CRC, CEDAW, and to the African Committee of Experts); the monitoring bodies concluding observations; CRC and CEDAW committee recommendations; the UN Human Rights Council Resolutions on Child, Early and Forced Marriage; UN General Assembly Resolutions on Child, Early and Forced Marriage

4.4 Field Experience

The fieldwork was physically demanding and tiresome. The only guesthouse available at Quarit made me uneasy due to security concerns about the door lock, so I had to stay at Finote Selam. Every day, I had to travel a four-hour round trip. The 52-kilometer journey

from Finote Selam to Quarit included 42 km of rough off-road terrain, making the trip even more exhausting. I would wake up early, dress, and leave from Quarit at 6:00 AM. I notified the hotel of my request for an early packed breakfast and consumed it during my journey to Quarit. After data collection, I had to conclude at 5:00 PM, but I often stayed until 6:00 PM, when I had to rush to get back for another two-hour drive on the road back to Finote Selam.

I began my travel early in the morning and returned to the dark. On some days, I was not even able to change my clothes and found myself sleeping on the top of the bed when I found myself awake in the morning. Undoubtedly, having dinner poses a considerable challenge as I would rest rather than eat. The delicious lunch at Quarit always has the potential to keep me energetic and full for the entire day. The "shero" with hot boiled potato left a lasting impression on my plate. Additionally, they kindly provided me with the local drink 'tella,' which I typically enjoy.

Quarit is very beautiful with its chain of mountains. Its breath-taking beauty extends beyond the realm of words. The hardship comes when I need to go up and down. Without the aid of the stick, I would not have been able to accomplish the data collection.

Data collection has left me with memories that I will never forget. One particular incident stands out, in which I assisted a woman who had her house stoned because of her efforts to combat child marriage among girls. Despite the Kebele head's enforcement of the perpetrators to buy '*korkoro*' for a roof, the woman was unable to mend the house because of her lack of capacity to buy nails. On another occasion, on one particular day, I left the hotel room without money. On that day, the tire burst, and I had no choice but to use public transportation to keep my appointment in the morning. It was at the point of payment that I realized that I had no money. The other memory was a girl who screamed and ran away when she saw me entering her neighborhood. She shouted, "A woman with a car is coming" (in Amharic 'ባለ መኪናዋ ሴትዮይት መጣች'). When she repeated this for some days, I followed her one day, and with the help of other members of the community, I was eventually able to take her picture with me. I was amazed and asked her how she was able to know that I was in charge while a man was driving.

4.5 Methods of Data Analysis

Along with data collection, data analysis was started by formulating analytical questions, contemplating upon them, and producing memos⁷⁰⁷I am astonished by the initial memos I drafted during the data-collection phase. To my amazement, the majority of the study's eventual conclusions corresponded with those preliminary notes, with only a handful of instances that were excluded because of their inability to be corroborated through triangulation (see Appendix 9).

The initial step in the analysis process that I undertook was the organization and preparation of the collected data for analysis.⁷⁰⁸ In this step, I undertook word-by-word verbatim transcription of the audio-typed data into handwriting. I transcribed the data verbatim from Amharic to English. I encountered challenges translating local terms, for example *Adugna* (later translated as 'happiness'), *chagula merget/ dawja medeqdeq* (later translated as 'celebration of marriage at childhood'), *junjena agebach* (later translated as 'she flirted him to marry her'). I have always kept a memo with me to jot down any thoughts or ideas that come to mind while transcribing them. This was, then, followed by extensive reading and rereading⁷⁰⁹ of both the raw data and my memo to become familiar with the data obtained. The third task I completed was coding,⁷¹⁰ which involved manually coding the data initially and then using the Dedoose software and continuing to add codes as necessary until I reached a total of 201. Coding helps to connect the raw data with theory and making the raw data sortable.⁷¹¹

During the fourth step of the process, I successfully identified and defined twenty-one distinct themes.⁷¹² Yin suggests to analyze themes so as to identify recurring issues that extend beyond individual themes.⁷¹³ The fifth step involved providing narrative descriptions⁷¹⁴ of these themes, supporting each with evidence from the collected data. I

⁷⁰⁷ See (Creswell and Creswell 2018)

⁷⁰⁸ Ibid

⁷⁰⁹ Ibid

⁷¹⁰ Ibid

⁷¹¹ See (Busetto, Wick, and Gumbinger 2020, 3)

⁷¹² See (Creswell and Creswell 2018)

⁷¹³ See (Yin 2009)

⁷¹⁴ See (Creswell and Creswell 2018)

have also merged some themes and deleted others. Finally, in the sixth step, the findings were interpreted.⁷¹⁵ The thematically organized data was analyzed through triangulating it with data sources so as to build a coherent justification for the themes and validate the findings. Moreover, to check the accuracy, reliability, and credibility of the findings, this study used thick description⁷¹⁶ to convey the findings. This leads to the conclusion and the way forward points made at the end of this dissertation, which are referred as ‘assertions’ by stake.⁷¹⁷

4.6 Ethical Considerations

Upon receiving a letter of support for conducting the study from the Center for Human Rights, permission for collecting data from required government stakeholders was obtained. The relevant federal, regional, and *Wereda/Keble* level government stakeholders were contacted to clarify the purpose of the study. I identified regional government stakeholders as key gatekeepers⁷¹⁸ and facilitated this research to gain access to collecting data from the selected *Wereda*. Similarly, the *Wereda* government stakeholders were gatekeepers for both *Wereda*-level and *Kebele*-level access and data collection. Informed consent forms were prepared ahead of time and translated to the local language. Assent forms were also prepared (and also translated in the Amharic language) in order to collect data from adolescent girls and boys, in addition to obtaining consent from their parents/legal guardians.

After securing data collection clearance from the required regional stakeholders, data was gathered in the chosen *Wereda* and selected *Kebeles* with due respect⁷¹⁹ and recognition of participants’ autonomy.⁷²⁰ I have provided comprehensive information about my dissertation to ensure participants’ autonomy and made the decision to participate. I respected the choices of those who decided not to participate in the study, and hence, I respected the participants by honoring their decision.

⁷¹⁵ Ibid

⁷¹⁶ Ibid

⁷¹⁷ See (Stake 1995)

⁷¹⁸ See (Banks and Scheyvens 2014, 172)

⁷¹⁹ See (Ulrich 2017, 203–7)

⁷²⁰ Ibid

Further, informed consent,⁷²¹ voluntary participation of informants that ranges up to terminating their involvement at any stage of the data collection, the confidentiality⁷²² of information, and anonymity⁷²³ of the participants were the key ethical precautions during the data collection.

The in-depth interview, FGD and KII guides were translated into Amharic language before the data collection. All of the primary data collected through in-depth interviews, KIIs, and FGDs are audio recorded after securing consent (and assent) from the participants. And data was also recorded through handwritten notes. Moreover, in line with the ethical principle of protection against direct/indirect or physical/psychological harms,⁷²⁴ the dignity,⁷²⁵ safety,⁷²⁶ and security⁷²⁷ of study informants was noted every day in the data collection. I had three participants who were under police investigation due to a case of child marriage: a mother, stepfather, and a neighbor who was invited to the child marriage ceremony. To respect their dignity, I have tried to keep their information confidential and treated them respectfully.

The risk of vulnerability was carefully evaluated to ensure that participants were not exposed to any potential harm. Permission was obtained from school principals, teachers, and parents to involve adolescent girls and boys in the research. The participants, particularly children, were informed of their right to withdraw at any time and were under no pressure to continue if they chose to withdraw. The second vulnerability assessed was potential risk of harm against female parents involved. I obtained consent not only from the female parents themselves, but also from their husbands, before involving them in my dissertation. I also made sure to get consent from parents before including adolescent girls and boys in my research. Accordingly, I obtained consent not only from the female parents themselves, but also from their husbands, before involving them in my dissertation. The third vulnerability assessed was potential risk to reputation. The government stakeholders have informed me that they disagree with the universal

⁷²¹ Id at 206; See also (Banks and Scheyvens 2014, 164)

⁷²² See (Banks and Scheyvens 2014, 168)

⁷²³ Ibid

⁷²⁴ See (Ulrich 2017, 195–202)

⁷²⁵ See (Banks and Scheyvens 2014, 185)

⁷²⁶ Ibid

⁷²⁷ See (Ulrich 2017)

minimum age of 18. They believe that girls are mature enough for marriage at the age of 15 and are not intervening in cases of child marriage involving middle/late adolescent girls. As a result, I have chosen not to disclose their names when including their profiles to protect potential risks to their reputation (see appendix 3).

4.7 Dissemination of Research Findings

Berg argues a research “*must be disseminated if it is to be considered both worthwhile and complete.*”⁷²⁸ Although the write-up has been done, it has not yet been completed.⁷²⁹ Undertaking research for the sake of research alone offers no advantage to the academic/scientific community or the existing body of knowledge that it may potentially influence.⁷³⁰ In conducting this research, I was privileged to have the opportunity to disseminate the findings through seminars and academic journals. The following sections provide a concise overview of how I shared my research results.

4.7.1 Conference/ Seminar Presentations

It was an honor to have been allowed to present my research findings on the following national and international seminars.

1. The AAU Institute of Ethiopian Studies and the French Center for Ethiopian Studies jointly organized a conference on the theme “*Locations of Women's Voices and Power in Ethiopia*,” and I was privileged to have my proposal selected among the finalists after passing through an examination by a scientific committee of 10 members. On 3 June 2022, I presented my research findings on “*Untold Accounts: Agency of Adolescent Girls in Combating Child Marriage*”
2. I have had the privilege of staying in Denmark with the aid of the Global Norms and Violence against Women (GLOW) project in Ethiopia, which is funded by the DANIDA /Danish Ministry of Foreign Affairs. During my stay, I had ample time to work on my research and present my findings to a research group at the Danish Institute of International Studies (DIIS). This

⁷²⁸ See (Berg 2001, 37)

⁷²⁹ Ibid

⁷³⁰ Ibid

opportunity also allowed me to advance my doctoral project's goal of contributing to and sharing academic knowledge on the nature of VAWG in Ethiopia.

3. Lille University in France and the University of Haifa in Israel collaborated on an international project aimed at offering complementary perspectives on Gender Equity, producing international conference presentations, and publishing selected papers that have undergone a double-blind review in a reputable academic journal. My proposal was chosen, and I presented my research findings on the theme of "*Combating Gender-Based Violence*" at the event, which was held from July 3rd to 6th, 2023, at Lille University in France.

4.7.2 Publications

I have published the following two articles, along with my supervisors, in reputable, double-blind, peer-reviewed academic journals.

- Tibebe, Y., Zeleke, M. & Vandenhoe, W. Socio-cultural and Religious Framings on Marriageable Age in Amhara Regional State. *Ethiopian Journal of Human Rights* (2023) 7: 88–112, <https://doi.org/10.20372/ejhr.v7.8817>
- Tibebe, Y., Zeleke, M. & Vandenhoe, W. Unpacking Agency of Adolescent Girls in Combating Child Marriage at Quarit Woreda, Amhara Regional State of Ethiopia. *Int J Semiot Law* (2024). <https://doi.org/10.1007/s11196-023-10099-8>

CHAPTER FIVE

Child Marriage among Girls at Quarit Wereda: The Context

This chapter discusses the context of child marriages in the study area. It consists of three main sections. The first section starts with presenting the local conceptualizations of “marriage” and “girlhood.” Then the local conceptualizations of marriageable age are presented, followed by the perspectives of parents, adolescents, religious fathers, and the elderly, examining the differences in views based on sex and gender. The chapter further delves into the prevalence and form of child marriage in the study area, highlighting the disparities between boys and girls by presenting the gender dimension. The third section elaborates on the socio-cultural factors that sustained child marriage among girls at Quarit. It describes the four main socio-cultural factors identified in this study: protection of family honor, “*wel meyaze*,” [betrothal], “*akolkuway meshome*” or “*wenfel masemelse*” [claiming back debt], and “*chagula merget*”/ “*daweja mdqedqe*” [celebration of marriage at childhood].

5.1 Local Community Conceptualizations

5.1.1 Local Conceptualizations ‘Marriage’

Marriage is conceptualized as a celebration,⁷³¹ source of pride,⁷³² a life,⁷³³ and a milestone⁷³⁴ parents must achieve before death; “*salmot leyat*,” (shows parents’ strong wish to see their daughters’ being married, and see grandchildren before their death.)⁷³⁵ In the study area, marriage is a means by which parents become part of the happiness of their children; “*yelejen adugna ley*” [egger to see my daughters’ happiness or joy].⁷³⁶ “*bet mesrat*” [being able to establish an independent livelihood by starting a family and living in their own separate house]

⁷³¹In-depth interview with CM 01 and CM 02, March 30/2022; In-depth Interview with A11, 4 April 2022; Key Informant Interview with HE 03, 8 April 2022, Quarit; FGD 002, 2 April 2022, Quarit

⁷³²In-depth interview with A04, April 1/2022, Quarit; In-depth Interview with A09, 4 April 2022, Quarit; FGD 014, 5 April 2022, Quarit;

⁷³³In-depth interview with Elder 01, April 6/2022, Quarit; Elder 03, April 15/2022, Quarit; Key Informat Interview with HCH, 13 April 2022, Quarit

⁷³⁴In-depth interview with A04, April 1/2022; 10 out of the 17 male in-depth interview Parents and Elder 01, April 6/2022, Quarit; Elder 03, Elder 02, April 11/2022, Quarit

⁷³⁵FGD with 007 Girls, March 30/2022, Quarit; In-depth interview with A 01, April 3/2022, Quarit

⁷³⁶Supra note 46 - 48

indicates marriage is a pivotal stage in leading their own life.⁷³⁷ This local conceptualization aligns with that of Devonald et al.,⁷³⁸ who contend that child marriage compels young girls to assume adult responsibilities prematurely. Marriage, in the study area, is also a phase where adolescent girls start to become independent; hence parents are responsible for “*bota masyaz*” [ensuring the well-being of their daughters].⁷³⁹

From an adolescent girl's point of view, marriage is not easily defined. Most adolescent girl study participants were silent when they were asked to define marriage, or their response was “*yelem*,” which means “*I do not know*.” Based on the response from those adolescent girls who attempted to define marriage, it is a process that comprises betrothal, sharing part of land/cattle from their parents, and starting their independent life by raising children.⁷⁴⁰ In contrast to parents’ conceptualization of marriage that makes them ‘meaning makers,’⁷⁴¹ girls are socialized to take passive roles in providing meaning in relation to marriage. “*I do not know the groom, I have not seen him before, even once. I trust my family has done the required checking because they will not push me into a miserable life*,” noted an adolescent girl interviewed in this study.⁷⁴² Another study informant stated, “*I consented to marry the groom whom I do not know because it is a usual practice in our community*.”⁷⁴³ The study further indicated, adolescent girls neither worry about “who” they marry or the quality and duration of their married life, nor they see divorce as an “easy” option.⁷⁴⁴ On the other hand, parents are more considerate of the person their children marry to maintain family honor.⁷⁴⁵ Previous studies have also highlighted that parents are deeply concerned about preserving their family's honor in the selection of a spouse, which ultimately perpetuates the practice of child marriage.⁷⁴⁶

5.1.2 Local Conceptualizations of ‘Girlhood’

⁷³⁷ Ibid.

⁷³⁸ See (Devonald et al. 2021, 2)

⁷³⁹ Ibid.

⁷⁴⁰ FGD with 005, 13 April 2022, Quarit; FGD with 007, 30 March 2022, Quarit; FGD with 008, 14 April 2022, Quarit; FGD with 013, 01 April 2022, Quarit

⁷⁴¹ See (Chandler 2007, 13; Broekman and Mootz 2011, Vii)

⁷⁴² In-depth Interview with AG06, 1 April 2022, Quarit

⁷⁴³ In-depth Interview with AG08, 12 April 2022, Quarit

⁷⁴⁴ Noted by 5 out of the 12 in-depth interview adolescent girls

⁷⁴⁵ See section 4.3.1 under this chapter

⁷⁴⁶ See (Emirie and Eshetu 2016; Jones, Presler-Marshall, Baird, Hicks, Emirie, Yadete, et al. 2019; Ministry of Women and Social Affairs 2019)

“Girlhood” is a significant factor in the context of marriage in the study area, and it is perceived as a critical realm that defines their experiences. This research uncovers the prevailing misconceptions about girls' sexuality, a widely shared belief that girls tend to develop sexual ideation at an earlier age than boys. This is a typical example for what cultural semioticians refer as mythical signification.⁷⁴⁷ The Quarit *Wereda* Culture and Tourism office participants of the study, said, *“the age beyond 16 is frustrating for parents due to the wildly held belief that girls will lose their virginity, locally known as ‘wedket’ (meaning ‘loss’). Rather than letting them lose their virginity, parents often prefer to marry them early.”*⁷⁴⁸ According to prior studies, regulating the sexuality of girls and preserving their virginity plays a key role in perpetuating the practice of child marriage.⁷⁴⁹

This study further unveils two signs attached to misconceptions of girls’ sexuality. First, when girls exhibit biological changes in their bodies, parents tend to view it as an indication of womanhood and readiness for marriage.⁷⁵⁰ Adolescent girl FGD informants said, *“when girls attain 10 years, most parents usually believe that she has sexual urge.”*⁷⁵¹ The second misconception is the assumption that a girl's response without respect is indicative of maturing sexual interest and the need for marriage.⁷⁵² Based on these wildly held misconceptions of girls’ sexuality, this study further identified two important ages attached to girlhood that resulted persistence of child marriage among girls: 12 as ‘socially appropriate’ age for marriage and 15 as their ‘age of consent.’⁷⁵³ A consistent finding from the local community elder informants shows that young girls often develop a desire to wed by the time they reach the age of 14.⁷⁵⁴

This research indicates that shouldering responsibility for domestic chores remains a role imposed on adolescent girls.⁷⁵⁵ This result is consistent with the research conducted by Jones,

⁷⁴⁷ See (Chandler 2007, 145)

⁷⁴⁸ In-depth Interview with A005, A009 & A010, 29 March 2022, Quarit

⁷⁴⁹ See (Jones et al. 2018; Jones, Presler-Marshall, et al. 2020; 2020), See also (Bunting 2005)

⁷⁵⁰ Key Informant Interview with HE 01, 31 March 2022, Quarit; Key Informat Interview with HE 02, 3 April 2022, Quarit

⁷⁵¹ FGD 005, 13 April 2022, Quarit

⁷⁵² Ibid, In-depth interview with Priest 02 and Priest 03, 9 April 2022, Quarit.

⁷⁵³ This contradicts with the Amhara Regional Family Law that stipulates consent shall be provided by the marring couples who have attained majority (See Article 11)

⁷⁵⁴ In-depth interview with Elder 01, 06 April 2022, Quarit; Elder 02, 11 April 2022, Quarit; Elder 03, 15 April 2022, Quarit

⁷⁵⁵ In-depth interview with AG5, 10 April 2022, Quarit; In-depth interview with AG5, 1 April 2022, Quarit;

Presler-Marshall et al.,⁷⁵⁶ who uncovered the substantial domestic burden that child brides were compelled to bear, ultimately restricting their physical movement and confining them in isolation. These study further shows there are also parents who place higher value on their daughters' education.⁷⁵⁷ Nonetheless, this study reveals that there are parents who opt to send their daughters to school while concurrently placing a value on marriage before the legal age of the majority.⁷⁵⁸

5.1.3 Local Conceptualizations of Girls Marriageable Age

In *Quarit*, the community defines a child [*hitsan*], and therefore unable to take the responsibility of marriage, to be under the age of 8. The age group of 9 to 14 is referred as young [*kutara* or *tadagi*], signifying the phase where girls prepare themselves for marriage; and those beyond the age of 15 are considered as youth [*wetate*], a fully grown and independent individual who is beyond parental control.⁷⁵⁹

In the community, girls are betrothed, and even married, at the age of 4,⁷⁶⁰ and become 'socially appropriate' to marry them off after the age of 12,⁷⁶¹ where one transitions into becoming a 'girl' and no longer seen as a child. At this point of transition, as shown in the study by Jones et. al.⁷⁶² parental arranged marriages aim to control girls' sexuality. Previous research by Jones et al. has identified a common practice of marriage at the age of 4/5 as "symbolic" marriages, which are

⁷⁵⁶ See (Jones, Presler-Marshall, et al. 2020)

⁷⁵⁷ In-depth interview with MP1, 3 April 2022, Quarit; In-depth interview with MP4, 3 April 2022, Quarit; In-depth interview with MP6, 6 April 2022, Quarit; In-depth interview with AG5, 1 April 2022, Quarit

⁷⁵⁸ For example, MP1 stated that he educated his daughter; however, he argued the age of 15 is the appropriate marriageable age for girls (In-depth Interview with MP1, 3 April 2022, Quarit);

⁷⁵⁹ Key informant interview with CM 01, 30 March/2022, Quarit; AA03, April 21/2022, Finote Selam; AA004, March 28/2022, Bahir Dar; See also Ethiopian National Youth Policy that similarly identifies ages of 15-29 as a youth, https://www.youthpolicy.org/national/Ethiopia_2004_National_Youth_Policy.pdf

⁷⁶⁰ In-depth interview with CM 01, March 30/2022, Quarit; FGD 006, April 2/2022, Quarit; FDG 008, April 19/2022; In-depth interview with A07, April 2/2022, Quarit; FGD with 001 Boys, April 17/2022, Quarit; 4 out of the 12-adolescent girl in-depth interview participants stated less than five years of age girls are married off in their locality for the purpose of undergoing through *chagula merger*'/ "*daweja mdqedqe*." Girls at this age will not have sexual intercourse with the groom since it is their mothers who will take them carrying in their back to the family of the groom and return them home.

⁷⁶¹ FGD with 005 Girls, April 18/2022, Quarit; 3 out of 12 in-depth interview adolescent girls; FGD 001 Boys. The age of 11/12 is considered as socially acceptable age for girls to marry, and they are also expected to consummate marriage. The central justification, according to the findings of the study, is that it is the critical age/time for the parents to be in the 'driving seat' for selecting the groom keeping family honour. Besides, there is a wider belief in the community that age of 15 is viewed as "age of consent for girls." Entailing parents will lose control in deciding selection of 'whom' their daughter is going to marry.

⁷⁶² See (Jones, Presler-Marshall, et al. 2020)

referred to as “*Yederso Melse Gabcha*” or “go back” marriage in Quairt Wereda.⁷⁶³ This study reveals the responsibility for taking and returning the 4/5 years old girls falls upon the mothers of the child bride. However, parents of girls who are typically married at the age of 12/13 expect them to establish a family and live with their spouses. As a result, no one from their family took care of them. Local government stakeholders have expressed fears that the 12/13 years old girls may be raped by their groom even if they return to their parents later.⁷⁶⁴ Previous studies have indicated that girls who attained 15 to 17 are not typically considered to be children; therefore, they are culturally expected to be wed at this age. Consequently, this study identifies a relatively lower age for marriage.⁷⁶⁵ The subsequent sections will examine the perspectives of the key local actors regarding the appropriate first-age-at-marriage among girls in their locality.

5.1.3.1 Views of Parents

This study reveals first-age-at-marriage preference is different among parents. While mothers prefer to lower the marriageable age to 11/12,⁷⁶⁶ male parents stated the ‘right’ age of marriage to be between 15 and 17.⁷⁶⁷ Men value biological readiness and expressed their fear of dishonor if girls lose their virginity before marriage.⁷⁶⁸ On the other hand, female parents focused on celebrating marriage while their daughters are in their prime age when their beauty is intact, and they highlighted their fear related to becoming *kumo ker*⁷⁶⁹ than loss of virginity.⁷⁷⁰ One of the female parents stated, “*I do not know the appropriate age, but if I am lucky, I want to marry off my daughter as a teen and beautiful...at the age of 12.*”⁷⁷¹ Similarly, the other female parent

⁷⁶³ See (Jones, Tefera, Emirie, et al. 2016, 10–11)

⁷⁶⁴ In-depth Interview with A001, 29 March 2022, Quarit; In-depth Interview with A005, A009, & A010, 29 March 2022, Quarit; In-depth Interview with A002 & A003, 31 March 2022, Quarit

⁷⁶⁵ See (Jones, Emirie, Tefera, et al. 2016b; Jones, Presler-Marshall, Baird, Hicks, Emirie, Yadete, et al. 2019; Jones, Presler-Marshall, et al. 2020)

⁷⁶⁶ It is 2 out of 10 female parents' in-depth informants show the marriageable age for girls. In 2 female parents only FGDs, all the informants stated girls' child marriage is not practiced in their locality.

⁷⁶⁷ In one men only FGD, the informants agreed 15 -17 the appropriate girls' marriageable age (FDG Men 002, April 2/2022, Quarit). The other men only FGD did not concur on marriageable age. Some participants argued as ten years is an appropriate age, while others 15-18 years, and one of them argued 18 -20 (FGD 003, 10 April/2022, Quarit); in the in-depth interview, 9 out of the 17 men stated that 15-17 years is the appropriate marriageable age.

⁷⁶⁸ Ibid

⁷⁶⁹ *Kumo ker* is a derogatory term that labels unmarried women as “unwanted.”

⁷⁷⁰ In-depth Interview with FP 07 , 9 April 9/2022, Quarit; In-depth Interview with FP 03, 4 April 2022, Quarit

⁷⁷¹ In-depth Interview with FP 07, 9 April 2022, Quarit

stated, “the appropriate age is 16/17, but I want to marry my daughter at 11/12 because I do not want her to become kumo ker and face social sanction.”⁷⁷²

5.1.3.2 Views of Adolescents

In comparison to parents, adolescents reported a very low first age at marriage for girls within their local community. The study participant adolescent girls reported witnessing instances where child brides were married off while still infants and carried at the back of their mothers.⁷⁷³ However, the common marriageable age is 12/13.⁷⁷⁴ Other study participants share similar views that girls from the age of 3-9 are married off,⁷⁷⁵ while most girls are usually married at the age of 12/13.⁷⁷⁶ Meanwhile, adolescent boys mentioned 5 to 15/16 as the usual girls' marriageable age in their locality.

Furthermore, adolescent boys preferred pushing girls' marriageable age to the legal age, which they stated was 15-20. Their justification centers on striking a balance between ensuring virginity and maturity of the girls for shouldering domestic work. Girls also preferred the age of marriage to be 18 and above to give them time to complete school and secure a job.⁷⁷⁷

The research findings from Quarit demonstrated the crucial role played by adolescent boys in determining the appropriate marriage age for girls in their local community. Firstly, the age of marriage among girls is affected by the preference of the groom. Age is lowered for marriage with deacons⁷⁷⁸ compared to marriage with others, locally known as “*yechewa gabicha*,”⁷⁷⁹ which has an equivalent meaning to ‘marriage with ordinary people.’ Secondly, according to the majority of the adolescent boy participants of the study, they actively participate in selecting their future spouses. Additionally, their fathers seek their input and often allow them to see the

⁷⁷² Female Parent 03, April 4/2022, *Quarit*

⁷⁷³ FGD 001, 7 April 2022, *Quarit*; FGD 005, 13 April 2024, *Quarit*; FGD 007, 30 March 2022, *Quarit*

⁷⁷⁴ See Supra note 58 & 59

⁷⁷⁵ In-depth interview with CM 01, March 30/2022, *Quarit*; FGD 006, April 2/2022, *Quarit*; FGD 008, April 19/2022; In-depth interview with A07, April 2/2022, *Quarit*; FGD with 001 Boys, April 17/2022, *Quarit*; 4 out of the 12-adolescent girl in-depth interview participants stated less than five years of age girls are married off in their locality.

⁷⁷⁶ FGD with 005 Girls, April 18/2022, *Quarit*; 3 out of 12 in-depth interview adolescent girls; FGD 001 Boys

⁷⁷⁷ FGD with 008, April 19/22, *Quarit*

⁷⁷⁸ Supra note 669

⁷⁷⁹ In-depth interview A01, April 1/2022, *Quarit*; and in-depth interview with 10 out of 17 male Parents.

potential bride before finalizing the betrothal⁷⁸⁰ agreement.⁷⁸¹ Their inclination towards girls who are virgins has an impact on their preference for marrying girls below the legal age of the majority.⁷⁸² However, their need for a wife who can manage household responsibilities also leads them to push marriagable age towards the legal "cut off" age, resulting in a preference for girls between the ages of 15 - 18.⁷⁸³ Despite this, nearly half of the adolescent boys who participated in the in-depth interviews posited that the appropriate marriageable age for girls was 15.⁷⁸⁴ One of the adolescent boys' in-depth informants in this study stated "*An appropriate age for marriage for girls is 15 since girls below this age cannot shoulder household responsibilities* (in Amharic he said, “እራስዋን ማሳደር አትችልም”).⁷⁸⁵

5.1.3.3 Views of Religious Fathers

Religious leaders exert considerable influence, on the existing child marriage semiotic system⁷⁸⁶ that relates to the local framing of the appropriate marriageable age for girls in the targeted *Wereda*. The biblical marriageable age for girls is disputed among the clergy and two controversial views of religious fathers are identified in the current study. Based on the life of Adam and Eve, most clergies teach marriageable age for girls shall be 15 and 30 for men based on the age they were created by God.⁷⁸⁷ In contrast, other clergies refer to the same story but teach that the marriageable age shall be 22 and 37 for women and men, respectively.⁷⁸⁸ They contend that Eve was created by God at the age of 15 and stayed together with Adam in Eden Garden for seven more years before consummating their marriage when they started to live on

⁷⁸⁰ In contrast to the Amhara Region Family Law, which specifies that a betrothal agreement can only be entered into by a male and female who have reached the age of majority (as per Article), customary practice grants the father of the groom the authority to request the bride-to-be's parents.

⁷⁸¹ The exception is the customary practice of "Yelewit gabcha," (meaning marriage under exchange of children between two families) which involves boys being married in their childhood." See

⁷⁸² FGD 001, 7 April 2022, Quarit; FGD 004, 13 April 2022, Quarit; In-depth Interview with Elder 02, 11 April 2022, Quarit; In-depth Interview with A005, A009, & A010, 29 March 2022, Quarit

⁷⁸³ Ibid

⁷⁸⁴ Except for two (AB8 and AB10), all adolescent boys participants of the study knew about existing public awareness and legal marriageable age. Nonetheless, out of 10 participants nearly half of them (AB2, AB3, AB5, & AB8) resisted.

⁷⁸⁵ In-depth Interview with AB 10, 15 April 2022, Quarit

⁷⁸⁶ See (Chandler 2007, 83)

⁷⁸⁷ In-depth Interview with Priest 02, 9 April 2022, Quarit; In-depth Interview with Priest 03, 9 April 2022, Quarit; In-depth Interview with Priest 04, 15 April 2022, Quarit; In-depth Interview with Priest 04, 15 April 2022, Quarit; FGD 016, 3 April 2022, Quarit

⁷⁸⁸ In-depth Interview with Priest 01, 02 April 2022, Quarit

Earth.⁷⁸⁹ Religious fathers who support increasing girls' marriageable age to 22 condemn clergy who preach the marriageable age of girls as 15 on the ground that "*they mix culture with religion*" and preach the culture claiming that it is religious doctrine.⁷⁹⁰ The majority of the clergies also contest biblical girl's appropriate marriageable age of 22 as a new canon law."⁷⁹¹ Except one,⁷⁹² nearly all of the in-depth interview priests have a perspective that the appropriate marriageable age for girls is 15.⁷⁹³

This study reveals that the issue of the appropriate age for a biblical betrothal between girls and deacons is a matter of debate among clergy.⁷⁹⁴ The clergy who argues for 15 as the appropriate biblical marriageable age for girls stipulated that ensuring virginity for the betrothal ceremony, not the actual marriage,⁷⁹⁵ is necessary. On the other hand, religious fathers who advocate for 22 as girls' marriageable age have put the consent of both spouses as a prerequisite for marriage.⁷⁹⁶ They contend that not only marriage, but also betrothal shall be based on the full consent and initiation of the future spouses and requires attaining the age of 22 and 37, including for betrothal.

5.1.3.4 Views of Elderly

Elders in Quarit play a significant role in facilitating betrothals, thereby impacting the appropriate customary age of marriage among girls within their community. The results of this study indicate that according to the views of the elderly, the appropriate age for a girl's first marriage should be 15 years or younger.⁷⁹⁷ Two out of the three in-depth informants expressed the opinion that girls should marry by the age of 7 or 8, as after this age, they may be considered "kumo ker."⁷⁹⁸ An interview with the Quarit *Wereda* culture and tourism office revealed that community elders propagate the widely held belief that "*adolescent girls who attain 13 and*

⁷⁸⁹ Ibid

⁷⁹⁰ Ibid

⁷⁹¹ Ibid

⁷⁹² In-depth Interview with Priest 01, 02 April 2022, Quarit

⁷⁹³ In-depth Interview with Priest 02, 9 April 2022, Quarit; In-depth Interview with Priest 03, 9 April 2022, Quarit; In-depth Interview with Priest 04, 15 April 2022, Quarit; In-depth Interview with Priest 04, 15 April 2022, Quarit

⁷⁹⁴ Ibid

⁷⁹⁵ In-depth Interview with Priest 02, 9 April 2022, Quarit; In-depth Interview with Priest 03, 9 April 2022, Quarit; In-depth Interview with Priest 04, 15 April 2022, Quarit; In-depth Interview with Priest 04, 15 April 2022, Quarit

⁷⁹⁶ In-depth Interview with Priest 01, 02 April 2022, Quarit

⁷⁹⁷ In-depth interview with Elder 01, 6 April 2022, Quarit; In-depth interview with Elder 02, 11 April 2022, Quarit; In-depth interview with Elder 03, 15 April 2022, Quarit

⁷⁹⁸ In-depth interview with Elder 02, 11 April 2022, Quarit; In-depth interview with Elder 03, 15 April 2022, Quarit

beyond years should not sleep alone; if so, they will get the evil spirit.”⁷⁹⁹ The third informant believed that being 15 years old is an appropriate age for marriage, but cautioned that if a girl stays beyond this age, she may lose her virginity.⁸⁰⁰ The community elder justifies his stance for 15 as appropriate marriageable age: “Her uterus is ready for pregnancy, her body is matured, and her blood vessels are relaxed. Nevertheless, if she is lower than that, her uterus will be damaged; she will be a fistula victim.”⁸⁰¹

5.2 Form and Prevalence of Child Marriage at Quarit Wereda

5.2.1 Form of Child Marriage

Child marriages in Quarit are, predominantly, arranged by parents. Nevertheless, the study also revealed that changing social norms and the emergence of adolescent-led child marriages are taking place, albeit at a lower rate than parental-arranged marriages. The present study reveals that four out of the eight forms of marriage identified by Jones, Tefera, et al.,⁸⁰² as being prevalent in Amhara region are also practiced in Quarit. This includes religious marriages, “*Dersomelse gabecha*,” “*Yelewut gabicha*,” and “*Yegalemota gabecha*.”⁸⁰³

In the course of this dissertation, I learned that the previously discovered form of “religious marriage” describes a type of promissory marriage or betrothal involving virgin girls and a ‘Deacon’ in the study area. Similarly, the term “*Dersomelse gabecha*” typically refers to what this study has identified as “*chagula merget*”/ “*daweja mdqedqe*” [celebration of marriage at childhood]. Similarly, “*Yelewut gabicha*” is highly prevalent in the study area targeting the local community members (with the exception of marriage with “Deacons”) and locally known under the category of “*yechewa gabicha*” (in Amharic ‘የጭዋ ጋብቻ’). Usually, most of “*yechewa gabicha*” in Quarit involve exchange of children from the marrying families, and hence it ends up being “*Yelewut gabicha*.” The marriage of adolescent girls who pass through “*chagula merget*”/ “*daweja mdqedqe*” [celebration of marriage at childhood] or “*Dersomelse gabecha*” is short term and does not involve consummation of marriage. And when adolescent girls marry after growing up, then, their marriage is referred in the study locality as “*Yegalemota gabecha*.”

⁷⁹⁹In-depth interview with A005, A009 & A010, 29 March 2022, Quarit

⁸⁰⁰In-depth interview with Elder 01, April 6/2022, Quarit

⁸⁰¹Ibid

⁸⁰²See Jones, Tefera, Emirie, et al. 2016, 10–11)

⁸⁰³Ibid, see chapter three, sub –section 3.1.3.2 for the definition of forms of child marriages

5.2.2 Underground Prevalence

The dissertation underscores the fact that while child marriage is rampant in Quarit *Wereda*, however, it is conducted in a highly underground manner and has only recently been brought to the attention of local authorities. During the data collection period, 250 child marriages were officially documented in the Finote Selam zone, 177 of which occurred in Quarit *Wereda*.⁸⁰⁴ According to the officially reported cases of child marriages in the zone, the data shows 70.8% of them took place in Quarit. This finding aligns with the CEDAW Committee's observation that child marriage is under-reported, as stated in its 2019 concluding observations.⁸⁰⁵ A study informant from Women Mobilization office at Zonal⁸⁰⁶ level reported that *“it has been just around four years since an official report of 20 underage marriage reported in Quarit Wereda. And the subsequent verification made reveals the actual number surpasses beyond the reported cases as it is often done underground.”*⁸⁰⁷ The regional⁸⁰⁸ and zonal⁸⁰⁹ authorities identified Quarit as one of the *Weredas* with a significant prevalence of child marriage and subsequently selected it as a target for the UNICEF and UNFPA initiatives aimed at eradicating the practice.

From the targeted *Wereda* local government team, from the Culture and Tourism office, highlighted child marriage among girls is highly prevalent and sustained at Quarit because *“the local community value for marrying off girls is equated with the pride one express with educational attainment.”*⁸¹⁰ They also further noted that most of the grassroots community still believes its benefit outweighs.⁸¹¹ This aligns with the perspective of semioticians, who contend that the value of a sign is not innate and is contingent upon its relationship with other

⁸⁰⁴ See Appendix 11; See also In-depth Interview with AA09, 21 April 2022, Finoteselam

⁸⁰⁵ Supra note 524

⁸⁰⁶ English equivalent term of ‘district’

⁸⁰⁷ In-depth Interview with AA09, 21 April 2022, Finote Selam

⁸⁰⁸ In-depth Interview with AA002, 29 April 2022, Bahir Dar; In-depth Interview with AA003, 28 April 2022, Bahir Dar; In-depth Interview with AA004, 28 March 2022, Bahir Dar; In-depth Interview with AA005, 27 April 2022, Bahir Dar

⁸⁰⁹ In-depth Interview with AA04, 22 April 2022, Finote Selam; In-depth Interview with AA09, 21 April 2022, Finote Selam

⁸¹⁰ In-depth interview with A005, March 29/2022, *Quarit*.

⁸¹¹ Ibid

signs.⁸¹² And this finding highlights that the local community values child marriage over girls' education.

5.2.3 The Gender Dimension

Confirming previous findings, girls in the study *Wereda* are disproportionately affected by child marriages.⁸¹³ Moreover, in Quarit *Woreda*, child marriage is a practice that demonstrates a gender dimension in terms of the appropriate minimum age for marriage, justifications underpinning the practice, and its effects on both girls and boys. The appropriate minimum first age at marriage for boys ranges from 18/20 – 37 years.⁸¹⁴ The majority of the participants emphasized that boys are encouraged to attend school. However, the study shows there is still a possibility for boys to be married in their childhood. When negotiating a betrothal agreement, it is customary for the two families to discuss the possibility of exchanging children, with the intention that a boy from the groom's family will wed another girl from the member of the bride-to-be's family.⁸¹⁵ This finding concurs with the form of marriage known as “*Yelewut gabicha*” as identified by Jones, Tefera, et al.⁸¹⁶

Unlike girls,⁸¹⁷ that drive to marry young boys is prevalent for economic considerations.⁸¹⁸ If the two marrying families can exchange a female and a male from each family, neither party is required to pay a bride price. However, in cases where there is a single marriage involving a bride and groom, the groom's family is obligated to pay a bride price in the form of either money worth approximately ETB 5000 to 6000, or gold, locally known as ማጫወድምየጳጅመንሻ. Child marriage among boys relieves the groom's family from the societal obligation to host his wedding celebration at his socially expected marriageable age. One of the adolescent boys recounted the effects of child marriage, stating "Since my parents already celebrated my wedding

⁸¹² See (Chandler 2007, 264)

⁸¹³ See section 4.3

⁸¹⁴ Two of the in-depth informant Priests holds a view that the minimum marriageable age for boys shall be 18 (In-depth Interview with Priest 04, 15 April 2022, Quarit; In-depth Interview with Priest 04, 15 April 2022, Quarit); two of them stated 30 years (In-depth Interview with Priest 02, 9 April 2022, Quarit; In-depth Interview with Priest 03, 9 April 2022, Quarit) and one of them stated 37 (In-depth Interview with Priest 01, 02 April 2022, Quarit)

⁸¹⁵ In-depth interview with A001, 29 March 2022, Quarit ; In-depth interview with A002 & A003, 31 March 2022, Quarit; In-depth interview with A005, A009 & A010, 29 March 2022, Quarit; In-depth interview with A007 & A008, 2 April 2022, Quarit; In-depth interview with A013, 28 March 2022, Quarit; In-depth interview with A01, 3 April 2022, Quarit; In-depth interview with A02, 5 April 2022, Quarit; In-depth interview with A03, 7 April 2022, Quarit; In-depth interview with A06, 10 April 2022, Quarit

⁸¹⁶ See (Jones, Tefera, Emirie, et al. 2016, 11)

⁸¹⁷ See section 4.3

⁸¹⁸ Supra note 715

in childhood, they are no longer responsible for my wedding expenses. So, when I intend to marry, then I shall be in a position to cover the cost myself."⁸¹⁹

5.3 Socio-Cultural Factors that Sustain Child Marriage among Girls at Quarit Wereda

This section discusses the semiotic system:⁸²⁰ the socio-cultural factors that restricted adolescent girls' agency versus the changing norms that supported them in exercising agency. This study indicates the socio-cultural factors that sustained child marriage among girls at Quarit are diverse and entangled. An attempt is made to prioritize the various sociocultural factors that contribute to child marriage among girls in the study area. According to the responses from the Quarit Wereda Women Mobilization Office and the Culture and Tourism Office, "*Akolquway*" / "*wenfel masemelse*" [claiming back debt] is the central factor driving the practice. The Women Mobilization Office added two additional reasons for the practice: "*chagula merget*" [celebration of marriage at childhood] and fear of Kumo ker derogatory gender social norms. In contrast, the research informant team at the Culture and Tourism Office emphasized that the preservation of virginity and "pride" are the primary justifications for the practice. The following section elaborates each of these socio-cultural factors.

5.3.1 Protection of Family Honor

The protection of family honor is a mythical signification,⁸²¹ and hence a constraining factor for middle/late adolescent girls' agency. Study informants stated that marriage establishes a new relationship and bond between families; hence, it is primarily the parents' concern rather than that of the young couple. They also stated that parents are central in deciding the timing and the 'right' family because it is attached to their honor, and the tradition of selecting the "right" family persists. This finding concurs with prior studies indicating that the preservation of family honor is a driving factor in child marriage among girls.⁸²² This study further identified that selecting the 'right' family involves many factors and depends on the interpretation of the marrying families. The informants also stated 'right' family might imply, but not limited to, marrying off their

⁸¹⁹ In-depth interview with AB5, 11 April 2022, Quarit

⁸²⁰ See (Chandler 2007)

⁸²¹ See (Chandler 2007)

⁸²² See (Jones, Presler-Marshall, et al. 2020; Jones et al. 2018, 43; Jones, Presler-Marshall, Baird, Hicks, Emirie, Yadete, et al. 2019; Emirie and Eshetu 2016; Jones, Tefera, et al. 2015; Moghadam 2004)

daughter's seeking wealth,⁸²³ and even, on the contrary, to a boy who is from a low income family but systematically for getting unpaid labor (locally known as "*kanjaye*" or "*wesenaye new*").⁸²⁴

Marriage is a process that not only comprises of creating a marital relationship between families, but also sharing resources for the marrying couples in the form of land/cattle.⁸²⁵ Therefore, in contrast to the law,⁸²⁶ the local conception of marriage puts the parents central to the decision-making process in determining age of marriage, selection of partners and providing consent. The study also shows that the act of parents is often framed as protecting their respective children from getting married to community members who are socially marginalized as a cast group. They are locally referred to as "*buda*" (evil eye), "*faki*," (handcrafts men) and "*barya*" (slave), and hence, are excluded from marrying other community members than from their group. Consequently, parents marry off their daughters at an early age as much as possible before their daughters have a say in selecting their future life partners at the age of 14/15.

5.3.2 Betrothal ("*wel meyaz*")

The betrothal recognized under Article one of the Amhara Regional family law envisages marriage promised by couples who have attained the majority. In contrast to the law, however, the local custom shows that the two parties involved in the betrothal are the marrying families. Prior from the wedding preparation, the request for betrothal and therefore initiating marriage, locally known as "*wel meyaze*," is a right solely given to the father of the groom;⁸²⁷ the bride-to-be or her parents cannot initiate the marriage. When the couples agree to get married without the initiation by the parents, the girl is shamed by indicating "*jenjena agebache*" [she flirted him to marry her]. In this case, parents often incline to accept the marriage out of fear that the girl might run away, though this is an exceptional situation. Accordingly, this study reveals that the bride-to-be and her parents have limited agency than the groom and his parents during betrothal agreement.

⁸²³ FGD with 005 Girls, April 18/2022, *Quarit*

⁸²⁴ In-depth interview with A04, April 1/2022; A01, April 3/2022, *Quarit*; Some parents marry off their girls to ensure the groom's presence after he supports them with his free labour.

⁸²⁵ FGD with 007 Girls, March 30/2022, *Quarit*; FGD with 005 Girls, April 18/2022, *Quarit*.

⁸²⁶ Consent of the marrying couples, who have attained majority, is the foundation of marriage as per the preamble and Article 11, See Amhara National Regional Family Code, 2003, *Supra* note 29.

⁸²⁷ The betrothal recognized under the Amhara Regional family law envisages marriage promises by a girl and a boy who have attained the majority. See Article 1. In contrast to the law, the study shows that the two parties involved in the betrothal are the marrying families.

The existing gender social norm that hinders girls (the bride-to-be), and even her parents from initiating marriage, is a ‘myth’⁸²⁸ that constrain their agency. The parents of the daughter shall wait for the betrothal request, and when there is one, it is considered an "opportunity." Rejection of betrothal commonly results in hatred and even conflicts when the daughter's family agrees to a request from another family later. On the other hand, boys will not be forced to marry girls without their consent.⁸²⁹ They are also involved in choosing their future wives; most adolescent boy study informants highlighted that their fathers would consult them and even see the bride-to-be before arranging the betrothal agreement.

In Quarit *Woreda*, early adolescent girls have no agency, whereas middle/late adolescents can exercise limited agency concerning betrothals. Prior research similarly disclosed that older girls and those who are enrolled in school exert agency in marital choices while most child marriages are arranged in the Amhara Region.⁸³⁰ According to this study, younger/early-age girls are often married off by their families without their knowledge or consent. Those adolescent girls who have not married at the socially appropriate age face stigma from their peers, another socio-cultural factor and a ‘myth’⁸³¹ that constrains their agency to resist child marriage. A study informant, an adolescent girl, shared her experience, “እንከፍ፡ ሁሉ የቤተሰቦችሽን ከብት እየነዳሽ” እያሉ ጓደኞቼ ያናድዱኛል” (meaning “My friends always annoy me, tease me, by saying shepherd of her parents' cattle ...”).⁸³²

5.3.3 “Akolkway”/ “wenfel masemelse”

Marriage is honored, and its celebration is a deep-rooted tradition adhered to by the community, involving social sanctions on those who deviate.⁸³³ Parents have an active and vital role in fulfilling their responsibility regarding the wedding ceremony and building strong collaboration among neighbors, locally known as “*akolkway meshome*” or “*wenfel masemelse*” [claiming

⁸²⁸ See (Chandler 2007)

⁸²⁹ Except for two (AB1 & AB5- *Chagula Regtewal*, meaning they were married in their childhood), all in-depth interview participant adolescent boys were not forced into marriage. An in-depth interview with E02 (11 April 2022, Quarit) shows changing norms that provide the agency in the choice of marriage partner for boys.

⁸³⁰ See (Jones, Presler-Marshall, et al. 2020)

⁸³¹ See (Chandler 2007)

⁸³² In-depth interview with AG08, 12 April 2022, Quarit

⁸³³ Ibid. Those who have not celebrated marriage by inviting the neighbourhood are considered 'greedy' and belittled. Will be named as the person who has not still seen the flower/ '*adugna*' (means happiness) of their child. They will be ashamed in times of social gatherings (*Idir*, '*Senbete*', '*mahber*')

back debt]. Each neighboring family contributes 50-100 *Injera* [sourdough flatbread], three pots of ‘*wot*’ [stew], and three containers of ‘*madega tella*’ [local alcoholic drink]. This finding concurs with those of Jones et al.⁸³⁴ who have identified social norms on “*Aqolquay*” is prevalent in Quarit and define it as even broadly as “ *Money, injera, and other items that they have given to others in the community during others’ wedding ceremonies in Aneded and Quarit, Amhara.* ” They further noted *Akolkuway* is also referred to as ‘*lemate*.’⁸³⁵

Nearly all of the study participants stated child marriage among girls in the study area is still prevalent due to *Akolkuway*. According to one of the community facilitators involved in the study, the social norms surrounding *Akolkuway* serve as a driving force behind child marriages.⁸³⁶ He further indicated that this practice is a means of ensuring that the food and the local beverages contributed by the community are not wasted.⁸³⁷ Similarly, a local elder stated “*in our culture there is debt, so called “tella meshome” [meaning contributing local drink], on the belief that ‘when I marry off my children,’ I claim all the contributions I made during other person’s celebration of marriage.*”⁸³⁸ An FGD participant explained the strength of the social norm on *Akolkuway* stating, “*There is a widely known debt locally referred as ‘lemat,’ / English equivalent term is plate/container for local food/ ‘injera.’ And the community is deeply concerned when to get it back, of course when they marry their child.*”⁸³⁹

5.3.4 “Chagula merget”/ “Daweja mdqedqe”

Marrying off girls at a very young age, locally known as “*chagula merget*”/ “*daweja mdqedqe*,”⁸⁴⁰ is seen as a protective factor from sexual violence such as rape or fear of becoming lone women after her prime age passes. This is a widely held belief within the local community that serves as a protective symbol, a mythical signification⁸⁴¹ that safeguards both the girl and her parents from the stigma of losing virginity before marriage, which is deemed unacceptable

⁸³⁴ See (Jones et al. 2016, 12)

⁸³⁵ Ibid

⁸³⁶ In-depth interview with CF 01, 30 March 2022, Quarit

⁸³⁷ Ibid

⁸³⁸ In-depth Interview with E01, 6 April 2022, Quarit

⁸³⁹ FGD 006, 2 April 2022, Quarit

⁸⁴⁰ The term ‘celebrating marriage ceremony’ better describes *chagula merget*”/ “*daweja mdqedqe*’ than ‘marriage at the young age.’ However, sometimes the latter meaning seems more fitting as ‘*chagula regta keneber*’ – refers to the girl married at the young age. This ambiguity is created because marriage celebration is viewed as marriage per say (with or without consummation of marriage) in the study locality.

⁸⁴¹ See (Chandler 2007, 145)

by prevailing gendered social norms, even in cases of rape or under other coercive circumstances. Previous studies have similarly demonstrated that girls are subject to the management and control of their sexuality, which sustains child marriage.⁸⁴²

According to this study, if a girl marries at a young age ("*chagula regta keneber*"), age of sexual intercourse is not that relevant. Moreover, the girl will not be socially sanctioned or insulted as "*kumo ker*" [unwanted/ a spinster].⁸⁴³ Another participant shared his view, “ለእነርሱ ደርሳ ትምጣ እንጂ አገባች አገባች አይደለም” (meaning, “*The primary concern of our community is for the girls to leave her parents' home as a bride and be received with honor by the groom's family, regardless of the duration of the marriage or whether she returns home the following day.*”⁸⁴⁴It is important to note that while the phrase "celebrating marriage ceremony" more accurately describes "*chagula merget*" / "*daweja medeqdeq*" in line with the legal meaning of marriage, locally the term refers to "marriage at the childhood." This is particularly true when referring to "*chagula regta keneber*," which specifically refers to a young girl who is married. However, it should be noted that marriage in the eyes of the law shall involve consummation of marriage and the "*chagula merget*" / "*daweja medeqdeq*" is only ceremonial.

5.4 Conclusion

For parents' marriage has a strong meaning, while it is a 'process' and an alternative means of livelihood for adolescent girls. Consequently, parents took responsibility not only for 'whom' their daughter is going to marry but also for fixing girls' marriageable age. The study shows female parents' preference as the least marriageable age (11/12), followed by male parents (15), and adolescent boys (15-20), respectively. For girls, marriage is part of their life that they are compelled to pass through in their 'childhood' or at most in their 'young' age, and a choice less choice' (opting for economic betterment or means of livelihood) when they reach middle/late adolescence; hence, married under legal 'cut-off' age. Upon examining the views of the grassroots community regarding girls' marriageable age, it is evident that all local norm holders play a crucial role in determining the appropriate age for marriage in their respective communities, while parents are in the 'driving' seat.

⁸⁴² See (Jones, Presler-Marshall, et al. 2020; Jones, Presler-Marshall, Baird, Hicks, Emirie, Yadete, et al. 2019; Greene et al. 2018; Emirie and Eshetu 2016)

⁸⁴³ Supra note 669.

⁸⁴⁴ In-depth interview with A014, 15 April 2022, Quarit

Girls in Quarit are disproportionally affected by child marriages because of the existing gender dimension embedded in setting the appropriate minimum age for marriage and the justifications underpinning the practice. Child marriages in the study *Wereda* are predominantly arranged by parents while changing norms on adolescent-led child marriages are also documented, underscoring its relevance for girls to exert agency: in the process of meaning-making and mythical signification. In Quarit, four different forms of marriages are prevalent, including religious marriages, “Dersomelse gabecha,” “Yelewut gabicha,” and “Yegalemota gabecha.”

The four main socio-cultural factors, i.e the semiotic system that limited adolescent girls from exerting agency are described: protection of family honor, “wel meyaze,” [betrothal], “akolkuway meshome” or “wenfel masemelse” [claiming back debt], and “chagula merget”/ “daweja mdqedqe” [celebration of marriage at childhood]. Protection of virginity justifies the setting of a low marriageable age for girls at first marriage, as voiced by male parents, religious fathers, the local elders, and boys. The prevailing community perspective on misconceptions about girls’ sexuality, a mythical signification, is often used to justify marrying underage girls. It is also the foundation for pushing girls' marriageable ages below the statutory age. In this regard, the study identified two important ages attached to girlhood, 12 as a 'socially appropriate' age for marriage and 15 as the ‘age of consent.’

CHAPTER SIX

Role of State and Non-State Institutional Actors in Combating Child Marriage among Girls at Quarit Wereda

This chapter aims to identify the various institutional actors, including local government, CBO's and global partners (i.e., UN agencies or intergovernmental organizations (IGOs)) that are active in the fight against underage marriage among girls in the studied *Wereda*. It has five sections. It starts by introducing the collaborative approach employed among the local government in collaboration with the IGOs to eliminate child marriage among girls. The local government's institutional response to preventing girls' child marriage in Quarit *Woreda* is examined by emphasizing the roles undertaken by the Bureau of Women and Social Affairs, the Justice System, the Education Sector, the Health Sector, and the Culture and Tourism Sector. The second part of the chapter presents a discussion of these collaborative efforts at the federal, regional, and zonal levels. The chapter is organized in such a manner that it initially investigates the responsibilities of local partners and subsequently evaluates the roles of IGOs. Accordingly, it offers an analysis of CBO initiatives, followed by a review of IGOs in the third and fourth sections, respectively. The fifth section describes the power dynamics and effectiveness of the institutional actors who are actively working to prevent child marriage among girls at Quarit *Woreda*. Finally, the chapter concludes by providing summary of the key findings.

6.1 Joint Initiative as a Pathway to Eliminating Child Marriage

Child marriage is a multifaceted problem that results from cultural⁸⁴⁵, social⁸⁴⁶, religious⁸⁴⁷, and economic⁸⁴⁸ factors that are further reinforced by gender inequality.⁸⁴⁹ To address this problem, a comprehensive strategy that engages various state institutions and non-state stakeholders from national to grassroots community level is necessary. Accordingly, Ethiopia has established a

⁸⁴⁵ See (Gelfand, Nishii, and Raver 2006)

⁸⁴⁶ See (Wahhaj et al. 2015; Kassegne, Kwaak, and Kok 2023)

⁸⁴⁷ Some religions may allow and even encourage girls' child marriage under certain circumstances, see (Sarkar 2013)

⁸⁴⁸ See (Vergroesen 2018)

⁸⁴⁹ Gender inequality is mentioned as one of the root causes of child marriage since girls are disproportionately affected by the practice than boys across the globe, see (Bunting 2005; Barney et al. 2022; Jones, Presler-Marshall, et al. 2020; Greene et al. 2018)

policy direction that guides the coordination of efforts to eliminate child marriage, along with FGM, through launching a National Costed Roadmap (2020-2024) in 2019.

The National Roadmap to End Child Marriage (and FGM) aims to ‘accelerate efforts’ against child marriage in the country. It outlines the key actions and resources needed to achieve its goal of eliminating child marriage five years ahead of SDGs target of 2030. It also sets a plan for how the local government, CBO’s and global partners can collaborate under the guidance of MoWSA (Ministry of Women and Social Affairs). The National Roadmap was developed by MoWSA (previously Ministry of Women, Children, and Youth Affairs) with technical and financial support from the United Nations Children's Fund (UNICEF), the United Nations Population Fund (UNFPA), and the United Nations Entity for Gender Equality and the Empowerment of Women (UN Women).⁸⁵⁰ Other international organizations⁸⁵¹ also provided technical support for MoWSA during the development of the Roadmap.⁸⁵²

The Ministry of Finance (MoF) plays a crucial role in the utilization of the budget assigned for combating child marriage among multiple government stakeholders. At the same time, it monitors funding mechanisms for various initiatives of non-state actors.⁸⁵³ According to an interview made with the study informant, MoWSA has a mandate to ask budget for activities planned for curbing child marriage.⁸⁵⁴ The MoF will assign program budgets and conduct budget tracking in line with the bi-annual performance report by MoWSA.⁸⁵⁵ The other informant from MoF stated that, currently, MoWSA has two main budgeted activities⁸⁵⁶ under the broader program of ‘Protection of Children Rights.’⁸⁵⁷ Hence, detailed activities will be planned and

⁸⁵⁰ See (MoWSA 2019)

⁸⁵¹ Namely CARE Ethiopia, ChildFund, Gender, and Adolescence: Global Evidence (GAGE), Norwegian Church Aid, Save the Children, and the UK Department for International Development (DFID), See (MoWSA 2019)

⁸⁵² Ibid

⁸⁵³ The Roadmap states that the role of the Ministry of Finance is to "ensure the mainstreaming of child marriage into sectorial plans and program budgets, the effective and efficient utilization of budgets, budget tracking and transparency, as well as monitoring of partner funding mechanisms" see (MoWSA 2019)

⁸⁵⁴ In-depth interview with AD11, 27 June 22, Addis Ababa

⁸⁵⁵ Ibid.

⁸⁵⁶ The two budget line activities submitted by MoWSA to MoF under the ‘Program of Protection of Children Rights’ include ‘Promoting Children's Rights, Safety and Participation’ and ‘Ensuring the Inclusive Benefits of Children,’ See In-depth interview with AD12, 27 June 22, Addis Ababa

⁸⁵⁷ In-depth interview with AD12, 27 June 22, Addis Ababa

conducted by MoWSA in line with its mandate of setting policy direction and coordination of critical stakeholders to eliminate child marriage at the national level.⁸⁵⁸

The National Roadmap has recognized the ‘Regional Sectorial Bureaus’ as one of the central stakeholders in combatting child marriage.⁸⁵⁹ Operating under the direction of the Bureau of Women and Social Affairs (BoWSA), the Regional Sectorial Bureaus have a shared responsibility to implement the National Roadmap by closely working with key national government agencies, the Federal Parliament.⁸⁶⁰, Ministry of Justice, Ministry of Health, Ministry of Finance, Ministry of Education, and Ministry of Labor and Skills⁸⁶¹ (the former Ministry of Labor and Social Affairs).⁸⁶² This entails that elimination of child marriage necessitates a collaborative effort among the state actors.

With the view to execute its mandate over the Roadmap, MoWSA has established the National Alliance to End Child Marriage and FGM,⁸⁶³ along with the Regional Alliance across regions. The IGOs participate actively nationally, where UNICEF co-leads the National Alliance.⁸⁶⁴ The following sections will describe the collaboration among Amhara Region Sectorial Bureaus by providing more emphasis on the leading role of BoWSA along with its collaborative efforts with Justice, Education, Health, and Culture Sectors on the one hand, and also with national, regional and zonal offices; and the non-state actors in implementing the National Roadmap at the study *Wereda*.

⁸⁵⁸ Ibid; In-depth interview with AD2, 1 June 22, Addis Ababa

⁸⁵⁹ The role of regional bureaus enshrined under the Roadmap states, "Activity and resources at the federal level will be reflected at the regional administrative level taking into account regional contexts " see (MoWSA 2019)

⁸⁶⁰ The Roadmap stipulates that the federal parliament is bestowed with the power of "designing and applying standard monitoring and evaluation mechanisms with a view to discharge its oversight role for supporting the implementation of this Roadmap."

⁸⁶¹⁸⁶¹ The Ministry of Labor and skill has a vital role to play in terms of "coordinating the inclusion of vulnerable adolescent girls in social protection programs," see (MoWSA 2019)

⁸⁶² See (MoWSA 2019). The National Roadmap has six purposes to guide its design. The fourth goal is to define "the roles of different actors in ending child marriage (and FGM) and implement accountability mechanisms to ensure each stakeholder contributes."

⁸⁶³ National Alliance to end child marriage and FGM comprises 16 members from government stakeholders (i.e., MoWSA, Ministry of Education, Ministry of Health, Ministry of Justice, and 12 regional representatives from Women and Social Affairs) and 12 from non-governmental organizations (UNICEF, UNFPA, GAGE, UN Women, GIZ, Norwegian Church Aid, Engender Health, CARE International, Child Fund, Irish Aid, Action Aid and SAVE the Children)

⁸⁶⁴ In-depth interview with AD3, 16 May 2022, Addis Ababa

6.2 Role of Local Government

In Amhara Region, the local government has demonstrated its dedication to eliminating harmful practices, especially child marriage, by establishing structural mechanisms. These include setting up steering⁸⁶⁵ and technical committees⁸⁶⁶ at different levels of administration: *Region*, *Zone*, *Wereda*, and *Kebele*. The technical committee, which is also known as the harmful practice (HP) eliminating committee, has been established as a nationwide initiative,⁸⁶⁷ including *Quarit Wereda*. The following section will explain the respective mandate and role of the HP committee members in combating child marriage among girls in the study *Wereda* in collaboration with the national and local stakeholders.

6.2.1 Role of Women and Social Affairs Bureau

The Ministry of Women and Social Affairs (MoWSA) coordinates efforts and strategies that promote gender equality, women's empowerment, and children's and adolescents' well-being.⁸⁶⁸ Accordingly, the National Roadmap confers the Ministry's mandate to lead and facilitate the enforcement of combatting child marriage initiatives.⁸⁶⁹ MoWSA operates at different administrative levels. It has Regional, Zonal, and *Wereda* offices that report to the federal Office. The federal Office collaborates directly and closely with the Regional Office - the Bureau of Women and Social Affairs (BoWSA).⁸⁷⁰

⁸⁶⁵ The steering committee is led by *Quarit Wereda* Deputy Administrator (Head), Women, Children and Social Affairs (Deputy Head), and its secretary, Culture and Tourism. It also has additional 13 members, representing the Agriculture Office; Education Office; Health Office; Justice Office; Police; Labour and Social Affairs; Court; Communication Office; Amhara Women Association; Amhara Youth Association; Non-Governmental Organizations (NGOs), and Religious representative.

⁸⁶⁶ The technical committee is directed under the leadership of the *Wereda* Women Mobilization Team Lead (Head); Youth Mobilization Team Lead (Deputy), and its secretary by the Culture and Tourism representative. It comprises additional 12 members: Administration Office; Education Office; Health Office; Agriculture Office; Justice Office; Police; Labor and Social Affairs; Court; Youth Association; Women Association; Communication and Religious representative.

⁸⁶⁷ The Regional Women Affairs Bureaus had established the National Committee on the Eradication of HTPs in collaboration with non-governmental organizations (notably the Ethiopian Women Lawyers Association). The committee has been established in most regional states with the ultimate purpose of eradicating the practice of child marriage and abduction through mobilizing the community. See (Cedaw /C/Eth/ 2009); See also *Ethiopian Global Database on VAW*. 2009. accessed 23 April 2023. <https://evaw-global-database.unwomen.org/en/countries/africa/ethiopia/2009/national-committee-on-the-eradication-of-harmful-traditional-practices>

⁸⁶⁸ See (MoWSA 2019)

⁸⁶⁹ Ibid.

⁸⁷⁰ In-depth interview with AD2, 1 June 2022, Addis Ababa

The MoWSA at the national level and its Bureaus at the regional level will manage the overall National Costed Roadmap.⁸⁷¹ They will also monitor regularly to ensure that all actors follow the plan, implement it, and report on the progress.⁸⁷² In line with this, BoWSA leads the Amhara region initiatives to fight girls' child marriage. Consequently, BoWSA leads the Amhara Regional Alliance to End Child Marriage (and FGM) initiatives.⁸⁷³ The Alliance provides a platform for coordinating the efforts of state⁸⁷⁴ and non-state⁸⁷⁵ actors to address the issue of child marriage in the region. It is also significant in uniting efforts, sharing experiences, and avoiding duplication of efforts to prevent and respond to child marriage among girls.⁸⁷⁶

An important issue regarding child marriage is how it should be categorized under BoWSA as a women's or child's issue. Based on the in-depth interviews conducted, this issue has caused debates between the Women's Mobilization and Child Rights departments at the national⁸⁷⁷, regional,⁸⁷⁸ zonal⁸⁷⁹ and study *Wereda* levels.⁸⁸⁰ At the federal level, the Child Rights department took over the planning of child marriage prevention from the Women's Mobilization department in 2020/21.⁸⁸¹ However, implementing the plans still involves the collaboration of both departments.

The Women's Mobilization department still leads the elimination of child marriage enforcement initiatives at the Regional, Zonal, and study *Wereda* levels. Accordingly, in Quarit *Wereda*, Women Mobilization Office (WMO) leads the HP technical committee through joint planning and continues monitoring and evaluation by mobilizing the technical committee members. Thus,

⁸⁷¹ Ibid.

⁸⁷² Ibid.

⁸⁷³ The Alliance has a Steering and Technical Committees; the Steering committee holds the senior management of the local government, CBO's and global partners, while the technical committee comprises the technical mid-level managers of the state and non-state members of the Alliance, see In-depth interview with AA008, 2 August 2022, Addis Ababa

⁸⁷⁴ BoWSA (Chair), Health Bureau (Co-Chair), Bureau of Culture and Tourism (Secretary), Bureau of Education, Police and Prosecutor; see In-depth interview with AA008, 2 August 2022, Addis Ababa

⁸⁷⁵ Membership for the non-state actors is open. Active NGO members comprise UNICEF, UNFPA, Plan International, SAVE the Children, World Vision, and CARE Ethiopia. From CBO, the Amhara Women Association and Inter-Religious Council are members.

⁸⁷⁶ Ibid.

⁸⁷⁷ In-depth interview with AD4 and AD5, 20 June 2022, Addis Ababa

⁸⁷⁸ An officer from the child rights department refused to take part in this current study until child marriage prevention officially assigned to their department.

⁸⁷⁹ In-depth interview with AA01, 20 April 2022, Finoteselam

⁸⁸⁰ In-depth interview with A001, 29 March 2022, Quarit

⁸⁸¹ In-depth interview with AD4 and AD5, 20 June 2022, Addis Ababa

it is the WMO⁸⁸² that led the Regional Alliance to end child marriage initiatives in the Amhara Region. BoWSA, under its WMO, has also delegated a focal person to monitor and follow up on the initiatives that aim to combat child marriage in all *Weredas*, including Quarit.⁸⁸³ The follow-up support is usually done remotely through phone, while in-person monitoring will be conducted by the Mobilization Office and the regional Children's Affairs Office once a year.⁸⁸⁴ A study participant reported that despite remote support being ineffective, there are no alternative options available given the existing budget constraints.⁸⁸⁵ The participant mentioned that in-person monitoring primarily consists of field visits.⁸⁸⁶ Engaging with local communities and discussing their perspectives on child marriage while simultaneously raising awareness are key components of in-person support.⁸⁸⁷ Additionally, this approach involves providing technical assistance to *Kebele*-level authorities through pre-prepared checklists and assessing their plans and actions aimed at combating child marriages.

BoWSA facilitates review meetings of the technical committee, builds their capacity through training and provides the committee with a checklist during monitoring visits to *Wereda*, including Quarit.⁸⁸⁸ However, study participants noted the budget limitation: *"When there is enough budget, the committee will meet quarterly. If not, it will meet once a year."*⁸⁸⁹ UNICEF closely works with BoWSA for the required budget and technical support.⁸⁹⁰

The Zonal Women and Social Affairs Office leads all initiatives at the Zonal level to eliminate the practice of girls' child marriage. The plan of the Zonal Technical Committee is approved by the Steering Committee, which also helps and accompanies the technical team during the scheduled monitoring and follow-up visits to *Wereda*, including Quarit. The study participants highlighted the presence of the Steering Committee as vital because they are senior government

⁸⁸² Mainly, the Women Mobilization and Participation Enhancement Directorate Director leads the Regional Alliance to End Child Marriage; See In-depth interview with AA008, Addis Ababa

⁸⁸³ In-depth interview with AA003, 28 April 2022, Bahir Dar; In-depth interview with AA006, 28 April 2022, Bahir Dar

⁸⁸⁴ In-depth interview with AA003, 28 April 2022, Bahir Dar.

⁸⁸⁵ Ibid

⁸⁸⁶ Ibid

⁸⁸⁷ In-depth interview with AA001, 27 April 2022, Bahir Dar; In-depth interview with AA002, 29 April 2022, Bahir Dar; In-depth interview with AA004, 28 March 2022, Bahir Dar; In-depth interview with AA005, 2 April 2022

⁸⁸⁸ In-depth interview with AA004, 22 April 2022, Finote Selam

⁸⁸⁹ In-depth interview with AA004, 22 April 2022, Finote Selam

⁸⁹⁰ In-depth interview with AD 2, 1 June 2022, Addis Ababa; In-depth interview with AD 13, 2 August 2022, Addis Ababa

officials who have the authority to order and influence.⁸⁹¹ And the *Wereda* Administrator, the head of the steering committee, coordinates the efforts against harmful practices, including child marriage, at the *Wereda* level.⁸⁹²

Gender and Adolescence: Global Evidence (GAGE), an international research organization, has significantly contributed to MoWSA's notable achievements in developing a standardized verification tool that helps to verify HP-free *Kebeles* systematically.⁸⁹³ MoWSA previously used a tool for verification purposes but received feedback that it needed to incorporate community readiness.⁸⁹⁴ The concept of community readiness encompasses both present-day practices and beliefs surrounding child marriage as well as shifting attitudes and trends that evolve over time.⁸⁹⁵ A revised tool was developed in collaboration with GAGE.⁸⁹⁶ The tool has undergone a pilot test and was distributed to the regions for implementation in mid-2023.⁸⁹⁷ It addresses the gaps in the previous tool that MoWSA used for the same purpose.⁸⁹⁸ MoWSA expects regions to use the new tool by working closely with universities across regions.⁸⁹⁹

6.3 Role of the Justice System

Study shows that the Justice System established structural machinery to safeguard the rights of children and women effectively. At the national level, one of the explicit mandates of the Ministry of Justice (MoJ) is to respect and protect their legal rights.⁹⁰⁰ Moreover, to combat violence against women and girls (VAWG), a special department that works closely with the police to pursue legal action against the offenders is established nationally.⁹⁰¹ This department

⁸⁹¹ In-depth interview with AA09, 21 April 2022, Finote Selam

⁸⁹² In-depth interview with AA005, 27 April 2022, Bahir Dar

⁸⁹³ In-depth interview with AD3, 16 May 2022, Addis Ababa; In-depth interview with AD2, 1 June 2022, Addis Ababa

⁸⁹⁴ In-depth interview with AD2, 1 June 2022, Addis Ababa

⁸⁹⁵ Ibid

⁸⁹⁶ In-depth interview with AD3, 16 May 2022, Addis Ababa; In-depth interview with AD2, 1 June 2022, Addis Ababa; GAGE is a member of the National Alliance to End Child Marriage and FGM in Ethiopia. It has actively contributed to the Alliance through longitudinal research evidence since 2017. GAGE has also co-designed the Roadmap to end child marriage and FGM, see also (MoWSA 2019)

⁸⁹⁷ Ibid

⁸⁹⁸ Ibid

⁸⁹⁹ In-depth interview with AD2, 1 June 2022, Addis Ababa

⁹⁰⁰ See *FDRE Ministry of Justice.Mandate*. Accessed 15 June 2022. Available at <https://www.eag.gov.et/en-us/About-Us/Mandates>

⁹⁰¹ In-depth interview with AD6, 27 May 2022, Addis Ababa; In-depth interview with AD7, 10 June 2022, Addis Ababa

investigates and prosecutes VAWG cases in collaboration with the police.⁹⁰² In Quarit *Wereda*, however, there are not enough police officers for investigating the existing cases that include reaching *Kebeles* with no access to transportation.⁹⁰³ And, hence, there is no focal prosecutor in charge of VAWG cases. A study participant expressed this challenge as follows:-

The absence of a dedicated focal person for VAWG cases at the prosecutor's office presents a significant obstacle to effectively addressing the issue of combatting child marriages. Specifically, this implies that there is no one to hold accountable for failure to bring cases of child marriage before the courts. Consequently, these cases are often handled by various prosecutors at different times, which complicates the efforts to resolve them in a timely and effective manner(In-depth interview with AA004, 28 April 2022, Finote Selam)

At the federal level, an additional department is created with a mandate of reviewing and enforcing the existing laws to address any gaps or challenges on the rights of children and women.⁹⁰⁴ The MoJ also partners with non-state actors such as UNICEF, UN Women, EWLA, and SAFE House to effectively prevent and respond to VAWG.⁹⁰⁵

One of the primary responsibilities of the Justice Office in the fight against child marriage is prevention. Discharging its prevention responsibility necessitates harmonizing the laws on child marriage with the existing gender/social norms through providing continuous awareness rising.⁹⁰⁶ The participants of the Justice Office from national to *Wereda* level highlighted that they have not yet been able to effectively fulfill the prevention role, as cultural and religious beliefs often justify child marriage.⁹⁰⁷ One of the informants said, “*Even though we explain to the community that marrying off a girl before legal adulthood is a crime, they do not listen until*

⁹⁰² Ibid

⁹⁰³ In Quarit *Wereda*, there are two investigative police officers and one coordinator, see In-depth Interview with A007, 26 April 2022, Quarit

⁹⁰⁴ Ibid

⁹⁰⁵ In-depth interview with AD6, 27 May 2022, Addis Ababa; In-depth interview with AD7, 10 June 2022, Addis Ababa

⁹⁰⁶ See (MoWSA 2019)

⁹⁰⁷ In-depth Interview with A002, 31 March 2022, Quarit; In-depth Interview with A003, 31 March 2022, Quarit In-depth Interview with A007, 26 April 2022, Quarit; In-depth interview with AD6, 27 May 2022

they are arrested. They have not understood or are not yet convinced.”⁹⁰⁸ Similarly, another participant noted, *“The community has not yet accepted the statutory law as its law.”*⁹⁰⁹ Another participant highlighted, *“the community still prefers to follow the existing social/cultural norms rather than the statutory law on child marriage.”*⁹¹⁰ Accordingly, the prosecutors in Quarit Wereda are closely working with religious fathers and elders during public awareness rising.⁹¹¹

The primary duty of the Justice Office, apart from contributing to the prevention, is to end child marriage by enforcing the law that criminalizes the practice.⁹¹² This includes collecting data on the investigation and prosecution of these cases.⁹¹³ Consequently, enhancing the knowledge of law enforcement officials on how to deal with child marriage cases is essential.⁹¹⁴ Study findings show that MoJ has been continuously building the awareness of the police officers close to the grassroots community.⁹¹⁵ However, the MoJ has a limited role in overseeing the regional authorities, as they are primarily responsible for preventing and monitoring crimes against women and children.⁹¹⁶ The MoJ has recently established a Directorate to supervise and support the regions and to collect data on crimes against women and children every quarter.⁹¹⁷

The Amhara Region Justice Bureau has a Human Rights Directorate with a team working on women's and children's rights.⁹¹⁸ Its primary role is to protect children and women from violence through legal awareness raising and prosecution.⁹¹⁹ The study reveals that the Justice Bureau considers criminal prosecution as a final option and therefore focuses on its role in raising awareness and mobilizing the community to stop girls' child marriage.⁹²⁰

⁹⁰⁸ In-depth interview with A002, 31 March 2022, Quarit

⁹⁰⁹ In-depth interview with A003, 31 March 2022, Quarit

⁹¹⁰ Ibid

⁹¹¹ In-depth interview with A002, 31 March 2022, Quarit; In-depth interview with A003, 31 March 2022, Quarit

⁹¹² See (MoWSA 2019)

⁹¹³ Ibid.

⁹¹⁴ Ibid.

⁹¹⁵ In-depth interview with AD6, 27 May 2022

⁹¹⁶ In-depth interview with AD7, 10 June 2022, Addis Ababa

⁹¹⁷ Ibid; However, the data is much aggregated; it lacks specific information such as the type of violence, and the background of the perpetrators (education level, age, and economic status)

⁹¹⁸ In-depth interview with AA005, 27 April 2022, Bahir Dar

⁹¹⁹ In-depth interview with AA001, 27 April 2022, Bahir Dar; In-depth interview with AA005, 27 April 2022, Bahir Dar

⁹²⁰ In-depth interview with AA005, 27 April 2022, Bahir Dar

⁹²⁰ Ibid

The Zonal Justice Office had been collaborating with Quarit *Wereda* to carry out its responsibility of preventing girls' child marriage.⁹²¹ Before each monitoring visit, the Zonal Justice office prepares checklists that focus on preventing child marriage.⁹²² The prosecutors' team supervises the public awareness campaigns that inform the community about the law, the nullity of underage marriage, and the possibility of criminal prosecution.⁹²³

The study shows that the Justice Bureau's efforts on prevention as an approach have been strongly challenged. An informant noted, *"Due to the public awareness raisings conducted, the community has acknowledged that child marriage is a punishable act. However, it is still widely prevalent being conducted underground; hence it is not prosecuted due to lack of evidence."*⁹²⁴ Study informants from the Justice Office pointed out that the community does not cooperate as witnesses when legal action is taken.⁹²⁵ A health extension officer mentioned how gathering sufficient information was difficult as *"all community members are affiliated(i.e. they are relatives with blood or marriage)in some way and will not testify one up on the other."*⁹²⁶ The local government officials at the *Kebele* level are aware of the issue. However, they are hesitant to appear as witnesses, according to another participant, who also observed that the grassroots level government officials are prospective witnesses, but being a witness has life-threatening consequences.⁹²⁷ Sometimes, the *Kebele* Administrators participate in underage marriages instead of holding the parents accountable.⁹²⁸

Based on the findings, one can reasonably conclude that the justice system's role in eliminating girls' child marriage has been 'very minimal'⁹²⁹ due to the law enforcement gap.⁹³⁰ A study informant pointed out the gap in enforcing child marriage laws as follows:

⁹²¹ In-depth interview with AA05, 20 April 2022, Finote Selam; In-depth interview with AA07, 20 April 2022, Finote Selam; In-depth interview with AA08, 20 April 2022, Finote Selam

⁹²² In-depth interview with AA05, 20 April 2022, Finote Selam; In-depth interview with AA07, 20 April 2022, Finote Selam

⁹²³ Ibid; a study informant who has worked for the justice office for over seven years said that the court had not received any appeal cases from *Wereda* on child marriage prosecution, including Quarit, see In-depth interview with AA08, 20 April 2022, Finote Selam.

⁹²⁴ In-depth interview with AA001, 27 April 2022, Bahir Dar

⁹²⁵ In-depth interview with AA07, 20 April 2022, Finote Selam

⁹²⁶ In-depth interview with HE02, 8 April 2022, Quarit

⁹²⁷ In-depth interview with AA08, 20 April 2022, Finote Selam

⁹²⁸ In-depth interview with AA07, 20 April 2022, Finote Selam

⁹²⁹ In-depth interview with AD6, 27 May 2022

⁹³⁰ Ibid; MoJ sets an explicit plan to improve the law enforcement gap in 2023/2024

The Justice Office has a minimal role because parents are perpetrators of child marriage crimes, so reporting is a huge challenge. We can only prosecute in rare cases where a family member opposes child marriage and provides evidence. Moreover, the police station is too far from the communities, discouraging reporting. Besides, child brides are often unaware of parental arranged marriages. Girls who have information about their marriage resist by running away (In-depth interview with AD6, 27 May 2022, Addis Ababa).

The research informants have conflicting opinions on criminalizing parents for child marriage cases. A participant stated, *“Imprisonment of parents has no value since they are marrying off their daughters with good intention.”*⁹³¹ However, this view was challenged by other participants.⁹³² One of them argued the value of enforcing the law and protecting resisting girls, saying, *“Parents seek their happiness, not their daughters when they marry off underage girls. Furthermore, the law enforcement gap will only be rectified when the punishment is not only enforced but also becomes severe.”*⁹³³ Furthermore, the AU General Comment on the Prohibition of Child Marriage emphasizes the significance of implementing and enforcing the criminal provisions.⁹³⁴

Providing protection for girls who flee underage marriages is one of the primary issues mentioned by MoJ.⁹³⁵ Another study informant similarly made the point that *“there is no protection system for many girls who runaway resisting child marriage.”*⁹³⁶ Girls who are resisting should have access to a secure, temporary place to stay.⁹³⁷ The African Committee of Experts on the Rights and Welfare of the Child has underscored the importance of providing shelter to girls who escaped child marriage.⁹³⁸ Figuring out who will be in charge of safeguarding

⁹³¹ In-depth interview with AD8, 27 May 2022, Addis Ababa

⁹³² In-depth interview with A002, 31 March 2022, Quarit; In-depth interview with A002, 31 March 2022, Quarit; In-depth interview with AD8, 10 June 2022, Addis Ababa

⁹³³ In-depth interview with AD8, 10 June 2022, Addis Ababa

⁹³⁴ Supra note 491

⁹³⁵ In-depth interview with AD6, 27 May 2022, Addis Ababa

⁹³⁶ In-depth interview with AD6, 29 March 2022, Quarit

⁹³⁷ See (ACPF and Plan 2019)

⁹³⁸ Supra note 486

their safety is a crucial matter as well. And this falls under the responsibility of MoWSA, an organization whose goals include "child right, child protection, and gender equality."⁹³⁹

The justice bureau has been working closely with UNICEF since 2002 to combat child marriage in selected thirty *kebeles* of Quarit *Weredas*.⁹⁴⁰ UNICEF offers both technical and financial support. A study participant claimed that UNICEF's budget support has been extremely helpful in conducting regular follow-up and monitoring visits.⁹⁴¹ The technical component of their assistance is also beneficial as it engages elders and religious leaders.⁹⁴² UNICEF advises on the planning and execution of the activities and evaluates their progress with regular quarterly reports.⁹⁴³ It also verifies the quality of the implementation and collaborates with the local government partners in joint monitoring and review meetings.⁹⁴⁴ As of 2021/2022, the UNICEF initiative covers sixteen *Weredas*, including six from the previous target and ten newly included child marriage 'hot spot' *Weredas*.⁹⁴⁵ According to the informant of the study, prevention efforts in Quarit *Wereda* are in their initial stages as it is among the newly included targets.⁹⁴⁶

Regarding prosecution of child marriage cases, the study informants highlighted two contrasting interpretations of prosecutors.⁹⁴⁷ Some prosecutors insist that child marriage is illegal as per Article 648 of the Criminal Code and argue it is possible to take the case into criminal courts directly.⁹⁴⁸ On the other hand, other *Weredas* will not take criminal prosecution before invalidating child marriage under civil courts as per article 649 of the criminal code.⁹⁴⁹ If the civil court does not declare child marriage invalid, then the criminal court will not punish anyone for child marriage, as the law is evident in this regard.⁹⁵⁰ In those *Weredas* that strictly follow

⁹³⁹ See Federal Democratic Republic of Ethiopia (FDRE) Ministry of Women and Social Affairs. *Mission Statement*. Accessed 15 June 2023. Available at <https://www.mowsa.gov.et/mission-and-vision/>

⁹⁴⁰ In-depth interview with AA005, 27 April 2022, Bahir Dar

⁹⁴¹ In-depth interview with AA07, 20 April 2022, Finote Selam

⁹⁴² Ibid

⁹⁴³ Ibid

⁹⁴⁴ Ibid

⁹⁴⁵ Ibid.

⁹⁴⁶ Ibid

⁹⁴⁷ In-depth interview with AA001, 27 April 2022, Bahir Dar; In-depth interview with AA005, 27 April 2022, Bahir Dar

⁹⁴⁸ Ibid

⁹⁴⁹ Ibid; Article 649 stipulates that "No proceedings may be instituted under Article 646 or 647, unless the marriage has been annulled."

⁹⁵⁰ Ibid; see also Child marriage is voidable under both the Amhara Regional Family Code and Federal Family Code, See Article 28 Cum Article 29(1) of ("The Amhara National Regional Family Code Approval Proclamation Proclamation No. 79/2003 A Proclamation to Approve the Amhara National Regional State Family Code

the law by pending the criminal suit until the civil courts invalidate the child marriage, justice is delayed, and the offenders usually escape to adjacent *Weredas* where child marriage cases are not persecuted.⁹⁵¹ Study participant prosecutors at Quarit, underlined that child marriage cases prosecution is yet debatable, and the legal procedure for invalidating the child marriage before civil courts is a critical challenge when the bridegroom is from adjacent *Wereda*.⁹⁵² Since the HP technical committee is not active in the adjacent *Weredas*, it will take time to work together to invalidate the child marriage.⁹⁵³

6.3.1 Role of the Education Sector

Enrollment and retention of girls in school are vital for combatting child marriage.⁹⁵⁴ According to one study participant, *"When a girl stays one year in school, she delays her marriage by one year, and hence, gets closer to the legal age of 18."*⁹⁵⁵ At the national level, the Ministry of Education (MOE) has set a goal to ensure that girls complete at least primary and preferably secondary education.⁹⁵⁶ The main challenge is that many girls are still out of school.⁹⁵⁷ Moreover, the schools are outside the federal Ministry's supervision.⁹⁵⁸ Therefore, the MoE works with regional authorities and focuses on the most disadvantaged areas.⁹⁵⁹ UNICEF and World Bank support the Ministry's efforts with the required budget and technical support.⁹⁶⁰

The Amhara Region Education Bureau plays a crucial role in combatting child marriage by empowering girls through training.⁹⁶¹ The Bureau collaborates with non-state actors to publish and disseminate training modules for building the agency of adolescent girls in basic life

Preamble," n.d.); ("Federal Negarit Gazetta of the Federal Democratic Republic of Ethiopia The Revised Family Code Federal Negarit Gazetta Extra Ordinary Issue No. 1/2000 The Revised Family Code Proclamation No," n.d.) see Article 31(1) & (2)

⁹⁵¹ In-depth interview with AA005, 27 April 2022, Bahir Dar

⁹⁵² In-depth interview with A002, 31 March 2022, Quarit; In-depth interview with A003, 31 March 2022, Quarit

⁹⁵³ Ibid; The technical committees' capacity to actively monitor and prevent child marriage is hampered by the fact that the nearby *Wereda's* aren't included in the UNICEF-UNFPA Joint Programme. The HP committees in the adjacent *Weredas* have a budget constraint and are not active.

⁹⁵⁴ See (Jones, Presler-Marshall, et al. 2020; Presler-Marshall et al. 2021; Emirie, Jones, and Kebede 2021)

⁹⁵⁵ In-depth interview with AD9, 6 June 2022, Addis Ababa

⁹⁵⁶ Ibid

⁹⁵⁷ In-depth interview with AA03, 21 April 2022, Finote Selam; In-depth interview with AD9, 6 June 2022, Addis Ababa

⁹⁵⁸ Ibid

⁹⁵⁹ In-depth interview with AD9, 6 June 2022, Addis Ababa

⁹⁶⁰ Ibid

⁹⁶¹ In-depth interview with AA006, 28 April 2022, Bahir Dar

skills.⁹⁶² In Quarit Wereda, modules has been prepared and displaced to all 71 schools; facilitator teachers had received TOT training and students partake in the training upon weekly bases. It has two types; one targets 5-6 grade students, and the other 7-8 grade students. The Bureau's efforts are also aligned with MoE's commitment to changing the social norms that condone child marriage.⁹⁶³ Through regular and extra-curricular activities, the MoE aims to raise awareness of the practice's harmful effects and foster a culture of respect and empowerment for girls.⁹⁶⁴

Child marriage interrupts girls' schooling.⁹⁶⁵ In 2021/22, 91 girl students has been married from the ten schools targeted by UNCEF and UNFPA projects, 33 girls has dropped out. Study informants stated that in one of these schools five girl students were married, and three of them dropped out of school.⁹⁶⁶ And those who can return to school face psychological pressure from peers. A study informant stated, *“When they get married and go back to school, their friends taunt them; they tease them that she got married and had sex.”*⁹⁶⁷ Some girls manage to continue their education despite they face bulling from peers.⁹⁶⁸ Due to the shame and embarrassment, the girls performance usually drops and be drop out.⁹⁶⁹ Schools play an active role in preventing and reporting child marriage. The Education Office works to prevent girls from dropping out of school due to child marriage. In collaboration with UNICEF and UNFPA, the Office facilitates life skill training, encouraging underage marriage reporting through the secret box and intervening to stop girls' underage marriage along with other key local government stakeholders.⁹⁷⁰

The Amhara Region Zonal Education office monitors and supports the *Wereda* Education Office, including Quarit, and collects data on girls' underage marriage in collaboration with schools.⁹⁷¹ Moreover, the Office has been building the collective agency of young girls by establishing a

⁹⁶² In-depth interview with AA006, 28 April 2022, Bahir Dar

⁹⁶³ See (MoWSA 2019)

⁹⁶⁴ Ibid

⁹⁶⁵ In-depth interview with A006, A015 & A016, 30 March 2022, Quarit. The study respondts indicated the girls will miss class from a week to a month

⁹⁶⁶ Ibid

⁹⁶⁷ In-depth interview with AA006, 28 April 2022, Bahir Dar; See also FGD 005 Girls, 18 April 2022, Quarit

⁹⁶⁸ In-depth interview with A006, A015 & A016, 30 March 2022, Quarit

⁹⁶⁹ Ibid; In-depth interview with A007, 2 April 2022, Quarit

⁹⁷⁰ In-depth interview with AA03, 21 April 2022, Finote Selam

⁹⁷¹ In-depth interview with AA03, 21 April 2022, Finote Selam

gender club.⁹⁷² The MoE also supports girls' and boys' clubs in schools as platforms for promoting social norm change and empowering girls.⁹⁷³ It also provides life-skill training for girls' club members, which enables them to negotiate with their parents and resist child marriage.⁹⁷⁴ The Ministry also trains gender club members as trainers of trainers.⁹⁷⁵

The study findings also show gaps in the role of schools in combatting girls' child marriage. Teachers' awareness-raising campaigns for education in the community are not well-organized or regular.⁹⁷⁶ Further, there were differences in how effectively the boxes were used across the schools,⁹⁷⁷ and there was no consistent schedule for opening them.⁹⁷⁸ Some schools also talked to the parents and convinced them to cancel the marriages,⁹⁷⁹ but others did nothing after getting the reports.⁹⁸⁰

6.3.2 Role of the Health Sector

The Ministry of Health (MoH) must train healthcare providers to deliver quality care to child brides.⁹⁸¹ The Ministry shall also ensure that these care services are aligned with the existing health service packages and that those girls are referred to the child protection system when needed.⁹⁸² According to the in-depth interview with the Ministry, survivors of violence, including child marriage, are getting organized medical, psycho-social, and legal services at the 'one-stop centers'.⁹⁸³ The 'one-stop centers' provide services at the hospital level in all regions of the country.⁹⁸⁴

⁹⁷² Ibid

⁹⁷³ See (MoWSA 2019)

⁹⁷⁴ In-depth interview with AD9, 6 June 2022, Bahir Dar

⁹⁷⁵ In-depth interview with AD9, 6 June 2022, Bahir Dar

⁹⁷⁶ In-depth Interview with SD 01, 30 March 2022, Quarit; In-depth Interview with SD 02, 7 April 2022, Quarit; In-depth Interview with SD 03, 14 April 2022, Quarit; In-depth Interview with SD 04, 14 April 2022, Quarit

⁹⁷⁷ Some schools did not use the boxes properly. During their monitoring visit, some schools put the secret boxes in the school dean's office, while others failed to regularly open them

⁹⁷⁸ School dean informants reported different frequencies for opening the boxes: daily, weekly, and monthly.

⁹⁷⁹ KII with SD 3, 14 April/2022, Quarit

⁹⁸⁰ KII with SD 4, 16 April/2022, Quarit

⁹⁸¹ See (MoWSA 2019)

⁹⁸² Ibid

⁹⁸³ In-depth interview with AD10, 14 June 2022

⁹⁸⁴ Ibid; In the Amhara region, 'One stop centers' are providing service at Bahir Dar, Debre Markos, Enjibara, Gonder, and Debre Birhan.

The MoH works to prevent child marriage by providing training that raises awareness of its harmful effects.⁹⁸⁵ Several international organizations, such as the World Health Organization (WHO), UNFPA, UN Women, CARE International Ethiopia, Engender Health, ICAP, and Amarif, support the Ministry with technical and financial assistance.⁹⁸⁶ However, the Ministry admits that “*the results achieved are far below the expected outcomes. There is change, but gradual.*”⁹⁸⁷

The Bureau of Health contributes to the steering and technical committees of the National Alliance to Combat Child Marriage (and FGM). The Health Office is also an active member of the HP eradication committee in Quarit *Wereda*.⁹⁸⁸ The Quarit *Wereda* Health Office contributes to preventing child marriage among girls by raising the likelihood of fistulas and early-age pregnancy.⁹⁸⁹ As stated by in-depth interview participants, child brides between the ages of 12 and 15 are likely to become pregnant before they have experienced their first menstrual period.⁹⁹⁰ Additionally, they have a very high likelihood of developing a fistula.⁹⁹¹ Despite this, fistula victims are kept secret, and the lone girl who seeks treatment at the health center is cured.

The Health Office has initiated awareness-raising training that particularly targets adolescent girls aged 15–19 years in Quarit.⁹⁹² The majority of teenage girls are already married, according to the study's participants; thus, the Office advises using contraception and delaying conception.⁹⁹³ The Office closely follows adolescent girls who are already expecting through delivery, and they are advised to space out their children.⁹⁹⁴ The health office does not have a regular session or a manual to guide their awareness raising.⁹⁹⁵ They typically take advantage of opportunities to discuss the detrimental effects of girls' child marriage on child brides' health

⁹⁸⁵ In-depth interview with AD10, 14 June 2022, Addis Ababa

⁹⁸⁶ Ibid

⁹⁸⁷ Ibid.

⁹⁸⁸ See Supra note 21 & 22.

⁹⁸⁹ In-depth interview with A011, 12 April 2022, Baher Dar; In-depth interview with A012, 12 April 2022, Quarit

⁹⁹⁰ Ibid

⁹⁹¹ Ibid

⁹⁹² Ibid

⁹⁹³ Ibid

⁹⁹⁴ Ibid

⁹⁹⁵ Ibid

when the community gathers for any other reason, such as religious or community development meetings.⁹⁹⁶

6.3.3 Role of the Culture and Tourism Sector

The Office of Culture and Tourism is a steering and technical committee member for combating child marriage at Quarit *Wereda*.⁹⁹⁷ It is also a co-chair at the Regional Alliance to End child marriage in the Amhara Region.⁹⁹⁸ However, their participation at the regional level is reported to be low.⁹⁹⁹ Accordingly, this study reveals gaps in the expected collaboration among the government actors as established by the National Roadmap. In contrast to this, the research identifies the Culture and Tourism office at Zone¹⁰⁰⁰ and Quarit *Wereda* actively participate in awareness raising and community mobilization to eliminate girls' child marriage in collaboration with priests and community elders.¹⁰⁰¹ Besides, the research informant from the regional Office points out that they are involved in public awareness-raising programs.¹⁰⁰² The Culture and Tourism sector do not get budget support from non-state actors to support their activities. Nonetheless, the Office is actively involved in public awareness raising and research on girls under age marriage at the Regional, Zonal, and targeted *Wereda*.¹⁰⁰³ However, there is no manual guiding their public awareness-raising tasks.¹⁰⁰⁴

6.4 Role of Civil Society Organizations

The study examined how women's and youth associations assist the study area's initiatives to eradicate child marriage among girls. The following sections summarize the analysis of the findings, first focusing on grassroots women's associations and, then, youth associations.

⁹⁹⁶ Ibid

⁹⁹⁷ Supra note at 21 & 22

⁹⁹⁸ In-depth interview with AA007, 29 April 2022, Bahir Dar; In-depth interview with AA008, 2 August 2022, Addis Ababa

⁹⁹⁹ In-depth interview with AA006, 28 April 2022, Bahir Dar; In-depth interview with AA008, 2 August 2022, Addis Ababa

¹⁰⁰⁰ In-depth interview with AA01, 20 April 2022, Finote Selam

¹⁰⁰¹ Quarit; In-depth interview with A005, 29 March 2022, Quarit; In-depth interview with A009, 29 March 2022, Quarit; In-depth interview with A010, 29 March 2022, Quarit

¹⁰⁰² In-depth interview with AA007, 29 April 2022, Bahir Dar

¹⁰⁰³ The *Wereda* culture and Tourism office believe that the budget support for WMO and justice is enough to undertake public awareness raising in the *Wereda*.

¹⁰⁰⁴ Ibid

6.4.1 Grassroots Women Associations

Agency relies on women and their associations as critical stakeholders for combatting VAWG. The study examined the role of women's grassroots associations in supporting the agency of adolescent girls at the targeted *Wereda*. It pinpoints Amhara Women Association (AWA) has been established by women in order to tackle VAW, which is active at the Regional, Zonal, *Wereda*, and *Keble* levels.¹⁰⁰⁵ AWA is an NGO that pulls out resources from grassroots women.¹⁰⁰⁶ It is a crucial actor representing grassroots women and participates at the Amhara Regional Alliance to End Child Marriage (and FGM).¹⁰⁰⁷ It is also a steering and technical committee member to eliminate harmful practices, mainly child marriage, at Quarit *Wereda*.¹⁰⁰⁸ On quarterly bases, AWA collaborates in planning public awareness raising, monitoring, and assisting the efforts to combat child marriage among girls at the target *Wereda* and its *Kebles*.¹⁰⁰⁹ The study indicates that AWA lacks a strategy and does not carry out initiatives to mobilize and empower women to prevent girls from getting married as children.

Women Federation, Women League and Cabinet, and Women Development Army are further identified as significant grassroots associations in the study *Wereda*.¹⁰¹⁰ The leaders of these associations act as focal persons for women in the local government system. The women's development group/army, in particular, can connect with every single woman at the grassroots level.¹⁰¹¹ It is envisaged that the heads of the women's focal points will inform the local administration, in secret, of any planned underage marriages.¹⁰¹² Their covert reporting is challenged, though, because the community often marries girls underground. Regarding this the study, informants pointed out that *"if the women's development group is successful, they will only be able to give basic information about the parents who will be hosting a wedding; specifics – about 'which' child and 'when' will be the marriage are not easily known."*¹⁰¹³ The study demonstrated that some of the women development group leaders were sincerely committed to fighting child marriage, taking risks to challenge parents, and intervening to prevent girls' child

¹⁰⁰⁵ In-depth interview with A013, 25 April 2022, Quarit; Other than eradicating VAW and HP, AWA's overarching goal is to advance women politically, socially, and economically.

¹⁰⁰⁶ Ibid, Member women contribute 10 ETB per month.

¹⁰⁰⁷ In-depth interview with AA008, 2 August 2022, Addis Ababa

¹⁰⁰⁸ Supra note 21 & 22

¹⁰⁰⁹ In-depth interview with A013, 25 April 2022, Quarit

¹⁰¹⁰ In-depth interview with A06, 10 April 2022, Quarit

¹⁰¹¹ In-depth interview with AA003, 28 April 2022, Bahir Dar

¹⁰¹² In-depth interview with A014, 25 April 2022, Quarit

¹⁰¹³ In-depth interview with A005, 29 March 2022, Quarit

marriage.¹⁰¹⁴ Some of the women's focal points help out-of-school girls who are resisting by negotiating with their parents and the prospective husband when they learn of a planned girl's underage marriage.

6.4.2 Grassroots Youth Associations

Youth have also established grassroots associations in the study's target *Wereda*: Youth Mobilization, Youth Association, Youth Federation, and Youth League.¹⁰¹⁵ At Quarit *Wereda*, Youth Mobilization and Youth associations are crucial in ending HPs, notably child marriage. The Quarit *Wereda* technical team to end child marriage among girls is led by the head of the "Youth Mobilization," who serves as Deputy Team Lead.¹⁰¹⁶ Additionally, the Steering Committee includes the head of the "Youth Association."¹⁰¹⁷ According to the study's informants, these associations covertly alert the local authorities about arranged girls under age marriages.

6.5 Role of Inter - Governmental Organizations (IGOs): UNICEF and UNFPA

The UNICEF-UNFPA Global Programme to End Child Marriage¹⁰¹⁸ was first introduced in 2014 globally, and as of 2015, it is implemented in Ethiopia.¹⁰¹⁹ Later in 2016, the joint program began to be framed and exhibit its complementary nature.¹⁰²⁰ The UNICEF-UNFPA Global Programme is a multi-donor¹⁰²¹ and multi-stakeholder program implemented across twelve countries¹⁰²² to end child marriage. It has five main frameworks: placing adolescent girls at the center;¹⁰²³ shifting gender social norms by involving parents and the community; protecting

¹⁰¹⁴Key informant Interview with WDA, 10 April 2022, Quarit; Key In-formant Interview with WDA 3, 15 April 2022, Quarit

¹⁰¹⁵In-depth interview with A06, 10 April 2022, Quarit ; In-depth interview with A09, 26 April 2022, Quarit

¹⁰¹⁶Supra note 22

¹⁰¹⁷Supra note 21

¹⁰¹⁸UNICEF – UNFPA joint program has two phases. (phase I: 2016-2019 and phase II: 2020-2023) See UNICEF, 2021

¹⁰¹⁹KII interview with IGO2, 2 August 2022, Addis Ababa

¹⁰²⁰Ibid

¹⁰²¹Governments of Belgium, Canada, Italy, the Netherlands, Norway, the United Kingdom, the European Union, and Zonta International, see UNICEF, 2021

¹⁰²²The twelve most child marriage high prevalence countries selected for UNICEF- UNFPA include Bangladesh, Burkina Faso, Ethiopia, Ghana, India, Mozambique, Nepal, Niger, Sierra Leone, Uganda, Yemen, and Zambia, See UNICEF, 2021

¹⁰²³This includes adolescent girls' knowledge and skill building to resist child marriage; and initiatives on girls' schooling.

adolescent girls who are resisting; creating an environment that is conducive to collaborative efforts to end girls' child marriage; and, finally, gathering data and supporting evidence.¹⁰²⁴

The study shows UNICEF and UNFPA are providing strategic support to end child marriage from the national to grassroots community level, including Quarit *Wereda*.¹⁰²⁵ By providing the needed technical and financial support, UNICEF and UNFPA contributed vital parts in assisting MoWSA in developing the National Roadmap.¹⁰²⁶ By covering the coordinators' and advisors' salaries, UNICEF assists in establishing national and regional alliances to eliminate child marriage among girls.¹⁰²⁷ UNICEF also offers the national and local governments technical assistance when developing interventions on ending child marriage, known as a 'rolling work plan'.¹⁰²⁸

Although ending child marriage is their ultimate aim, UNICEF and UNFPA are expected to use distinct strategies and deal with various issues. UNICEF and UNFPA established their respective roles through ongoing discussion and dialogue.¹⁰²⁹ If both plan a similar intervention, they will each carry it out in a distinct region. UNICEF has eight target Regions,¹⁰³⁰ while UNFPA operates in four Regions.¹⁰³¹ Additionally, if the target locations are the same, as in the case of Quarit, the problems they deal with will vary. In Quarit, UNICEF programs focus on empowering the community, while UNFPA focuses on building the agency of adolescent girls as a strategy.¹⁰³² UNICEF's initiatives involve providing awareness-raising training for religious leaders, older individuals, and broader communities. In contrast, UNFPA has established an out-of-school adolescent girls' club.

The fight against child marriage is multifaceted by its very nature.¹⁰³³ Programs from UNICEF involve the MoWSA, Justice, and Education Sectors. The UNFPA's efforts, on the other hand,

¹⁰²⁴ KII Interview with IGO2, 2 August 2022, Addis Ababa

¹⁰²⁵ The UNICEF- UNFPA projectes tatgated all Kebeles of the Quarit *Wereda*

¹⁰²⁶ See (MoWSA 2019)

¹⁰²⁷ KII Interview with IGO2, 2 August 2022, Addis Ababa

¹⁰²⁸ Ibid

¹⁰²⁹ KII interview with IGO2, 2August 2022, Addis Ababa

¹⁰³⁰ UNICEF target regions include Amhara, Afar, Gambella, Somali, Oromia, Sidama, SNNP, and South-West

¹⁰³¹ Gambella and Tigray were the initial UNFPA target regions. UNFPA includes the Amhara Region in the second phase of the joint program's implementation. And UNFPA incorporated the Oromia Region during the third phase of the joint program's implementation.

¹⁰³² Ibid

¹⁰³³ See supra note 1, 2, 3,4 & 5

concentrate on the health (sexual and reproductive rights) side of ending child marriage.¹⁰³⁴ Poverty is one factor contributing to child marriage among girls,¹⁰³⁵ which is why one of the UNICEF-UNFPA's initial two-and-a-half years of interventions focused on income generation for parents.¹⁰³⁶ UNICEF has altered¹⁰³⁷ its emphasis while UNFPA preserves it as a component of its project intervention, nonetheless.¹⁰³⁸ UNICEF no longer has an interest in addressing the economic aspect of child marriage because it is very resource-intensive and costly.¹⁰³⁹

To prevent child marriage among girls, UNICEF and UNFPA work with the Amhara Region's local government.¹⁰⁴⁰ While the local government oversees the design and implementation of the interventions, UNICEF and UNFPA are involved in funding allocation, contribute technical know-how, and participate in joint monitoring and evaluation.¹⁰⁴¹ Particularly in Quarit *Wereda*, UNICEF and UNFPA support strengthen the HP committee. Out-of-school adolescent clubs are organized for the first time to provide collective resistance to end child marriage. With ongoing technical and financial assistance, UNICEF and UNFPA "push" the local government officials to successfully implement the Roadmap to end child marriage among girls in *Wereda*

6.6 Analyzing Power Dynamics and Effectiveness of the Institutional Actors in Combatting Child Marriage among Girls at Quarit Wereda

This study reveals that combating child marriage among girls is a key area in which IGOs are taking the lead. However, it has been observed that there are critical gaps in the efforts of local governments and CBOs. The following section presents a summary of the study findings regarding the power dynamics and effectiveness of institutional actors in combating child marriages in Quarit *Wereda*.

6.6.1 Local Government

The results of this study indicate that the local government's efforts to effectively combat child marriages among girls have been impeded by budgetary constraints, inadequate attention and commitment, and coordination gaps. These limitations are further discussed below.

¹⁰³⁴ Ibid

¹⁰³⁵ See (Wahhaj et al. 2015; Murphy 2019; Psaki et al. 2021)

¹⁰³⁶ KII interview with IGO2, 2 August 2022, Addis Ababa

¹⁰³⁷ KII interview with IGO2, 2 August 2022, Addis Ababa

¹⁰³⁸ Ibid

¹⁰³⁹ Ibid

¹⁰⁴⁰ In-depth interview with AA003, 28 April 2022, Bahir Dar

¹⁰⁴¹ Ibid

6.6.1.1 No Budget Allocation

Combating child marriages among girls requires consistent follow-up and monitoring.¹⁰⁴² However, financial constraints pose significant obstacles.¹⁰⁴³ Despite the acknowledged importance of addressing this issue, local governments have yet to allocate budgets for this purpose.¹⁰⁴⁴ Participants in this study concur that, aside from the financial assistance provided by IGOs, the local government has not allocated a budget to combat child marriages. Most participants cited the absence of budget allocation as a critical barrier to progress, and senior administrators¹⁰⁴⁵ of Quarit *Wereda* identified budget constraints as a top priority challenge. An FGD participant highlighted the concerns associated with budget challenges by stating, “*The initiatives are perceived as voluntary rather than essential.*”¹⁰⁴⁶ The participants indicated that financial limitations constituted a considerable impediment to the execution of their proposed initiatives.¹⁰⁴⁷ In this regard, a study participant noted their contribution is limited by lack of budget as follows:

The success of the local government’s efforts to coordinate the fight against child marriage among girls depends on the efforts in each *Kebele*. The WSA office from region or *zone* can only support a few sample *Kebeles*, not all of them. The same is true for the technical assistance from the *Wereda*. Therefore, it is very likely that some cases of child marriage will remain hidden and unaddressed by the local authorities due to lack of information (In-depth interview with AA09, 21 April 2022, Finote Selam)

6.6.1.2 Inadequate Attention and Commitment

The national roadmap envisions a collaborative strategy in which the BoWSA leads efforts to eradicate child marriages at the regional level while all pertinent sectorial bureaus share

¹⁰⁴² FGD10, 12 April, 2022, Quarit; In-depth interview with AA005, 27 April 2022, Bahir Dar; In-depth interview with AA007, 29 April 2022, Bahir Dar

¹⁰⁴³ Ibid

¹⁰⁴⁴ In-depth interview with AA005, 27 April 2022, Bahir Dar; In-depth interview with AA02, 22 April 2022, Finote Selam; In-depth interview with AA007, 29 April 2022, Bahir Dar

¹⁰⁴⁵ FGD10, 12 April, 2022, Quarit

¹⁰⁴⁶ Ibid

¹⁰⁴⁷ In-depth interview with AA01, 20 April 2022, Finote Selam; In-depth interview with AA004, 22 April 2022, Finote Selam; In-depth Interview with A005, A009 & A010, 31 March 2022, Quarit; In-depth interview with AA007, 29 April 2022, Bahir Dar

responsibility.¹⁰⁴⁸ However, in the view of some of the study participants, the relevant stakeholders at the local government level have not addressed the issue of the required attention.¹⁰⁴⁹ A study participant expressed profound concerns, noting that the issue of child marriage had never been a priority at regional or zonal higher-level meetings.¹⁰⁵⁰ Another informant pointed out that combating child marriage was not an item on the agenda of the top decision-making bodies in the region.¹⁰⁵¹

One of the major bottlenecks in addressing inadequate attention and commitment issues is the absence of a legal mandate for the BoWSA to hold members of the technical committee accountable for their responsibilities.¹⁰⁵² Additionally, their dedication to eradicating child marriage is often inconsistent, as they sometimes demonstrate a strong commitment but at other times show a lack of enthusiasm.¹⁰⁵³ Furthermore, the response of the local government at the *Kebele* level to combat child marriages is not uniform.¹⁰⁵⁴ Not all local governments fully understood the law, regularly monitored planned underage marriages, or took action to prosecute cases.¹⁰⁵⁵

6.6.1.3 Gap in Coordination

Elimination of child marriage among girls is a committee task, which exhibits gaps in coordination when the joint plan is implemented at the grassroots *Kebele* level.¹⁰⁵⁶ A study informant further indicated that there were efforts to shift towards mainstreaming approach in all the twelve committee members respective plans, but this was not yet put into practice.¹⁰⁵⁷

The study shows that the Education Bureau and Justice Bureau's attempt to collaborate closely by sharing data is unsuccessful. The Education Bureau collects data on child marriage among

¹⁰⁴⁸ See (MoWSA 2019)

¹⁰⁴⁹ In-depth interview with AA002, 29 April 2022, Bahir Dar; In-depth interview with AA003, 28 April 2022, Bahir Dar;

¹⁰⁵⁰ In-depth interview with AA006, 28 April 2022, Bahir Dar

¹⁰⁵¹ In-depth interview with AA001, 27 April 2022, Bahir Dar

¹⁰⁵² In-depth interview with AA001, 27 April 2022, Bahir Dar; In-depth interview with AA004, 22 April 2022, Finote Selam

¹⁰⁵³ Ibid

¹⁰⁵⁴ Ibid

¹⁰⁵⁵ Ibid

¹⁰⁵⁶ In-depth Interview with A001, 29 March 2022, Quarit

¹⁰⁵⁷ Ibid

girls from schools.¹⁰⁵⁸ The Education Bureau then reports the data on girls' child marriage cases to the Justice Bureau. However, the Education Bureau wants to keep the confidentiality aspect. At the same time, the Justice Bureau requests a list of names and addresses of girls' child marriage reported cases to take legal action.¹⁰⁵⁹ A study informant from the Education Bureau pointed out that revealing the identity is very challenging, stating, *"Schools cannot send this full detail of information because it is a matter of life and death. They cannot live there after providing this information."*¹⁰⁶⁰ As a solution, the Education Bureau requests schools keep complete information with them and only send numbers without detailed identity.

6.6.2 CBO's – Women and Youth Associations

This research highlights the fact that the involvement of women and youth associations in grassroots communities is limited and does not extend to mobilizing the community. Women's associations at the grassroots level collaborate with the local authorities to plan and monitor initiatives to end child marriage. Rather than serving as mobilizers to end child marriage for girls, all grassroots women's associations primarily serve as underground informants. Accordingly, the women's associations have critical potential but it can plausibly be concluded that their contribution is low. Like the women's grassroots associations, the youth associations are not mobilizers to end child marriage among girls in the study area. Instead, their role is restricted to providing covert information to report cases of child marriages apart from their role in the implementation and monitoring of ending child marriage initiatives. To sum up, the legitimacy of women and youth associations in the local community is called into question, which leads to further inquiry into their capacity to effectively function as local agents. It is noteworthy that they identify themselves as women and youth grassroots associations, which could have implications for their ability to fulfill their duties as representatives.

6.6.3 Inter-Governmental Organizations: UNICEF and UNFPA

The current study demonstrates that the initiatives undertaken jointly by UNICEF and UNFPA are not only assisting the government but are also leading the efforts to eradicate the practice of child marriage among girls. Although the National Roadmap emphasizes a collaborative

¹⁰⁵⁸The data includes information on the number of reports made by students, the number of reports that were canceled by the school's intervention, and the number of girls who were married under age; See In-depth interview with AA006, 28 April 2022, Bahir Dar.

¹⁰⁵⁹ Ibid

¹⁰⁶⁰ In-depth interview with AA006, 28 April 2022, Bahir Dar

approach, the study indicates that the IGOs are taking the lead in this regard. One of the participants in the study pointed out that the performance of the HP committee is heavily reliant on external funding, stating that *"When the committee's responsibility is backed by a project, its work is expedited. The challenge arises when the project phases out, and the local government will not continue to strengthen the achievements gained during the collaboration."*¹⁰⁶¹

This study reveals that IGOs are leading efforts in combatting child marriages, but they are not effective actors. This study reveals that the local government's efforts to prevent child marriage among girls are currently limited to the districts that are supported by UNICEF and UNFPA.¹⁰⁶² A study participant expressed concern that child marriage among girls might reemerge in the previously targeted twenty-four *Woredas*, where UNICEF and UNFPA had been working but cease their support due to project phase-out.¹⁰⁶³ This indicates that unless local governments take the lead and anti-HP committees are strengthened, project-limited initiatives may not have a lasting impact in the fight against child marriage.

6.7 Conclusions

MOWSA leads the development of the National Roadmap in close collaboration with IGOs. The National Roadmap aims to establish a clear plan for activities and resources to achieve the goal of eradicating child marriages five years ahead of the SDGs. The Roadmap designates the BoWSA to take the lead in efforts to eliminate child marriages at the regional level, and hence, in the Amhara Region, while also promoting shared responsibility with the regional Sectorial Bureaus.

The Justice Office is responsible for preventing and prosecuting child marriages. However, the office has not been successful in fulfilling these duties in both areas. Despite efforts to raise awareness and harmonize the law with existing social and gender norms, the study informants stated that the office's efforts have not been successful. Additionally, the lack of evidence has hindered the office's ability to enforce a prosecution mandate.

¹⁰⁶¹ In-depth Interview with AA004, 22 April 2022, Finote Selam

¹⁰⁶² In-depth Interview with A08, 1 April 2022, Quarit; In-depth Interview with FP 08, 13 April 2022; AA008, 2 August 2022, Bahir Dar

¹⁰⁶³ In-depth interview with AA005, 27 April 2022, Bahir Dar

The examination of institutional actors' power dynamics and effectiveness in combating child marriage uncovered significant gaps on the local government collaboration side. These gaps ultimately shifted the joint nature of efforts to incline toward IGO leadership. One of these gaps relates to the absence of a legal mandate for BoWSA to hold other regional bureaus accountable. To effectively combat child marriages, it is essential that local governments assume a proactive role and that anti-HP committee are strengthened. Without these measures, the current initiatives that show IGOs' leading efforts may not bring effective long-term change.

CHAPTER SEVEN

Analyzing the Implementation of Laws against Child Marriage and the Translations used for Resonating Global Norms into Local Settings at Quarit *Wereda*

This chapter examines the translation process and efforts undertaken to introduce global norms on child marriage into the local setting at Quarit *Wereda*. It is divided into three main sections. The first section describes the eight strategies employed by the local government to enforce the law against child marriage and prevent underage marriages among girls. Additionally, it identifies the vital local actors involved in raising awareness and those responsible for underground reporting. The second section of this chapter explores the challenges related to the law enforcement pivotal points: awareness raising, girls' consent verification, and age estimation. The third section of this chapter analyzes the framings' utilized to convince local communities to accept the global law prohibiting child marriages. Six distinct framings were discovered: 'the economic argument'/ 'cost implication,' 'separation,' 'invest in girls' education,' the 'use of fistula as a justification,' 'sociocultural-based' framing, and the two competing 'religious-based' framings. Finally, the key findings are summarized in the concluding section.

7.1 Efforts Undertaken by the Local Government for Enforcing Laws against Child Marriage

In the study *Wereda*, eight preventative approaches have been widely used to implement laws against child marriage. These strategies were jointly conducted by the local government and the two intergovernmental organizations - UNICEF and UNFPA. These are awareness raising, community dialogue, and mobilization; the establishment of adolescent girls' collective agency, covert information gathering, consultation and advice, age estimation, consent verification, and prevention of child marriage through temporary detention. Each of these strategies and tactics to enforce child marriage law is elaborated in the following section of the paper.

7.1.1 Community Awareness Raising, Dialogue and Mobilization

The study shows that the focus of local government efforts to prevent child marriage among girls largely relies on raising awareness,¹⁰⁶⁴ which is an essential initial step. According to Minckas et al.,¹⁰⁶⁵ the issue of Violence against Women and Girls (VAWG), one of which is child marriage, is deeply rooted in social settings. Authors claim it is imperative to focus on changing societal values and norms to prevent VAWG through community mobilization.¹⁰⁶⁶ The authors emphasize that genuine community participation (they refer to it as ‘authentic’), rather than mere involvement, is critical to achieving this goal.¹⁰⁶⁷ Therefore, they advocate for the community to take the lead, with the roles of local government, CBO’s and global partners playing a subordinate role.¹⁰⁶⁸

The study shows that community awareness raising and mobilization is the predominant strategy adopted by various actors from national to research-targeted *Wereda* levels to address child marriage. The enforcement of the community sensitization and mobilization strategies outlined in the National Roadmap, which targets the alteration of societal norms regarding child marriage among girls by engaging parents, community members, and religious leaders, has been duly executed.¹⁰⁶⁹ Sebany, Kapungu & John,¹⁰⁷⁰ advocate for community advocacy and mobilization to transform gender social norms and eliminate child marriage. The authors similarly emphasize the vital role of parents, community elders, and religious leaders in the awareness-raising process, as they can create a more supportive environment and ultimately shift the norms upholding child marriage.¹⁰⁷¹ In line with this, the Women Mobilization office, in the study targeted *Wereda*, adopted a strategy of building the capacity of selected vital local actors. This implementation strategy engages community members, namely priests, elders, adolescent girls, and the newly established groups known as ‘community facilitators.’¹⁰⁷² These ‘local agents’¹⁰⁷³

¹⁰⁶⁴ FGD17, 12 April 2022, Quarit; In-depth Interview with A001, 29 March 2022

¹⁰⁶⁵ See (Minckas, Shannon, and Mannell 2020)

¹⁰⁶⁶ Ibid

¹⁰⁶⁷ Ibid

¹⁰⁶⁸ Ibid

¹⁰⁶⁹ See theory of change for ending child marriage and FGM (MoWSA 2019)

¹⁰⁷⁰ See (Sebany, Kapungu, and John 2019)

¹⁰⁷¹ Ibid

¹⁰⁷² Please see section 7.1.1.2

¹⁰⁷³ I put this in quotation marks because this research indicates; with the exception of adolescent girls, most of them do not genuinely embrace their role in combating child marriage. It is noteworthy that a significant number of them resist global norms that oppose child marriage.

received training on the legal, health, and social implications of child marriage among girls. Through providing community awareness raising and facilitating dialogue, they are expected to challenge and change the prevailing gender norms that allow girls to be married before the legal 'cut off' age, 18 years.

The findings show that the *Wereda* Women Mobilization Office, the Justice Office, the Culture and Tourism Office, and the Health Office are very active in public awareness raising. All these local government offices lead planned community awareness raising campaigns through their staffs. The prosecutors inform the public about the legal consequences of child marriage in market days and in schools/clubs.¹⁰⁷⁴ The health centres and health extension officers are also actively involved in raising public awareness about the health consequences of child marriage among girls. The following section will analyse the community awareness raising, dialogue, and mobilization conducted by the local government and those mentioned above key local actors.

7.2.1.1. Religious Fathers and Community Elders

All government stakeholders emphasize the value of involving religious fathers and community elders to influence social/gender norms for combatting HPs, notably child marriage, from the national to the research-targeted *Wereda*.¹⁰⁷⁵ At various levels, the government stakeholders have been working with local elders and religious leaders/Priests to accomplish this.¹⁰⁷⁶ Cultural and religious reasons typically influence child marriage, according to research informants.¹⁰⁷⁷ In order to combat the gender societal norms that support child marriage, the Women Mobilization Office in Quarit *Wereda* trained religious leaders and community elders with a view to using them as catalysts for the required norm shifting.¹⁰⁷⁸ Particularly to elders, the local government targeted and involved influential people in their community.¹⁰⁷⁹ The selected religious fathers and

¹⁰⁷⁴ In-depth interview with A002 and A003, 31 March 2022, Quarit; However, they do not have a regular community awareness raising plan

¹⁰⁷⁵ In-depth interview with AD3, 16 May 2022, Addis Ababa; In-depth interview with AD10, 14 June 2022; In-depth interview with AA008, 28 April 2022, Bahir Dar; In-depth interview with AA02, 22 April 2022, Finote Selam, Bahir Dar In-depth interview with AA007, 29 April 2022, Bahir Dar; In-depth interview with A001, 29 March 2022, Quarit; In-depth interview with A005, 29 March 2022, Quarit; In-depth interview with A006, 29 March 2022, Quarit; In-depth interview with A007, 29 March 2022, Quarit

¹⁰⁷⁶ Ibid

¹⁰⁷⁷ Ibid

¹⁰⁷⁸ In-depth interview with A001, 29 March 2022, Quarit

¹⁰⁷⁹ In-depth Interview with A002, 31 March 2022, Quarit

elders who attended the training demonstrated ambition and interest in working with the local government as partners to eliminate child marriage among girls.¹⁰⁸⁰

The local government gives significant consideration to the partnerships of religious fathers in eradicating child marriages among girls. The head of the Women's Mobilization Office, responsible for selecting and training religious fathers, expressed the view that the role of religious leaders was crucial, as “*no marriage was considered valid without their blessing.*”¹⁰⁸¹ On 15 December 2021, 91 priests in *Quarit Wereda* declared their commitment to eliminate child marriage and denounced those who arranged or attended such weddings. Nonetheless, their statement of position does not specify the appropriate marriageable age of girls (see Appendix 5).

This study shows gaps in the efforts to mobilize religious fathers as agents to influence gender norms that support child marriage among girls in the study area. The research informant priests who were involved in FGD stated that they are not regularly teaching the community about the harms of child marriage among girls after they received the training.¹⁰⁸² Moreover, some religious leaders who participated in the capacity-building training aren't convinced and do not support the local government's initiatives.¹⁰⁸³ One informant reported that a considerable number of religious fathers do not accept delaying girls' marriages until the legal marriageable age.¹⁰⁸⁴ During in-depth interviews, the two conflicting viewpoints on biblical interpretation of appropriate marriageable age of girls remained prevalent. Of the three in-depth interview participant priests, only one¹⁰⁸⁵ endorsed the legal marriageable age and advocated that the appropriate age for girls to marry should be increased to 22. However, the remaining four participantpriests¹⁰⁸⁶ maintained that the appropriate age for girls' marriageable age should be lowered to 15.

This study has revealed that the involvement of the elderly in preventing child marriage among girls in the study targeted *Wereda* is not 'authentic'¹⁰⁸⁷ either. The study participant local

¹⁰⁸⁰ In-depth Interview with A002, 31 March 2022, Quarit

¹⁰⁸¹ In-depth interview with A001, 29 March/2022, Quarit

¹⁰⁸² FGD16, 03 April 2022, Quarit

¹⁰⁸³ In-depth interview with A001, 29 March 2022, Quarit

¹⁰⁸⁴ In-depth interview with A001, 29 March/2022, Quarit

¹⁰⁸⁵ In-depth Interview with Priest 01, 02 April 2022, Quarit

¹⁰⁸⁶ In-depth Interview with Priest 02, 9 April 2022, Quarit; In-depth Interview with Priest 03, 9 April 2022, Quarit; In-depth Interview with Priest 04, 15 April 2022, Quarit; In-depth Interview with Priest 05, 15 April 2022, Quarit

¹⁰⁸⁷ Not genuine, see (Minckas, Shannon, and Mannell 2020)

government stakeholders stated that some of the community elders do not support the statutory age and consent requirements even after the training.¹⁰⁸⁸ Of the three in-depth interview elders, two stated that the appropriate marriageable age of girls is 7/8 years, while one responded 15 years. Adolescent boys FGD informants similarly stated, "*Elders are the ones who facilitate betrothal of underage girls, and hence, most of them are not supportive of eliminating child marriage among girls*".¹⁰⁸⁹

7.2.1.2. Community Facilitators

Quarit Wereda holds 33 Kebeles. In October 2021, one male and one female community facilitator are chosen from each Kebele by the UNICEF-UNFPA initiatives to provide on-going awareness dialogue about eradicating HPs and, more significantly, child marriage in their community.¹⁰⁹⁰ The Women Mobilization office selected the Community Facilitators locally known as የለውጥአራማጆች (meaning 'change agents').¹⁰⁹¹ They are selected based on their ability to influence the community.¹⁰⁹² Most are heads of social gatherings, locally known as 'Idir' and 'Ekub.'¹⁰⁹³ The community facilitators have a reporting relationship with the Wereda Women Mobilization office.¹⁰⁹⁴

Under the direction of the male and female facilitators, a community awareness dialogue with selected 70 participants (35 female and 35 male), from each Kebele, is carried out once a month since 2021/22.¹⁰⁹⁵ The community dialogue is led by the male facilitators for the male participants and by the female facilitators for the female participants. A manual¹⁰⁹⁶ for the community facilitators to direct the sessions and substance of the campaigns to raise awareness is also designed and implemented by the UNICEF-UNFPA Project. Usually, the awareness-raising

¹⁰⁸⁸ In-depth Interview with A002, 31 March 2022, Quarit

¹⁰⁸⁹ FGD with 004 Boys, 18 April/2022, Quarit

¹⁰⁹⁰ In-depth interview with CM01, 30 March 2022, Quarit; In-depth interview with CM02, 30 March 2022, Quarit; In-depth interview with CM03, 24 April 2022, Quarit; In-depth interview with CM04, 24 April 2022, Quarit

¹⁰⁹¹ FGD17, 12 April 2022, Quarit

¹⁰⁹² Ibid

¹⁰⁹³ Ibid

¹⁰⁹⁴ Community facilitators are expected to provide regular written reports on monthly basis; In-depth interview with CM01, 30 March 2022, Quarit; In-depth interview with CM02, 30 March 2022, Quarit; In-depth interview with SD 01, 17 April 2022, Quarit; In-depth interview with SD 02, 17 April 2022, Quarit In-depth interview with GFT 01, 18 April 2022, Quarit; In-depth interview with CM03, 24 April 2022, Quarit; In-depth interview with CM04, 24 April 2022, Quarit

¹⁰⁹⁵ Ibid

¹⁰⁹⁶ The manual is divided into twelve sections. As a result, the dialogue-based sessions must be completed in at least twelve months (having one session a month)

dialogue takes place following the Sunday "Orthodox Tewahido" Church Prayer.¹⁰⁹⁷ The 70 trainee community members are then expected to mobilize and educate the rest of the community, influence the gender norms in their area, and contribute to the social norm change.

It must be emphasized that despite the challenge of implementing this approach, it is of paramount importance for the community to take the lead in the mobilization process.¹⁰⁹⁸ Nonetheless, there are study participants who challenged the effective implementation of the selected community facilitators. According to a *Kebele* Administrator who was interviewed in a study, community facilitators were chosen and trained, but their involvement in the actual mobilization of the community was not evident to him.¹⁰⁹⁹

The facilitators emphasized the challenges they faced while interacting with community members who needed help in understanding the goal of the community dialogue they were facilitating.¹¹⁰⁰ They underlined the advantage of priests and elders who already received training in explaining the intent in response to some participants' objections on their legitimacy, **‘እናንተ ደግሞ እነማን ናችሁ እኛን የምታስተምሩን,’** (meaning, ‘*who are you, after all, to educate us*’).¹¹⁰¹

7.2.1.3. Health Centers and Health Extension Workers

Health extension workers and health care officers are educating the community at Quarit concerning the adverse impacts of child marriage on the health of child brides.¹¹⁰² The health consequences of fistula and early pregnancy on child brides are highlighted during public awareness raising.¹¹⁰³ Every morning, a public awareness-raising session is held at the health center, which also often mentions the problem of child marriage.¹¹⁰⁴ One study participant,

¹⁰⁹⁷ Supra note 19

¹⁰⁹⁸ See (Minckas, Shannon, and Mannell 2020)

¹⁰⁹⁹ In-depth Interview with A10, 4 April 2022, Quarit

¹¹⁰⁰ Ibid

¹¹⁰¹ Ibid

¹¹⁰² In-depth interview with HE01, 8 April 2022, Quarit; In-depth interview with HE02, 8 April 2022, Quarit; In-depth interview with A012, 12 April 2022, Quarit; In-depth interview with HE03, 29 April 2022, Quarit ; In-depth interview with HE04, 29 April 2022, Quarit

¹¹⁰³ Ibid

¹¹⁰⁴ In-depth interview with HE01, 8 April 2022, Quarit; In-depth interview with HE02, 8 April 2022, Quarit; In-depth interview with HE03, 29 April 2022, Quarit

however, emphasized that "*the community is typically not willing to listen to the morning session awareness raising; instead opting to receive the health services and leave.*" ¹¹⁰⁵

At Quarit, child marriage usually takes place in February or April, following the celebration of the birth and resurrection of Jesus Christ. Therefore, the participants highlighted that door-to-door outreach is being done to raise awareness. ¹¹⁰⁶ However, according to the research informants, most families will spend the day on farms, so they cannot reach most family members during the door-to-door awareness-raising campaigns. ¹¹⁰⁷ The study participants also indicated that they can still not enter very isolated *Kebels*, where girls in their childhood are pushed into marriage despite cries of protest. ¹¹⁰⁸

7.2.1.4. School Principals and Female Gender Club Focal Teachers

The schools principals tried to prevent girls' child marriage by collaborating with the local authorities and the police. ¹¹⁰⁹ The study shows that many girls had to drop out of school because of child marriage, but some of them returned if the marriage was for a temporary ritual called *chagula merget* (meaning marriage in childhood). ¹¹¹⁰ In cases of *chagula merget*, the girls usually missed two weeks to a month of school. ¹¹¹¹ In most cases, the husbands decided whether the girls could continue their education. ¹¹¹² School principals try to persuade parents to cancel planned marriages or, at least, to allow married girls to continue their education. ¹¹¹³

In the research location, female teachers who led the gender clubs at the schools were crucial in reducing child marriage. Ten to eighteen years old adolescent school girls and boys took part in the club's weekly life skills classes, which also covered a session on child marriage. ¹¹¹⁴ The UNICEF- UNFPA projects provide training for the school female gender focal

¹¹⁰⁵ In-depth interview with HE02, 8 April 2022, Quarit

¹¹⁰⁶ In-depth interview with HE01, 8 April 2022, Quarit; In-depth interview with HE02, 8 April 2022, Quarit; In-depth interview with A012, 12 April 2022, Quarit; In-depth interview with A013, 12 April 2022, Quarit In-depth interview with HE03, 29 April 2022, Quarit; In-depth interview with HE04, 29 April 2022, Quarit

¹¹⁰⁷ Ibid

¹¹⁰⁸ Ibid

¹¹⁰⁹ In-depth interview with SD03, 14 April 2022, Quarit; In-depth interview with SD04, 16 April 2022, Quarit;

¹¹¹⁰ In-depth interview with SD03, 14 April 2022, Quarit; In-depth interview with SD04, 16 April 2022, Quarit;

¹¹¹¹ Ibid

¹¹¹² Ibid

¹¹¹³ In-depth interview with SD03, 14 April 2022, Quarit; In-depth interview with SD04, 16 April 2022, Quarit; In-depth interview with AA03, 21 April 2022, Finote Selam

¹¹¹⁴ In-depth interview with GFT 01, 18 April 2022, Quarit

teachers.¹¹¹⁵ Female teachers who led the club often urged the members to report any planned underage marriage.¹¹¹⁶ When female gender club leaders receive reports from the club members, they frequently defend female underage girls who claim their parents are pressuring them into marriage.¹¹¹⁷ They negotiate with the parents and report the cases to the school deans and local authorities.¹¹¹⁸

7.1.2 Adolescent Girls Collective Agency

UNICEF-UNFPA projects have recently launched out-of-school adolescent girls' clubs to eradicate child marriages among girls. Life skills trainings are also provided to strengthen these clubs. Gender club focal persons, who are female teachers, lead in-school life skills training for adolescent girls (as well as boys). The *Wereda* Women Mobilization Office trains members in out-of-school adolescent girls' clubs. Both in-school and out-of-school life skills training are conducted using a manual. To ensure the effectiveness of the training, the projects provided training to facilitators before the cascading of training for adolescent girls.

Apart from creating community awareness, the intervention aims to build the agency of adolescent girls and use them as a catalyst for the required norm shifting. The main objective of the life skill training, according to a study participant, is to help adolescent girls, both in and out of school, *"to build self-esteem to resist underage marriage, comprehend that they have the ultimate right to decide when and whom to marry; and change the community at large."*¹¹¹⁹ The study participant further noted that although most adolescent girls accept the legal marriage age after completing the training, they are unable to resist arranged marriage by their parents, and some of them hold a favourable opinion of self-arranged underage marriage.¹¹²⁰

The *Wereda* Mobilization office claims the out-of-school adolescent girls are cascading the training to the community.¹¹²¹ However, the study informant adolescents reported receiving the training but have yet to start cascading to the community.¹¹²² During the data collection, the writer of this research had an opportunity to participate in one of the training sessions and

¹¹¹⁵ In 2021/22, the female gender club leaders participated in 2/3 trainings organized by UNICEF/UNFPA.

¹¹¹⁶ In-depth interview with GFT 01, 18 April 2022, Quarit

¹¹¹⁷ Ibid

¹¹¹⁸ In-depth interview with SD03, 14 April 2022, Quarit; In-depth interview with SD04, 16 April 2022, Quarit;

¹¹¹⁹ In-depth interview with A001, 29 March 2022, Quarit

¹¹²⁰ Ibid

¹¹²¹ FGD17, 12 April 2022, Quarit

¹¹²² FGD008, 14 April 2022; FGD013, 01 April 2022

witnessed critical gaps. Due to the overwhelming number of participants¹¹²³ and the training's rapid pace, active involvement were difficult.

7.1.3 Information Gathering through Underground Reporting

Child marriage in the study *Wereda* is conducted underground.¹¹²⁴ “*Child marriage among girls is a complete secret,*” while noting the difficulty in obtaining information and evidence, the informant added, “*The community members cover one another.*”¹¹²⁵ In this regard, study informant adolescent girls stated, “*No one will report to the local government authorities, as they will also do the same.*”¹¹²⁶ Similarly, another adolescent girl informant indicated, “*No one will report to the local authority unless that person is malignant.*”¹¹²⁷

Since information gathering is a crucial step, the local government relies on underground reports from various sources, such as village (locally ‘*Gote*’) Administrators, out-of-school adolescent girl clubs, in-school gender club members, women focal points of the government structure, and community facilitators. Through the use of secret boxes, 145 underground reports are gathered from all schools.¹¹²⁸ in Quarit *Wereda*.¹¹²⁹ Some of the study participant *Kebele* administrators demonstrated a high level of responsibility for informing village leaders that each would be accountable for any child marriage among girls conducted within their respective localities.¹¹³⁰

7.1.4 Consultation and Advise

In line with the information obtained from the underground reporting, the local authorities summoned parents to verify the truthfulness of the claim that they were planning to marry their daughter/s underage. Most parents, according to this study, deny a plan to marry them off underground.¹¹³¹ There are, however, rare instances where parents are honest and even opt to comply with the advice of local authorities to cancel the planned underage marriage.¹¹³² The prior intervention undertaken in the Amhara Region, known as “*Berhane Hewan*” Project,

¹¹²³ more than 70/80 participants

¹¹²⁴ In-depth Interview with A005, A009 & A010, 29 March 2022, Quarit

¹¹²⁵ In-depth interview with A002, 31 March 2022, Quarit

¹¹²⁶ FGD 005 Girls, 4 April 2022, *Quarit*

¹¹²⁷ Adolescent Girl 9, 17 April, *Quarit*

¹¹²⁸ There are 71 schools at Quarit *Wereda*; in-depth interview with A006, A015 & A016, 30 March 2022, Quarit

¹¹²⁹ In-depth interview with A006, A015 & A016, 30 March 2022, Quarit

¹¹³⁰ In-depth interview with A02, 5 April 2022, Quarit

¹¹³¹ In-depth Interview with A001, 29 March 2022, Quarit; In-depth interview with A006, A015 & A016, 30 March 2022, Quarit

¹¹³² Ibid

followed a similar strategy of attempting to persuade parents to "stop" child marriages from taking place.¹¹³³ "*Berhane Hewan's*" project aimed to combat child marriage by attempting to persuade parents who were planning to marry off their underage daughters underground.¹¹³⁴ And the project similarly documented that some of these parents remained resistant to change their minds.¹¹³⁵

7.1.5 Mandatory Age Estimation and Girls Consent Verification

Another intervention that the local government has implemented is mandatory age estimation. Besides raising awareness, the justice office and health extension office in *Quarit* also collaborate in enforcing the mandatory age estimation for any marriage celebration in the *Wereda*. The prosecutor's office referred 142 adolescent girls for age assessments by health extension workers, and the findings indicate that 20 of the girls were underage.¹¹³⁶ (See also Appendix 11).

It is the *Kebele* administrators who escort parents and adolescent girls to the justice office, where prosecutors ask the girls if they consent to the marriage. After hearing the 'mere' consent of the adolescent girls, the prosecutors will send them to the health office for age estimation. In addition, the *Kebele* administrators are again responsible for accompanying them to the *Wereda* health centre for age verification. The Study informant stated that the age screening requirement has been helpful for legal intervention through cancelling planned underage marriages.¹¹³⁷

Study informant local authorities highlighted that the *Kebele* administrators have a key role in preventing child marriage.¹¹³⁸ *Kebele* administrators must verify that all parents who intend to celebrate a marriage have evidence that their daughters have attained full age before the ceremony. No law requires the *Kebele* administrators to facilitate age verification before

¹¹³³ See (Muthengi and Erulkar 2010, 14)

¹¹³⁴ Ibid

¹¹³⁵ Ibid

¹¹³⁶ In-depth interview with A002, 31 March 2022, Quarit

¹¹³⁷ In-depth interview with AA05, 20 April 2022, Finote Selam; In-depth interview with AA07, 20 April 2022, Finote Selam

¹¹³⁸ In-depth interview with A002, 31 March 2022, Quarit; In-depth interview with A003, 31 March 2022, Quarit

marriage.¹¹³⁹ A study informant from *Wereda* prosecutors office stated, ' *We persuaded the Kebele administrators to take this role voluntarily, and most of them are cooperative.*'¹¹⁴⁰

One of the study participant stated that the local government intervened to prevent child marriage among girls in 4-5 cases based on the age estimation assessment result.¹¹⁴¹ Another participant similarly noted he witness three instances where by the parents were detained as they pursue to marry off their underage girls disregarding the age estimation result.¹¹⁴² The following section elaborates temporary detention as a follow up measure taken by the local government.

7.1.6 Temporary Detainment

In cases where the local government receives information about planned marriages before they occur, it detains the parents and their daughters to prevent the marriage ceremony. Age estimation results that are below the legal age limit often trigger village leaders to obtain underground information on the parents' plans to marry their underage daughters. For temporary detention, the local government has built a shelter at the *Wereda* with the financial support of UNFPA, known as 'Girls Hostel.' The hostel has separate bedrooms for the girls and the parents (see Appendix 8). The duration of detention varies, but in general, parents and the bride-to-be will remain in the Girls' Hostel until the wedding day has passed or, on occasion, until the days of the fasting season, when it is less likely that the parents will celebrate the marriage.¹¹⁴³

The follow-up important issue is whether detaining the parents and their daughters would help in preventing the marriage rather than postponing it. Study participants have contradicting views. Study participants from the local government reported that 3-4 parents and their daughters had been detained at the girl's hostel, and the marriage had been prevented.¹¹⁴⁴ One of them stated that a total of 18 child marriage among girls has been terminated.¹¹⁴⁵ However, a study participant from the Federal level expressed her fear that there is no guarantee for the termination of the marriage since the neighbours and family members will enjoy the food and drinks, and the

¹¹³⁹ Ibid

¹¹⁴⁰ Ibid.

¹¹⁴¹ In-depth interview with YA

¹¹⁴² In-depth interview with CF4 M

¹¹⁴³ In-depth interview with A007, 2 April 2022, Quarit

¹¹⁴⁴ In-depth interview with A002, 31 March 2022, Quarit

¹¹⁴⁵ In-depth interview with A007, 2 April 2022, Quarit; There is a disparity in the number of underage girls outlawing the number of parents, which might be due to the cultural practice known as the '*chefleko medar*.' From one family several underage girls are likely married, see chapter 8)

girls might be sent to their husband after she is released from the Girl's hostel.¹¹⁴⁶ In contrast to this view, the study participant at the Zonal level stated that marriage at the study *Wereda* is more than the feasts; the bride and groom shall get blessings with cultural ceremonies.¹¹⁴⁷ He strongly argued that the absence of the bride-to-be and her parents could potentially terminate the planned marriage.¹¹⁴⁸ Moreover, according to a research participant from the *Wereda*, there will be careful monitoring following the parents' release from the hostel, and there will be less opportunity for the girls to be married.¹¹⁴⁹

An important point to raise before winding up this section of the chapter is the legality of temporary detention. The justice office defends its legality alleging it is one mechanism of protection from the crime of child marriage.¹¹⁵⁰ However, there is no law justifying the legality of the detention. Besides, the parents are still in the preparatory stage and are not punishable.

7.1.7 Monetary Penalty

The Quarit *Wereda* prosecutor's office was compelled to employ monetary sanctions due to the high prevalence of child marriage cases among girls but the acute lack of evidence to prosecute the cases.¹¹⁵¹ A prosecutor who participated in the study said that '*the community respects the local rules more than the statutory laws because they fear the social sanctions.*' Accordingly, the justice office has developed a regulation on monetary penalty and has been distributed to every *Kebele*. After the Sunday morning worship at church, a discussion was held with the community members to decide how to execute the regulation and determine a penalty.

The study found that between *Kebeles*, the fine ranges between 300 and 10,000 ETB. One of the study informants, *Kebele* Administrator, highlighted consulting the community members and approving the monetary penalty was very challenging and took three weeks.¹¹⁵² Finally, a 10,000 birr penalty was approved.¹¹⁵³ According to another study participant, who was a *Kebele* Administrator, the justice office initially recommended a monetary penalty of Birr 3000, but it was not accepted by most of the local *Kebele*-level stakeholders. Ultimately, the decision on the

¹¹⁴⁶ In-depth interview with AD7, 10 June 2022, Addis Ababa

¹¹⁴⁷ In-depth interview with AA09, 21 April 2022, Addis Ababa

¹¹⁴⁸ Ibid

¹¹⁴⁹ In-depth interview with A007, 2 April 2022, Quarit

¹¹⁵⁰ Ibid

¹¹⁵¹ In-depth interview with A002, 31 March 2022, Quarit

¹¹⁵² In-depth interview with A01, 3 April 2022, Quarit

¹¹⁵³ Ibid

amount was left to be determined at the *Kebele* level.¹¹⁵⁴ The participant indicated that they had information about a *Kebele* known as Genet Abo, who had imposed a fine of 30,000 ETB, and the least penalty they had heard of was 150 birr.¹¹⁵⁵ Some participants in the study have expressed doubts about the effectiveness of monetary penalties and its deterrent effect. They argue that the penalties are not severe enough when compared to the expenses incurred in preparing food and local drinks for weddings.¹¹⁵⁶

7.2 Legal Implementation Gaps

This section of the chapter is dedicated to exploring the theme of the intervention gaps that emerged from the study. The weaknesses inherent in the implementation tactics utilized to implement laws on child marriage within the targeted *Wereda* are presented and analyzed in this section. The local government holds a crucial responsibility for safeguarding adolescent girls from child marriages, but it has evident shortcomings in every phase of the prevention and response process. Gaps concerning ‘authentic’ engagement of the religious fathers (priests) and the elderly; the establishment of adolescent girls’ collective agency; covert information gathering; consultation/advice; temporary detainment, and monetary penalties have already been raised in section 7.1. The 4th and 5th concluding observations of the CRC Committee highlighted gaps in the implementation of laws regarding child marriages.¹¹⁵⁷ This research validates the committee’s concerns by presenting empirical evidence from the study targeted *Wereda*. This section examines the critical gaps observed in the main child marriage law implementation strategies: awareness raising, girls’ consent verification, and mandatory age estimation.

7.2.1 Gaps in Community Awareness Raising

Undertaking effective community awareness is a top intervention priority for combating child marriage, as emphasized by both regional and international legal framework monitoring mechanisms.¹¹⁵⁸ Although awareness raising has been mentioned to be undertaken in Quarit, it

¹¹⁵⁴ A10

¹¹⁵⁵ Ibid

¹¹⁵⁶ Ibid, see also the section on the ‘cost implication of underage marriage’ in this chapter. The cost of wedding is estimated to be 34,000 – 55,000 ETB

¹¹⁵⁷ Supra note 530

¹¹⁵⁸ Supra note 486, 491 and 530

has not yet reached distant areas,¹¹⁵⁹ and there remains a significant gender- and age-based gap in the knowledge of the study participant community members. It has been observed that only four¹¹⁶⁰ out of 17 were cognizant of both the legal age and consent specifications stipulated by the law. Furthermore, two¹¹⁶¹ additional male parents were familiar with the legal marriageable age requirement. On the other hand, nearly half (4 out of 10) of the female parent in-depth interview participants were uninformed about the legal marriageable age.¹¹⁶² Conversely, four¹¹⁶³ female parents were conscious of the local government's endeavors to eradicate child marriages among girls, even if they could not identify the legal marriageable age. In contrast, all, except two¹¹⁶⁴, of the adolescent boys interviewed were familiar with the public awareness campaigns and the legal marriageable age.

The study reveals that community awareness raising in the study *Weredawas* inconsistent in terms of content, particularly informants highlighted the misunderstanding about the appropriate marriageable age of girls. The FGD informants expressed the fundamental gap, stating, *“Although ‘broader’ community awareness has been conducted in the past two years, parents are unable to identify the appropriate age for marriage, while most still need to be convinced to change their attitude.”*¹¹⁶⁵ This finding reveals the internal contestation existing among religious fathers, community elders, and government stakeholders on the age appropriate for girls to marry. Moreover, some of the study participants expressed concern that since communities have not yet been able to fully comprehend the basic point and have not begun applying what they have learned during the awareness raising into practice, it is likely that child marriage among girls will continue.¹¹⁶⁶

Apart from gaps in the content of the awareness raising mentioned above, it is not regular in terms of time allotted. The awareness-raising activities are only carried out seasonally, close to

¹¹⁵⁹ In-depth interview with HE01, 8 April 2022, Quarit; In-depth interview with HE02, 8 April 2022, Quarit; In-depth interview with A012, 12 April 2022, Quarit; In-depth interview with A013, 12 April 2022, Quarit In-depth interview with HE03, 29 April 2022, Quarit; In-depth interview with HE04, 29 April 2022, Quarit

¹¹⁶⁰ MP4, MP6, MP10, and MP11

¹¹⁶¹ MP2 and MP12

¹¹⁶² One explained that the legal age refers to when the girls married after finishing school (FP1), the other replied 20 years, and the remaining two claimed that they did not have any idea.

¹¹⁶³ FP5, FP7, FP8, and FP9

¹¹⁶⁴ AB8 and AB10

¹¹⁶⁵ FGD 008, April 19/2022, *Quarit*

¹¹⁶⁶ In-depth interview with A005, A009 & A010, 31 March 2022, Quarit

the common periods for wedding ceremonies. The community usually holds weddings after the fasting season's end, which coincides with the months after the celebrations of Christmas and Easter. By then, the community has already prepared the food and drinks for the planned marriage celebration. Therefore, awareness is less likely to change the minds of parents, as most would rather proceed with their daughters' marriages secretly than waste the food, locals refer to it 'እህሉ ከሚባትል ሙዳሩ ይቀላል'

7.2.2 Girls Consent Verification

Kabeer (2004) posits that social norms and power structures have a profound impact on an individual's agency. In the present study, intra-household power dynamics between parents and adolescent girls were a significant factor influencing the agency of adolescent girls during the consent verification process for arranged marriages. Study participants reported that many adolescent girls were compelled to comply with their parents' wishes, even if they did not want to, because of fear of punishment.¹¹⁶⁷ The school dean, a key informant, said '*their parents would beat them if they refused to marry the men chosen for them.*'¹¹⁶⁸ Tadesse¹¹⁶⁹ posited that corporal punishment in the home setting is prevalent because of its cultural acceptance and legal recognition in Ethiopia. Moreover, some girls may feel intimidated by their parents and choose to agree to an arranged marriage rather than express their opposition at the justice office due to personal factors.¹¹⁷⁰

The process of obtaining consent from girls was administered at the *Wereda* level, with one head and two prosecutors designated as responsible for conducting consent verification. The prosecutors who are responsible¹¹⁷¹ in conducting girls' consent verification strongly argues that girls do not have a voice in providing 'free and full' consent. One of the prosecutors highlighted, "*Consent is determined based on descent/lineage by parents, with no room for the girls to provide free consent. We verify girls consent, but it is clear that their parents have*

¹¹⁶⁷ FGD 007, 30 March 2022, Quarit; In-depth interview with A02, 5 April 2022, Quarit

¹¹⁶⁸ In-depth interview with SD 04, 16 April/2022, Quarit

¹¹⁶⁹ See (Tadesse 2019); see also (Desta et al. 2022)

¹¹⁷⁰ Ibid

¹¹⁷¹ Two out of the three prosecutors were involved in the study, one head and one prosecutor, while both unanimously agreed that girls do not have agency in providing free and full consent in the study area.

*influence.*¹¹⁷² The participant also highlighted that the girls and parents are in an unequal position as parents will not support them with land and cattle if the marriage is against their will.¹¹⁷³

7.2.3 Girls Age Estimation

Ethiopia has inadequate technical and institutional capacity and also has the lowest community awareness on birth registration, where only 3% of children under 5 are registered before civil authorities at the national level.¹¹⁷⁴ The African Committee of Experts on the Rights and Welfare of the Child expressed concern regarding the low rate of birth registration in Ethiopia.¹¹⁷⁵ Similarly, the CRC Committee reported that birth registration in rural areas of the country is only 5%.¹¹⁷⁶ Accordingly, proof of age for girls in Quarit *Wereda* is very challenging. The age estimation is not reliable in preventing child marriage because it depends on factors like observation of biological body changes and interviewing girls' families to estimate their birthdays reasonably.¹¹⁷⁷

The study informants highlighted that the challenge with age estimation is still a bottleneck of their efforts in combatting child marriage among girls in the *Wereda*.¹¹⁷⁸ The results inaccurately indicated that some underage girls reached the age of 18 or older, hindering the *Wereda* Justice Office's efforts.¹¹⁷⁹ To address this, the office implemented measures to restrict age estimation to the *Wereda* Health Extension Office and prohibit *Kebele*-level estimation.¹¹⁸⁰ The office also referred girls to screening at the zone and regional levels for doubtful cases.¹¹⁸¹ However, age estimation results presented in a range format by health extension workers caused difficulty for prosecutors in making decisions, especially when the range included the legal cutoff age (see Appendix 4.2). The health extension office sometimes provided estimates of specific ages, even if it was not possible to determine the exact age with certainty¹¹⁸² (see Appendix 4.3). As a

¹¹⁷² In-depth Interview with A002, 31 March 2022, Quarit

¹¹⁷³ Ibid

¹¹⁷⁴ See (UNICEF 2019; Central Statistical Agency (CSA) and ICF 2016)

¹¹⁷⁵ Supra note 487

¹¹⁷⁶ Supra note 530

¹¹⁷⁷ Ibid; In-depth interview with HE3, 8 April 2022, Quarit

¹¹⁷⁸ In-depth Interview with A001, 29 March 2022, Quarit; In-depth Interview with A002 & A003, 31 March 2022, Quarit; FGD 010, 12 April 2022, Quarit

¹¹⁷⁹ In-depth Interview with A001, 29 March 2022, Quarit; In-depth Interview with A002, 31 March 2022, Quarit; In-depth Interview with A002, 31 March 2022, Quarit

¹¹⁸⁰ Quarit; In-depth Interview with A002, 31 March 2022, Quarit; In-depth Interview with A002, 31 March 2022, Quarit

¹¹⁸¹ Ibid

¹¹⁸² Ibid; In-depth interview with A003, 31 March 2022, Quarit

result, prosecutors summoned and requested health extension workers to attend to these matters and avoid using age estimation ranges that included the legal 'cut off' age and providing accurate estimates.¹¹⁸³

During the data collection process, the author had the privilege of visiting the *Wereda* health center and observing the method by which health extension workers estimated the ages of adolescent girls. The process involved private detailed interviews with a girl, during which the health worker evaluated her physical characteristics and interviewed the girl to reasonably estimate her age. The Health extension worker then observed the adolescent's body parts and conducted a private, in-depth interview with a relative to verify the age estimation. The author witnessed a male health extension worker observing the biological body parts of an adolescent girl who had visited the health center with her uncle. Additionally, the researcher noted that female health workers were present in the health center, but did not support the age estimation process. This indicates that the process was not conducted with consideration for the privacy and well-being of the girls nor with adequate care and respect for their dignity.

7.3 Framings Used to Translate and Contextualize Global Norms on Child Marriage

The study shows the community has not changed its attitude toward child marriage among girls despite the joint effort of the local government with UNICEF and UNFPA, which have contributed to public awareness rising.¹¹⁸⁴ This section delves into the arguments and justifications employed during the awareness-raising efforts. It analyzes the framings utilized and attempts by local authorities to reconcile the global norm on child marriage with the specific context of grassroots communities in the study area.

Study participants local government stakeholders reported resistance from the community members during awareness-raising campaigns. Delaying girls' marriageable age till the age of 18 is viewed locally as 'ገለጥተችወይምአረጀች' (meaning 'too old'). One of the study's participants, a government stakeholder, recounted an experience in which community members resisted the implementation of a global law on child marriage. The stakeholder noted that during the

¹¹⁸³ Quarit; In-depth Interview with A002, 31 March 2022, Quarit; In-depth Interview with A002, 31 March 2022, Quarit

¹¹⁸⁴ In-depth interview with A007, 2 April 2022, Quarit

awareness-raising training, community members often objected to the law, arguing '*it failed to take into account our local context.*'"¹¹⁸⁵

The process of vernacularization,¹¹⁸⁶ as demonstrated in four out of the six framings (i.e. 'the economic argument'/ 'cost implication,' 'separation,' 'invest in girls' education,' the 'use of fistula as a justification,') identified in this study, has a replication form.¹¹⁸⁷ Replication often serves a 'decorative function,' with the underlying global norm/concept remaining fundamentally unchanged, while its application varies due to local cultural interpretations.¹¹⁸⁸ The age and consent provisions of the international law on child marriage remained unchanged, but the relevant authorities sought to demonstrate the deleterious consequences of the practice. According to the study, local government stakeholders frequently attempt to persuade the community by highlighting underage marriage's detrimental effects on health, particularly fistula,¹¹⁸⁹ and its adverse influence on parents' wealth.¹¹⁹⁰ To '*chagula merget*,' in particular, the local government emphasizes that the marriage ceremony would be a waste of money because the bride and groom would soon separate¹¹⁹¹ and, hence, better to invest it for the girl's education. The study findings, however, reveal that the community holds counter-arguments against the justification used in all these framings.

This study reveals that a religiously based justification that increases girls' marriageable age to 22 is a framing that could be interpreted to follow a hybridization¹¹⁹² form of vernacularization theory but yet is debatable. Merry characterizes hybridization as an 'interactive' form of vernacularization, which entails the blending of imported cultural practices and symbols, i.e. the global norm, with local ones.¹¹⁹³ She further noted that the process often occurs 'uneasily,' as the fusion of different cultural elements can be challenging and complex.¹¹⁹⁴ To reconcile the global law with the local context, it merges the law with a strong religious ideology which is based in

¹¹⁸⁵ Ibid

¹¹⁸⁶ See Chapter 2, section 2.2.1.2

¹¹⁸⁷ See (Merry 2006),

¹¹⁸⁸ Id at 44

¹¹⁸⁹ Ibid

¹¹⁹⁰ In-depth Interview with A001, 29 March 2022, Quarit

¹¹⁹¹ Ibid

¹¹⁹² See (Merry 2006)

¹¹⁹³ Id at 48

¹¹⁹⁴ Ibid

biblical story,¹¹⁹⁵ the Orthodox ‘Tewahido’ interpretation of girls' biblical marriageable age. This framing is brought about by the local government's collaboration with priests in the fight against child marriage among girls. Interpreting the age of 22 as a hybridization framing is, however, debatable since it utilizes a more stringent norm than the one at the global level (i.e. marriageable age of 18). The following section presents the analysis of study findings on the justification used to frame and contextualize the global norm on child marriage in the local setting at the study *Wordea*.

7.3.1 The Economic Argument: Cost Implication

The economic impact of marriage celebrations is the most widely used framing to combat child marriage among girls in the study area. Local authorities highlight associated expenses, and the study reveals that it is the most commonly understood aspect of the community awareness-raising. One study participant noted, *"The cost of a wedding ox has increased to 30,000-50,000 ETB. They use stored grain as farmers but still spend an additional 4,000-5,000 ETB solely on milling."*¹¹⁹⁶ The informant expresses regret by saying, *"In most cases, the community takes out loans to cover these costs and is often compelled to sell their farming ox to repay the debt."*¹¹⁹⁷

The socioeconomic status of the community in the study targeted area is lower than that of the adjacent *Weredas*,¹¹⁹⁸ underscoring the importance of addressing the economic impact of child marriage as a means of persuading the community to abandon the practice. However, the study shows that the cost implication of child marriage does not suffice to combat the practice. The community would rather be fully aware of the various detrimental and negative consequences of child marriage on child brides. One of the local government participants noted that some parents resist intervention by claiming, *"As long as I can cover the costs for the wedding celebration, why does the local government need to interfere."*¹¹⁹⁹

¹¹⁹⁵ See Chapter 5, section 5.1.3.3, “views of religious fathers”

¹¹⁹⁶ In-depth interview with A02, 5 April 2022, Quarit

¹¹⁹⁷ Ibid

¹¹⁹⁸ In-depth interview with AA02, 15 April 2022, Finoteselam; In-depth interview with AA003, 28 April 2022, Bahir Dar; In-depth interview with AA007, 28 April 2022, Bahir Dar

¹¹⁹⁹ In-depth Interview with A06, 10 April 2022, Quarit

7.3.2 Early Separation: A Symbolic/ “go-back” Marriages

Local government authorities often use the argument of separation to convince parents to stop the common practice of child marriage among girls in their childhood, known as "*Chagula Merget*"/ "*dawja Medeqdeq*." By emphasizing the financial burden of weddings, they attempt to persuade parents not to incur unnecessary expenses and debts, as marriage often ends soon¹²⁰⁰ after the celebration. Jones, Tefera, Emirie et al.¹²⁰¹ identified this types of marriages a ‘symbolic’ one and defined it is “go-back’ marriage or ‘Yedersomelese Gabecha.’

This research demonstrates that the rationale behind "separation" as a means to eradicate child marriage among girls at the community level in the study area is not an effective framing strategy, considering its significant social importance in safeguarding the well-being of girls and their families from sexual violence, such as rape and the fear of becoming an unwed woman after reaching her prime years. Parents still prefer to marry off their daughters underground in their childhood, although they know that the marriage will be of short duration.

7.3.3 Investment in Girls Education

One of the primary arguments presented against child marriage in the study area is the emphasis placed on investing in a girl's education, as opposed to spending money on a wedding. However, this framing has been challenged by parents and some participants from local authorities. Due to unemployment, parents contested the achievement of educated girls. They do not deter girls from education, as in the previous days, but evaluate the benefit/achievement of educated girls and resort to the comparative advantage of underage marriage. In the study area, marriage is a stepping stone for middle/late adolescent girls who choose labor migration in adjacent localities; locals call it "*bereha*." Study informant from the government stakeholder similarly highlighted that: -

The main issue is, does education lead to economic betterment for supporting their family? The answer is no. Let alone supporting their family; most will be unemployed. Moreover, those who manage to get a job in the government sector

¹²⁰⁰ Generally, young girls below ten years old tend to return home the day after the wedding, and their mothers are responsible for bringing them to their husbands' families and bringing them back home. However, girls over 13 often stay for a week or two.

¹²⁰¹ See (Jones, Tefera, Emirie, et al. 2016, 10–11)

still depend on their farmer parents, and their salary does not even cover their living costs. So, parents are vigorously contesting the value of educating their daughters (In-depth interview with AA02, 22 April, 2022, Finoteselam).

7.3.4 Fistula: The Health Consequence upon Child Brides

The local government stakeholders stated that they commonly use fistula as a justification to persuade the community to delay marriage till legal adulthood. The number of child brides who suffer from fistula is crucial in determining how persuasive this framing will be. In response to this question, one of the participants said, *"Nobody knows, except for one girl who receives treatment and is cured."*¹²⁰² According to another participant, a 14-year-old girl lost her life as a result of a fistula.¹²⁰³ The study participants indicated that traditional birth attendants remain common in Quarit. Hence, some girls may suffer from fistula.¹²⁰⁴ Nonetheless, parents and the community frequently refuse to take the fistula victim to the healthcare facility.¹²⁰⁵ They added, *"There are fistula victims in their early/middle adolescent age; they do not think that their number is significant."*¹²⁰⁶ Similarly, one of the study informants conveyed his feelings of grief by saying, *"Parents are more considerate for protection of their honor than the harm inflicted upon child brides. Therefore, it is quite unlikely that those who have fistulas will proactively seek out medical care at health centers."*¹²⁰⁷

The study reveals using fistula as a justification for delaying girls' marriageable ages and contextualizing global laws against child marriage at the study *Wereda* has been an unsuccessful framing. Kristin Louise Savell¹²⁰⁸ doubts the relevance of health-based arguments in curbing VAWG, she argues *"we should be aware of the social significance of the practice and women's experience of injustice."* Similarly in this study, a research participant revealed his personal experience of how community members usually confront him, arguing that *"although my mother was married when she was 12 years old, she never had a fistula. Therefore, your ultimate goal is not to protect our daughters but to prevent us from having as many children as we opt for."*¹²⁰⁹

¹²⁰² In-depth Interview with A011, 12 April 2022, Quarit

¹²⁰³ In-depth Interview with A008, 2 April 2022, Quarit

¹²⁰⁴ In-depth Interview with A011, 12 April 2022, Quarit; In-depth Interview with A012, 12 April 2022, Quarit

¹²⁰⁵ Ibid

¹²⁰⁶ Ibid

¹²⁰⁷ In-depth Interview with A002, 31 March 2022, Quarit

¹²⁰⁸ See (Louise 1996, 781)

¹²⁰⁹ In-depth interview with A002, 31 March 2022, Quarit

Similarly, a study participant female parent who married off her two underage girls responded, “*I was married at the age of 15 and stayed healthy.*”¹²¹⁰

7.3.5 Socio-Cultural Based Framing: Age of 15 as Appropriate Marriageable Age

The appropriate marriageable age for girls have been determined being 15 based on existing norms and culture in the study *Wereda*. However, such sociocultural-based framing allows marriage to occur below legal adulthood. The primary custodians of the socio-cultural-based marriageable age of girls’ are elderly individuals. The findings of this study further indicate that some local government authorities accept this view. Local government stakeholders contend that lowering the legal marriageable age to 15 would not only facilitate their efforts to convince the community but also, due to the physical maturity and alleged ‘interest’ of middle/late adolescent girls, it is deemed a plausible argument. In light of this, three government informants expressed their stance during an FGD discussion, contending that “*if the marriageable age is reduced to 15, the community will accept it. At 14/15, young girls have begun menstruation, which in turn arouses sexual desires. Consequently, 18 is considered too late.*”¹²¹¹ It should be noted that no government representative openly disputed this point despite efforts to encourage dialogue. Another government informant from a separate interview expressed the viewpoint that “*The present 14-year-old girls are more mature than the previous 18-year-olds, and therefore, the interest of adolescent girls themselves coupled with the social pressure makes it necessary to lower the legal marriageable age.*”¹²¹² This indicates the dual loyalty of the local officials who are bound to their culture as much as they do for their civic duty as a civil servant.

Using socio-cultural framing to combat child marriage among girls has the potential to reduce early adolescent and below-age marriages, which are the dominant ones in the study area. However, arguments can be raised on the ground that it contradicts the legal standard of “the best interests of the child.”¹²¹³ It is also important to note that this defense is debatable given the open-ended and abstract standard of best interests of the child. The other argument might be critics of the socio-cultural framing based on the fact that it is against Ethiopian law regarding the age of sexual consent. The likelihood of encountering tension or departing from legal standards in the context of vernacularization/hybridization might also be raised as a counterargument. Merry posits that “*human*

¹²¹⁰ In-depth interview with FP8

¹²¹¹ FGD 010, April 20/2022, Quarit

¹²¹² AA04, April 22/2022; Finote Selam; In-depth interview with AA002, April 29/2022, Bahir Dar

¹²¹³ Young girls’ marriage is linked with rampant multi-faced adverse outcomes see (Batyra and Pesando 2021c)

*rights that travel and are transformed as they are appropriated, adopted, and redefined to fit particular social issues and struggles.”*¹²¹⁴ Nonetheless, research suggests that lowering the legal “cut off” age would likely lead to an increase in child marriage practices. Scholarly commons and Batyra¹²¹⁵ investigated the influence of reducing the statutory minimum age of marriage on the incidence of child marriages among girls in Mali, where the legal age of marriage decreased from 18 to 16. The results demonstrated that the prevalence of child marriages increased from 59% to 79%.¹²¹⁶

7.3.6 Religious-Based Framings: Age of 22 versus 15 as Appropriate Marriageable Ages

The age of 18 as a marriageable age is not convincing for the grassroots community, and some local government authorities have been using a framing which is locally existing and familiar justifications, one of which is religious- based framing. The clergy discourse about Adam and Eve's lives¹²¹⁷ gives rise to two distinct viewpoints. Either the age limit should be raised beyond the legal age of adulthood, which is 22 years old, or the counter-argument allows for the biblical marriageable age for females to be lower than the legal “cut off” age, 15 years. Among these two contradicting interpretations, some local government authorities have advocated using a biblical marriageable age, specifically the age of 22, to convince grassroots communities abolish under age marriage among girls.

The use of religious-based framing which sets the biblical marriageable age for girls at 22 years, in Quarit Wereda has its own merits and also challenges in terms of delaying underage girls. This religious-based framing establishes attaining the age of 22 as a prerequisite not only for marriage but also for concluding betrothal agreements. Hence, this framing is consistent with the statutory law on marriageable age, which sets prerequisites for concluding betrothal agreements, obtaining consent, and meeting minimum age requirements. Additionally, this framing is grounded in a strong religious ideology and is likely to persuade parents. However, it may be challenging to refute the counter-argument interpretation of biblical girls' marriageable age at 15, as this is a view held by most clergy. In addition, as long as the interpretation of girls' biblical marriageable age at 15 is not rejected, it will continue to legitimize the socio-cultural basis of appropriate girls' marriage age.

¹²¹⁴ See (Destrooper and Merry 2018, viii)

¹²¹⁵ See (Scholarlycommons and Batyra 2022)

¹²¹⁶ Ibid

¹²¹⁷ See Chapter 5, section 5.1.3.3 for the clarification of the grounds for framing appropriate marriageable age among girls set at 15 and 22

7.4 Conclusion

With the collaboration of the local government and intergovernmental organizations UNICEF and UNFPA, implementing child marriage laws exhibits the use of diverse strategies and tactics. The establishment of adolescent girls' collective agency, covert reporting, consultation/advice, and temporary detention were among the preventive measures identified in this study. The response mainly involved 'subjective and localized' monetary penalties rather than legal actions against offenders in line with the national law. The penalties imposed are relatively low compared with the expenses incurred for preparing food and local beverages for weddings. Consequently, it is easier for parents to choose a monetary penalty. Despite this, the study describes an array of challenges that local authorities face at every step when translating the globally established norms against child marriage into a local context. Furthermore, the study highlights the significant gaps in the implementation of the child marriage law: raising awareness, girls' age, and consent verification. The study found that the outcome of the awareness-raising activities varied in terms of gender and age of participants; as well as was inconsistent in content, and time allocation, and did not reach out to all *Kebeles*. The age estimation result was inaccurate, and its process raised concerns about the privacy and dignity of girls. Besides, adolescent girls were not in a position to provide 'free and full' consent.

The study shows that the global law governing the age and consent requirements for child marriage is not accepted by the local community, as they argue that it disregards their cultural context. According to the study, the age of 18 is considered "very old," and parental decision, mainly based on descent/lineage, is the primary determinant of consent. This study examines six different ways of justifying the global law on child marriage through the lens of vernacularization theory, and provides a critical evaluation of each. The religious-based framing of 22 as the appropriate marriageable age has positive outcome in terms of convincing and encouraging the local community in Quarit *Wereda* to delay the marriage of underage girls until legal adulthood. However, this framing is less commonly used than the counter-argument of the biblical interpretation of girls' marriageable age of 15, which is held by many members of the clergy. The introduction of a marriageable age of 22 presents a more stringent requirement than the international legal standard, which has led to the suggestion that this framing may not align with the theory of vernacularization. On the other hand, the framing of the marriageable age of

15 is debatable, since it conflicts with both ages of sexual consent, and it is against national law, while departing from legal standards in the context of vernacularization/hybridization might also be raised as a counterargument.

CHAPTER EIGHT

Local Aspects of Reception and Resistance against Global Norms Prohibiting Child Marriage among Girls at Quarit Wereda

This chapter focuses on discussing the reception and resistance against the global norms prohibiting child marriage among girls in the study *Wereda*. It is divided into three main sections. It begins by exploring the trends of reception and resistance against global norms prohibiting child marriage at the targeted *Wereda* more generally, which exhibits pushbacks (i.e. regression) when compared to the progress that has been achieved. The chapter then examines the existing forms of resistance carried out by parents. In this study, two covert tactics were identified that shows resistance, locally known as ‘ጭፍልቆ መዳር’ (*chefeleko medar*) and ‘አሽሊካ መዳር’ (*ashulko medar*) / ‘ሻሊክሊክ’ (*shuleklek*). The study further digs into analyzing forms of collective resistance, which involves the use of social sanctions and intimidation against local authorities who attempt to provide protection for resisting adolescent girls. Additionally, the study reveals that community resistance in some circumstances escalates to the extent of an armed attack against local government authorities if they attempt to intervene and rescue underage girls on the day of the marriage celebration.

The third sub-theme discussed under the second section examines the justifications forwarded by members of the community who challenged global norms regarding child marriage among girls. Two key determinant factors are identified in this study, which are crucial in shaping the rejection of the global norm against child marriage in the local community vis-à-vis its reception. These are unemployment and the economic value of underage marriage. Following this, the study looks into the identification of central norm holders. The final section of the chapter focuses on adolescent girls and delves into the examination of their individual and collective agency. Finally, the chapter concludes by highlighting key findings.

8.1 Examination of Trends: Progress and Pushbacks

Concerning the trend of child marriage among girls in the study *Wereda*, the findings indicate conflicting opinions. There were participants who stated child marriage among girls is abolished

in their community, including underground marriage.¹²¹⁸ The majority¹²¹⁹ of the informants, including the *Wereda* Administrator, reported a downward trend in the practice but emphasized that it has not yet been entirely eradicated. They noted, previously when parents openly married underage girls, it was evident that they were not held accountable for their actions.¹²²⁰ And argued, this year the community ‘widely’ acknowledged that child marriage is a criminal offense.¹²²¹ One study informant noted, “*this year (refers to 2022/2023) parents are being liable but in earlier years no one asked them when they marry 5-6 old underage girls.*”¹²²²

The subsequent inquiry posed the question of why the study participants, who were community members, had indicated that the practice of child marriage among girls had been abolished.¹²²³ One of the study participant asserts that it is because they want to safeguard the reputation of their locality, i.e., it will be taken as a low performance indicator against the local government involved in the intervention.¹²²⁴ Another participant shared similar view and highlighted, “*A high-ranking government official who, for the first time, divulged information about the widespread occurrence of child marriages among girls in Quarit faced considerable opposition.*”¹²²⁵ This shows the community has not changed its attitude and continues the practice, but it remains hidden for fear for legal responsibility. With similar position, another study participant stated that “*They want to keep the practice as hidden and being secret.*”¹²²⁶ This finding aligns with the concluding observations expressed by CEDAW¹²²⁷ and African

¹²¹⁸FDG011, 10 April 2022, Quarit; FDG012, 2 April 2022, Quarit; Key Informant Interview with YA, 4 April 2022, Quarit (stated the ‘milita’ and commander are taking in control of all underground marriage); Key Informant Interview with CF F1; 30 March 2022; Quarit; Key Informant Interview with CF F2, 2 April 2022; Quarit (additionally highlighted no one resists)

¹²¹⁹In-depth Interview with A05, 10 April 2022, Quarit; In-depth Interview with A09, 4 April 2022, Quarit; In-depth Interview with A003, 31 March 2022, Quarit; In-depth interview with 004, 7 April 2022; Key Informant Interview with HCH, 13 April 2022, Quarit; Key Informant Interview with HE1 F, 31 March 2022, Quarit; Key Informant Interview with HE 3 M, 8 April 2022, Quarit; Key Informant Interview with GFFT02, 13 April 2022, Quarit; Key Informant Interview with SD1, 30 March 2022, Quarit; Key Informant Interview with SD 2, 7 April 2022, Quarit

¹²²⁰In-depth Interview with A05, 10 April 2022, Quarit; In-depth Interview with A09, 4 April 2022, Quarit; In-depth Interview with A09, 4 April 2022, Quarit

¹²²¹Ibid

¹²²²In-depth interview with A07, April 2/2022, Quarit

¹²²³The participants from the two female parents only FGDs responded child marriage among girls is abolished in their community

¹²²⁴In-depth interview with A014, 15 April 2022, Quarit

¹²²⁵Ibid

¹²²⁶Key Informant Interview with HE1 F, 3 April 2022, Quarit

¹²²⁷Supra note 524

Committee of Experts¹²²⁸ regarding the prevalence of child marriage in Ethiopia, which is believed to be extensive yet under-reported.

Some participants observed an irregular pattern in the incidence of child marriages among girls. It 'declined' at times when the local government enforced strict measures and reversed when the interventions loosened. On the other hand, some participants from the local authorities have taken a resolute stance against the decreasing trend, with one of them asserting, "*The attitude of the community has not yet changed, child marriage among girls remains a pressing issue in Quarit.*"¹²²⁹ Another participant similarly stated, "*There has been change, but it is not substantial enough to reverse the prevalence.*"¹²³⁰ In-depth interview participant at the Zonal level concurs with this view, '*the change in the norm is still at the zero level in Quarit if we compare it with the change observed in the other Weredas under Finoteselam.*'¹²³¹

One of the point of reference for study participants who held the view on its declining trend was the high prevalence¹²³² during the COVID pandemic, and the subsequent efforts of local government, CBO's and global partners that ultimately makes the obvert practice remain hidden. However, study informants from the local authority have reported that child marriage among girls is viewed as a tradition and continues to be practiced at an alarming rate.¹²³³ One of the religious fathers,' an informant for the in-depth interview, similarly stated that: "*The norm is highly regarded and the community still adheres to it rigorously.*"¹²³⁴ The study further shows that emerging trends contribute to new drivers of child marriages among girls. The failure of a exam exacerbated the prevalence.¹²³⁵ In addition, armed conflict in northern Ethiopia had a

¹²²⁸ Supra note 486

¹²²⁹ In-depth Interview with A001, 29 March 2022, Quarit

¹²³⁰ In-depth Interview with A002, 31 March 2022, Quarit

¹²³¹ During the data collection, the local government managed to gather information underground that 177 underage girls are going to be married off. The HTP eliminating committee approached the parents and able to convince 47 to cancel the arranged marriage. The remaining 130 decided to undergo age screening as suggested by the local government authorities. Based on the age screening result, 30 were underage.

¹²³² In a single *Kebele* 11-12 underage girls were married, Key Informant Interview with SD1, 30 March 2022, Quarit

¹²³³ In-depth Interview with A001, 29 March 2022, Quarit; In-depth Interview with A005, A009 & A010, 29 March 2022, Quarit; In-depth Interview with A002 & A003, 31 March 2022, Quarit; Key Informant Interview with CM1, 30 March 2022, Quarit

¹²³⁴ In-depth Interview with Priest 01, 02 April 2022, Quarit

¹²³⁵ In-depth Interview with AG01, 1 April 2022, Quarit; In-depth Interview with A005, A009 & A010, 29 March 2022, Quarit

spillover effect that perpetuated the practice.¹²³⁶ These circumstances left female students with little option but to accept arranged child marriages.

This research discloses that eradicating the practice of child marriage among girls necessitates concerted efforts aimed at altering mindsets, going beyond the mere objective of raising awareness.¹²³⁷ The findings highlight the resistance exhibited by community members who received awareness-raising training. The significant majority of study participant religious fathers,¹²³⁸ elders,¹²³⁹ male parents¹²⁴⁰ and adolescent boys¹²⁴¹ who have better awareness on the legal marriageable age than female parents¹²⁴² resists the legal marriageable age. Most of male parents and nearly half of adolescent boys insisted the appropriate girls marriageable age shall be 15/16, while most elders stated even below as low as 7/8.

The findings of the study highlight the considerable challenge of altering the perspectives of community members concerning child marriage. A study participant highlighted the critical challenge stating, *“Despite our efforts to raise awareness and mobilize the community, we have not yet been able to persuade them to change their attitude.”*¹²⁴³ Another informant from the

¹²³⁶ See (Nur, Zeleke, and Center for the Advancement of Rights and Democracy (CARD) 2023)

¹²³⁷ Ibid; In-depth interview with AA03, April 21/2022, Finote Selam; In-depth interview with AA02; April 22/2022, Finote Selam.

¹²³⁸ Except one (In-depth Interview with Priest 01, 02 April 2022, Quarit), all the study informant priests holds the view that the appropriate age for the girls to marry shall be 15 (In-depth Interview with Priest 02, 9 April 2022, Quarit; In-depth Interview with Priest 03, 9 April 2022, Quarit; In-depth Interview with Priest 04, 15 April 2022, Quarit; In-depth Interview with Priest 04, 15 April 2022, Quarit)

¹²³⁹ All the study participant elders resist legal marriageable age; one of them suggest 15 (In-depth Interview with Elder 01, 6 April 2022, Quarit) as appropriate age while the remaining suggested 7/8 (In-depth Interview with Elder 02, 11 April 2022, Quarit; In-depth Interview with Elder 03, 15 April 2022, Quarit)

¹²⁴⁰ Two of the in-depth interview male parents (MP2 and MP12) know the legal age is 18, but argued that the appropriate age shall be 15; from the context of the MP1 and MP5 arguments, one can understand that they resist child marriage among girls, but they stated the appropriate age of marriage shall be 15; the other three participants stated that the appropriate age is 15/16 without referring to the legal age (MP13, MP16, and MP17); two other male parent participants stated that the legal age is 18 but the community marries them off as of 15/16 (MP8 and MP9).

¹²⁴¹ Concerning adolescent boys, except for two (AB8 and AB10), all knew about existing public awareness and legal marriageable age. However, nearly half of the participants resisted. They claimed that age 15 was an appropriate marriage age

¹²⁴² None of the study informant female parent was able to clearly identify both the age and consent notions of the child marriage law while nearly half (4 out of 10) of them were uninformed about the legal marriageable age. This result contradicts the findings of (Kassegne, Kwaak, and Kok 2023, 14), who reported that out of 58% of participants who were aware of the minimum legal age for marriage, female participants demonstrated greater knowledge (61%) than male participants (51%).

¹²⁴³ In-depth interview with AA002, 29 April 2022, Bahir Dar

local government expressed regret by declaring, "*Regrettably, I have been unable to convince my relatives to eliminate the practice, let alone persuade other community members.*"¹²⁴⁴

This study further reveals community resistance towards ending child marriage in Quarit is intensified by the disparity in the level of commitment, of local government stakeholders, to eradicate the practice in the neighboring *Weredas*. Only sixteen child marriage ‘hot spot’ *Wereda*’s in the Amhara region, including Quarit, have been selected to receive budgetary support from non-state stakeholders to combat child marriage among girls.¹²⁴⁵ The HP committees in the neighboring *Weredas* surrounding Quarit are all inactive¹²⁴⁶ to the extent that no legal action has been taken when underage girls has been married off openly.¹²⁴⁷ A research participant mother who has married her underage girls’ underground strongly argued saying “*last year 7/8 years old girls have been openly married, but no one made the parents responsible. And this year child marriage among girls has been criminalized only in Quarit.*”¹²⁴⁸ The initiative that targeted only Quarit faces a bottleneck challenge of changing the attitude of the community, as parents have noticed that neighboring *Weredas* have yet to be held accountable. Another study participant from Zonal level government authority similarly noted, “*The local government has neglected its duty to fight against child marriage, except in the Weredas supported by UNICEF.*”¹²⁴⁹ This study has revealed that IGO’s leading the efforts has not brought lasting impact.¹²⁵⁰ Consequently, the efforts to combat child marriage in Quarit resulted to make the practice remain hidden than being eliminated - the “push back” challenge which entails regression. The following section is devoted to explaining the different forms of such hidden forms of child marriage among girls identified by this study.

¹²⁴⁴ In-depth interview with A014, 15 April 2022, Quarit

¹²⁴⁵ In-depth interview with AA002, 29 April 2022, Bahir Dar; In-depth interview with AA003, 28 April 2022, Bahir Dar

¹²⁴⁶ Based on the responses from the study, there are differing perspectives. Some individuals attribute the issue to financial constraints, while others argue that a lack of commitment is the primary challenge; see chapter six section 6.5.1

¹²⁴⁷ Ibid

¹²⁴⁸ In-depth interview with FP8, 13 April 2022, Quarit

¹²⁴⁹ In-depth interview with AA08, 20 April 2022, Finote Selam

¹²⁵⁰ See Chapter 6, section 6.5.3

8.2 Local Aspects of Resistance

The findings of the study show that the local government's efforts to combat child marriage among girls on one hand, and the community response, on the other, are like '*ships passing in the night*'.¹²⁵¹ The study findings highlight that the local government response has been a top down approach and focused more on eliminating the practice than understanding the local community justifications as input for tailored responses to address its driving factors. Vandenhoele¹²⁵² was critical of the prevailing "top-down" approach to children's human rights and attributed it as a cause of existing implementation gaps. He proposed an alternative "bottom-up" approach, also referred to as "*human rights from below*," which aims to secure the acceptance of the "idea" of children's rights and mobilize grassroots communities.¹²⁵³

From the community awareness-raising efforts by the local government, and IGO's, the community picked the punishment aspect, the only juncture in which both reached into understanding. Since the local authorities' response has been limited to merely trying to stop the practice, without taking into account the reasons behind it, the community has pushed the practice underground, preventing the local government from exercising its punitive power. In effect, the community created new coping strategies - making it difficult for the local government to take action. This result is consistent with Bunting's assertion that, despite efforts to raise community awareness about marriageable age, the law remains either "*unenforced or unenforceable*."¹²⁵⁴ She provided examples of instances in which parents provided false information regarding their daughters' age during the marriage registration process.¹²⁵⁵

The next section examines covert underage marriage employed by parents. The study findings further indicate that collective resistance demonstrates explicit opposition towards local government authorities and community members who enforce the global law prohibiting child marriage among girls. This collective resistance is expressed in terms of social sanctions, intimidation, and an attempt for violent armed attacks. The discussion of the collective resistance responses of the community is detailed below, following the explanation of the two concealed underage marriage coping strategies adopted by the parents.

¹²⁵¹ See (Alston 2005)

¹²⁵² See (Vandenhoele 2012, 80)

¹²⁵³ Ibid

¹²⁵⁴ See (Bunting 2005, 28)

¹²⁵⁵ Ibid

8.2.1 Covert Underage Marriage

The study reveals two distinct categories of underage marriages among girls, which are carried out underground. Locals refer to these underground marriages as ‘**ጨፍልቆ መዳር**’ (*chefleko medar*, meaning hiding the underage marriage) and ‘**አሽልኮ መዳር**’ (*ashulko medar*) ወይም ‘**ሽሊክሊክ**’ (*shuleklek*, meaning sneak away).

8.2.1.1 “*Chefleko medar*”

Parents who desire to plot underground marriages may take one or more of their children to the prosecutor’s office and health office for age estimation when parents are confident enough to be over the age of 18. This age estimation result was then used as a cover to conduct weddings and marry off all underage daughters within the family. According to one of the study participants, “*Child marriage remains a pervasive issue, with the community's attitudes failing to change. All underage girls will be married off collectively during the celebration of their eldest sister's/brother's marriage.*”¹²⁵⁶ The study informants government authorities stated that they came across cases where by in a single family at least 5-6 underage girls had been married off underground.¹²⁵⁷ The high prevalence of *chefleko medar* reveals parents resort to marring off all the girls all together to avoid repetitive wedding celebration cost, and due to the high cost of living.¹²⁵⁸

8.2.1.2 “*Ashulko medar*” or “*Shuleklek*”

The participants of the study stated that parents often hide or lie about their plans to marry off their underage daughters. They use other social events, locally called *maheber* and *senbete*, to cover up for the weddings. In other times, the study shows underage girls with no wedding ceremony (preparation of food and drinks & no construction of ‘das’ - meaning a traditional temporary hut for wedding feasts) at the parents’ house, and the underage girl will be sent to the grooms house at night. A study participant emphasized that, “*age estimation contributed to protect the elder daughters from being married before attaining the legal adulthood.*”¹²⁵⁹ Nonetheless, he continued, “*parents are now resorting to negotiating with very young daughters. We have encountered instances where parents marry off child brides with no wedding ceremony,*

¹²⁵⁶ In-depth interview with A014, 15 April 2022, Quarit

¹²⁵⁷ In-depth Interview with A001, 29 March 2022, Quarit; In-depth Interview with A002 & A003, 31 March 2022, Quarit In-depth Interview with A005, A009 & A010, 29 March 2022, Quarit

¹²⁵⁸ Key Informant Interview with WDA1, 10 April 2022, Quarit

¹²⁵⁹ Key Informant Interview with SD2, 7 April 2022, Quarit

merely promising to celebrate later”¹²⁶⁰ (in Amharic, “ትልልቆቼን በህጋዊ መንገድ ስንይዝ ትንንሾቼን ውስጥ ለውስጥ በመደራደር ስርግ ሳይሰረግ ዝም ብለው በሹልክታ ይሰዳሉ፤ ዝም ብለው ሰደው ስርጉን በኃላ እናደርጋለን የሚሉ ገጥመውናል”)

A study participant shared his view that, “Parents who have attended awareness-raising training have realized that they may be held legally responsible and have subsequently resorted to covert tactics, mainly ‘ashulko medar.’”¹²⁶¹ Another study participant stated, ‘During the community awareness rising, parent will not comfort us. But, then after they create their own tactics for marrying off their underage daughters secretly.’”¹²⁶² Prior intervention conducted in the Amhara region revealed similar results to the present study, indicating that underground child marriages are also conducted at night.¹²⁶³

8.2.2 Collective Resistance

This study shows collective resistances were directed against local actors (i.e., Kebele administrators, female gender-focal local government representatives, female gender focal teachers, and school Principal) who prevented child marriage by rescuing underage girls. According to a study key informant (school dean), the implementation of interventions aimed at preventing child marriage among girls can result in an adverse perception of local actors being viewed as an enemy.

Parents who have received an age estimation result indicating that their daughters are underage often believe that we are monitoring their daily action and following them. Consequently, they send close family members to remind us to cease surveillance. If we contest this, they typically regard us as adversaries (Key Informant Interview with SD 01, 30 March 2022, Quarit)

The forms of resistance primarily involve social sanctions and intimidation. Furthermore, the community resistance escalates to the extent of an armed attack against local government authorities if they attempt to intervene and rescue underage girls on the day of the marriage

¹²⁶⁰ Ibid

¹²⁶¹ In-depth Interview with A013, 28 March 2022, Quarit

¹²⁶² Key Informant Interview with WDA1, 10 April 2022, Quarit

¹²⁶³ See (Muthengi and Erulkar 2010, 14)

celebration. The subsequent section examines the various forms of collective resistance identified in this study.

8.2.2.1 Social Sanction

Local government officials are currently experiencing social sanctions from community members, who have accused them of being the ones who disclosed secrets about underage marriage. According to the *Wereda's* government authorities, some *Kebele*-level government officials are considering abandoning their positions due to social sanctions, while others conceal the practice and even participate in the wedding ceremonies of underage girls.¹²⁶⁴ The typical social exclusions include exclusion from *Edir* (meaning local cooperatives or networks) and prohibition from collective cattle hardening (locally known as “ሸጋ”) which is a necessary daily routine activity.¹²⁶⁵

8.2.2.2 Intimidation

The study participant local actors reported experiencing intimidation, insecurity, and even the destruction of their homes as a means of coercion to impede their efforts to eliminate child marriage among girls. School Principals and female teacher gender focal point's indicated that they frequently encounter intimidation from the groom, while local government authorities stated they mainly face intimidation from parents. In an intervention that aimed to prevent child marriages in the Amhara region, retaliation and violence was inflicted upon community members who attempted to stop child marriages among girls, as some parents believed that "they intervened in a family matter."¹²⁶⁶

8.2.2.3 Fear of Armed Attack

The shortage of police officers in Quarit is rather acute.¹²⁶⁷ Only one law enforcement police official has been allotted to each *Kebele*, and in remote areas, access to police services is further impeded with 14 out of the 33 *Kebeles* lacking designated officers.¹²⁶⁸ On the other hand, the

¹²⁶⁴ In-depth interview with A014, 15 April 2022, Quarit

¹²⁶⁵ In-depth Interview with A013, 28 March 2022, Quarit; In-depth Interview with HE02, 3 April 2022, Quarit; FGD 010, 12 April 2022, Quarit; FGD 017, 12 April 2022, 2022; In-depth Interview with WDA1, 10 April 2022, Quarit

¹²⁶⁶ See (Muthengi and Erulkar 2010, 14)

¹²⁶⁷ FGD 010, 12 April 2022, Quarit; In-depth Interview with A05, 10 April 2022, Quarit; In-depth Interview with A002 & A003, 31 March 2022, Quarit; In-depth Interview with A007 & A008, 2 April 2022, Quarit

¹²⁶⁸ FGD 010, 12 April 2022, Quarit

participants of the study indicated that the community in Quarit is armed.¹²⁶⁹ The writer of this study noticed that the *Kebele* administrators always carried firearms and was informed that the local government officials were authorized to carry weapons for protection purposes. Furthermore, the police collaborate with former government military officials known as the '*militia*' to ensure law enforcement in the study area.

Particularly to the issue of collective resistance against interventions that prohibit child marriage among girls, the findings show that there is only a thin line between intimidation and an armed attack. According to one study participant, he was aware of five incidents in which the police took the father and child bride into custody (i.e. "Girls Hostel") on the day of the wedding ceremony.¹²⁷⁰ However, the responses from the police officers who participated in the study contradicted this view. If local government authorities are aware of the practice of child marriage on the day of the marriage, they are unable to take any action. A police officer who participated in the study stated, "*On the day of the marriage, we are powerless to act.*"¹²⁷¹ He further explained the reasoning behind his statement, "*If I inform parents that they are required to appear at the justice office on the day of the marriage, no one would comply with the law. Since they are armed, they would fire their guns at me.*"¹²⁷² A study informant *Kebele* Administrator shared his experience as follows:-

I am currently grappling with the issue of threats and intimidation from parents who are resisting our efforts to prevent child marriages among girls. Despite these threats, I decided to continue with the intervention. If we were in remote *Kebeles*, where access to law enforcement officials is limited, it is possible that these threats could undoubtedly escalate to deadly attacks as the community will support each other."¹²⁷³ (The local language translation of the participant's view is very strong than its English equivalent translation which states "ህግ የሌለበት አካባቢ ቢሆን ፖሊስ የማይቀርብበት አካባቢ በጋራ ይደራጃል ተው ብለሽ ብትሄጂ ሌላ

¹²⁶⁹ FGD 010, 12 April 2022, Quarit; In-depth Interview with A05, 10 April 2022, Quarit; In-depth Interview with A002 & A003, 31 March 2022, Quarit; In-depth Interview with A007 & A008, 2 April 2022, Quarit

¹²⁷⁰ Key Informant Interview with CF03 M, 2 April 2022, Quarit

¹²⁷¹ In-depth Interview with A09, 4 April 2022, Quarit

¹²⁷² Ibid

¹²⁷³ In-depth Interview with A11, 4 April 2022, Quarit 1

ጉዳይ ሊመጣ ይችላል፤ መሟሟት ማለት ነው) (In-depth Interview with A11, 4 April 2022, Quarit).

To prevent situations that may result in casualties due to armed attack, the police officers disclosed that they are often compelled to employ tactics to escort the parents and the prospective bride to the "Girls Hostel." In three instances, a study participant police officer indicated that he adopted a similar tactic of repeating the age assessment and adjusting the estimation result as a pretext to escort parents and, eventually detain them at the Girls Hostel. He explained one of the cases as follows:-

In one occasion, we were secretly informed that the parents intended to marry their underage daughters. Upon arriving at the location, I found that the father was constructing 'das' (meaning a traditional temporary hut for wedding feasts) with his relatives. I informed him that the purpose of my visit *is to correct an error in the age estimation results*. He, however, did not fully trust me and said, **እህል ውሀ ተበላሽቶ ሊቀር ነው፤ በአዱኛ ነው የመጣህብኝ** (meaning, “*You are prohibiting our ultimate joy and happiness by making all of the prepared food to be thrown away*”). Fortunately, I persuaded him to repeat the age estimation assessment of his daughters. Eventually, I accompanied the father and his daughters to the 'Girls Hostel,' where they were detained until the planned wedding date had passed (In-depth Interview with A05, 10 April 2022, Quarit)

The participants highlighted a recent ‘*chefeleko medar*’ case where by the police officers were unable to rescue the underage brides on the day of the marriage. Initially, a mother and the step father, both are informants of this study, sent two sons for estimation, with the results showing that one was 23 years old and the other 20 years old. Later, the younger sisters were sent¹²⁷⁴, but the results revealed that both were underage, with one being 17-18 years old and the other 15 years old. The local government authorities were secretly informed that the parents intended to marry their two underage daughters underground. The designated police officer of the *Kebele* where the parents live requested assistance from a neighboring *Kebele* police officer to

¹²⁷⁴The parents had the option to send all the children for age estimation; however, they opted to use two rounds of age estimation.

apprehend the parents on the day of the marriage. However, the parents along with their families attempted to launch an armed attack against police officers. The case reveals a situation in which police officers were forced to prioritize saving lives, as they were unable to safeguard the underage girls without resorting to firing their guns, which would result in casualties on both sides.¹²⁷⁵ The two police were not enough to take measures against offenders who were armed and outnumbered them. The participants in the study, who were prosecutors, indicated that the only viable option was to proceed with the prosecution of the case, rather than focusing on prevention.¹²⁷⁶ This particular instance was the only child marriage case under investigation by the police during the data collection period of the study.¹²⁷⁷

Finally, it is important to highlight that the use of repetition in age estimation assessments has been employed by police officers as a means of detaining both parents and girls at the “Girls Hostel” without the need for force. This, however, may ultimately reach a point where parents are no longer convinced to cooperate, and the police are unable to intervene without resorting to the use of firearms, which may lead to a disproportionate response and increased violence since the police are already outnumbered by the armed community.¹²⁷⁸

8.2.3 Factors that Intensified Local Resistance

This study shows the practice of child marriage among girls still prevails due to the complexity of existing and emerging deep-rooted socio-cultural factors that are discussed under chapter six. Moreover, the justifications of the local community regarding their resistance further indicate factors that go beyond tradition. This study shows the wide spread ‘unemployment’ and the ‘economic value of underage marriage’ as additional factors that intensified local resistance.

In the study area, parents do not support education of girls. They do not deter girls from education, as in the previous days, but undervalue the benefit/achievement of educated girls and resort to the comparative advantage of underage marriage. Two participants in the study expressed the prevailing perceptions of unemployment within the community, stating, “የተማሩትምንሰሩሲንጓለሉነውየሚውሉት,” (meaning “*Regrettably, those who are educated do not*

¹²⁷⁵ Ibid

¹²⁷⁶ The prosecutor has served for one year and eight months and the other for six months respectively, see In-depth interview with A002 & A003, 31 March 2022, Quarit

¹²⁷⁷ Ibid

¹²⁷⁸ Each *Kebele* has an assigned one police officer, although there are some instances in which the local government has been unable to do so because of a shortage of police personnel.

*make any meaningful contributions to our community but appear to be engaging in leisure activities without maintaining gainful employment.”*¹²⁷⁹ Another study informant from the government stakeholder similarly highlighted that: -

The main issue is, does education lead to economic betterment for supporting their family? The answer is no. Let alone supporting their family; most will be unemployed. Moreover, those who manage to get a job in the government sector still depend on their farmer parents, as their salary does not even cover their living costs. So, parents are vigorously contesting the value of educating their daughters (In-depth interview with AA02, April 15, 2022, Finote Selam).

In the study area, marriage is a stepping stone for middle/late adolescent girls that choose labor migration to adjacent localities; locals call it "*bereha*." Accordingly, when girls do not perform well in their education and want to own their assets, they consider marriage the only option and best alternative. This finding differs from the result of the study by Presler-Marshall et al¹²⁸⁰ that shows adolescent girls' aspiration for education is getting stronger and has positive support from most parents/caregivers involved in the study.

This study shows next to controlling sexuality, the economic value behind child marriage among girls seems to be a key driving factor from both parents' and adolescent girls' standpoints. This finding concurs with the recent findings in India and Indonesia¹²⁸¹ showing that economic and cultural reasons are key drivers of girls' underage marriage. Furthermore, in the study area, one can validly imply that the economic aspect seems to be more influencing than the cultural reasons behind girls' child marriage. The study indicates girls' underage marriage is yet a tradition, but at the same time, it evidences existing social norm changes on the existence of consensual adolescent girls and boys-initiated marriage.¹²⁸²

¹²⁷⁹ Key Informant Interview with GFFT02, 13 April 2022, Quarit; Key Informant Interview with HE 03 M, 8 April 2022, Quarit

¹²⁸⁰ See (Presler-Marshall et al. 2021, 2)

¹²⁸¹ See Batyra and Pesando 2021; Collin, Talbot, and World Bank 2017

¹²⁸¹ See Batyra and Pesando 2021; Collin, Talbot, and World Bank 2017

¹²⁸² In-depth Interview with A001, 29 March 2022, Quarit; In-depth Interview with CF 01 & 02, 31 March 2022, Quarit; In-depth Interview with AG10, 12 April 2022, Quarit; FGD 009, 14 April, 2022, Quarit;

8.2.4 Identifying Central Norm Holders

This study explored who holds the norms of child marriage among girls in the study area, and hence focuses on the cultural drivers of the practice. The participants have different opinions: some say priests,¹²⁸³ others say elders,¹²⁸⁴ but most agree that parents¹²⁸⁵ are the norm holders' due to controlling girls' sexuality (protective factor of “*chagula merget*,” meaning marriage at the childhood and virginity); the strong socio-cultural reasons of protection of family honor, and ‘*Akuworlkuway*’ (claiming back debt). There were also participants who hold a view that all of the community members resist without the need for identifying the central norm holders.¹²⁸⁶

There were participants who shared view that female grandparents are protective of the norm since they want to see the pride of grandchildren. This finding concurs with Eimire et al¹²⁸⁷ who also identified the elderly as central norm holders contributing to the persistence of the practice. In this study, there were also participants who stated adolescent boys also resist the legal marriageable age for fear of losing virginity.¹²⁸⁸ A study participant public prosecutor shared his experience about resisting adolescent boys on the ground that ‘*why you fool us, these days girls will lose their virginity soon with the boys they will meet at the school.*’ Another participant stated adolescent boys argue “እኛ አይናችን ያያትን (የወደድናትን) አግብተን የማናስተምረው ብለው ይከራከራሉ” (meaning, they argue to marry a girl they loved as long as she continues her education).¹²⁸⁹ However, the participant noted, “*The adolescent boys have not yet realized girl students will ultimately drop out when they give birth and shoulder family responsibility.*”¹²⁹⁰

This study further reveals fathers are often the final decision makers while mothers are at the center of the central norm holders. A study key informant noted, “አባት ሴት ልጅህን ጫጉላ አላስረገጥክም ተብሎ መሳለቂያ ይሆናል” (meaning, “*Fathers who failed to marry of their daughters*”

¹²⁸³ Key Informant Interview with WA 01, 10 April 2022, Quarit; Key Informant Interview with WA 01, 12 April 2022, Quarit; Key Informant Interview with SD 01, 30 March 2022, Quarit

¹²⁸⁴ Key Informant Interview with HE 01 F, 31 March 2022, Quarit; Key Informant Interview with SD 03, 14 April 2022, Quarit

¹²⁸⁵ Key Informant Interview with YA, 4 April 2022, Quarit ; Key Informant Interview with GFF T01, 18 April 2022, Quarit; Key Informant Interview with GFF T01, 13 April 2022, Quarit; Key Informant Interview with SD 02, 7 April 2022, Quarit

¹²⁸⁶ Key Informant Interview with WDA 02, 12 April 2022, Quarit

¹²⁸⁷ See (Emirie and Eshetu 2016)

¹²⁸⁸ Key Informant Interview with HE 01 F, 31 March 2022, Quarit

¹²⁸⁹ Key Informant Interview with SD 03, 14 April 2022, Quarit

¹²⁹⁰ Ibid

at childhood are ridiculed”).¹²⁹¹ This shows fathers are protective of the norm because as it relates with their pride. On the other hand, mothers worry about their daughters’ fate and social isolation, locally called “*Kumoker*.” In addition, mothers have less access to information and awareness than fathers, and they face more socio-cultural barriers that limit their agency. As a result, they prefer to marry off their daughters early to avoid shame. Moreover, the traditional gender role makes mothers responsible for remembering and reclaiming the “*Akolkuway*” (which are gifts of food and drinks) that they have given to other marriages.¹²⁹² The FGD participants explain that as a “*common debt in the community, (locally called “lemat,” (which means a plate or a container for local food “injera.”) t, he community expects to get it back when they host their own child’s marriage.*”¹²⁹³ Mothers are eager to get back what they have given, and thus they initiate (while fathers decide) girls’ child marriage whenever the betrothal request is made.

8.3 Adolescent Girls as Key Influential Local Actors in Combatting Child Marriage

This study investigated the partnership between local government, CBO’s and global partners with key community members to tackle the issue of child marriage among girls in the study area. In line with the recommendation of the African Committee of Experts¹²⁹⁴ and the national Roadmap,¹²⁹⁵ the intervention for combating child marriage is in Quarit designed in a way that gives central roles for religious leaders, community elders, and adolescent girls among local stakeholders. The study further established that the engagement of religious leaders and community elders is very vital.¹²⁹⁶ However, the majority of study participant religious leaders and community elders expressed resistance to the minimum marriageable legal age of marriage, entailing their engagement being far from being “authentic.”¹²⁹⁷ The findings of this study indicate that the role played by local actors¹²⁹⁸ in the diffusion of norms prohibiting child

¹²⁹¹ Key Informant Interview with SD 02, 7 April 2022, Quarit

¹²⁹² In-depth interview with HE 01, April 8/2022, Quarit ; In-depth interview with A07, April 2/2022; SD 04, April 16/2022, Quarit. In-depth interview with CF4 M

¹²⁹³ FGD 006, 2 April 2022, Quarit

¹²⁹⁴ Supra note 486

¹²⁹⁵ See (Ministry of Women and Social Affairs 2019)

¹²⁹⁶ FGD 017, 12 April 2022, Quarit; In-depth Interview with A02, 5 April 2022, Quarit; In-depth Interview with A03, 7 April 2022, Quarit; In-depth Interview with A001, 29 March 2022, Quarit; In-depth Interview with A002 & A003,

31 March 2022, Quarit; Key Informant Interview with CF03, 2 April 2022, Quarit

¹²⁹⁷ See Supra note 14 & 15

¹²⁹⁸ Except for resisting girls - who actively and significantly contribute at the grassroots level

marriage is not as speculated by Acharya,¹²⁹⁹ who contends that local actors shall be more proactive in this regard than IGOs. The study by Emirie and Eshetu¹³⁰⁰ indicates that child marriage persists in a hidden manner with facilitation of religious leaders and local communities even after knowing it is illegal practice.

Malhotra and Elnakib (2021) maintain that setting a minimum marriage age is a crucial yet insufficient measure for the grassroots-level vernacularization of global norms against child marriages. Similarly, Barney et al. (2022) argue that the focus should shift from a fixed age limit to empowering girls to resist the practice. Contrary to the prevailing discourse on child marriages that typically portrays girls as victims, this study reveals the agency of middle and late adolescent girls in combating child marriages in the targeted research *Wereda*. Accordingly, the following section delves into the role played by adolescent girls in combating child marriages in the study area, both individually and collaboratively.

8.3.1 Exploring Adolescent Girls Individual Agency

Kabeer¹³⁰¹ offers a well-known definition of agency, stating that it is "*the ability to define goals and act on them.*" It is imperative to underscore one's "goal," which is intrinsically encompassed within the notion of agency. In this regard, Sen¹³⁰² asserts that "*a person's agency cannot be understood without taking into account their aims... in a broader sense, the person's conception of the good.*"

The question of whether child-brides have agency is an important issue that has been debated by scholars. De Silva de Alwis (2015)¹³⁰³ argues that women and girls who are subjected to child marriage cannot exert agency. She contends that societal expectations of gender norms limit their options, resulting in a lack of agency.¹³⁰⁴ On the other hand, Kabeer¹³⁰⁵ noted that girls and women can exercise "passive" forms of agency with limited choices available. Kabeer classified agency into two types: active and passive.¹³⁰⁶ Active agency involves behaving with a goal in

¹²⁹⁹ See (Acharya 2004, 241)

¹³⁰⁰ See (Emirie and Eshetu 2016)

¹³⁰¹ See (Kabeer 1999), p.438

¹³⁰² See (Sen 1985), p.203

¹³⁰³ See (De Silva De Alwis and Klugman 2015)

¹³⁰⁴ Ibid

¹³⁰⁵ See (Kabeer 1999)

¹³⁰⁶ Ibid

mind, whereas passive agency involves acting when choices are scarce.¹³⁰⁷ Emirie, Jones, & Kebede (2021)¹³⁰⁸ concur with Kabeer and suggest that child brides can exercise limited agency by distinguishing between "self-initiated" and "parental-arranged" child marriages. The authors also suggest it is essential to build the collective agency of these girls to enable them to aspire beyond being valued solely as mothers in society.¹³⁰⁹

In the current study, conflicting perspectives were expressed regarding adolescent girls' agency in resisting child marriages. The majority of the participants held the view that the age of adolescent girls played a crucial role in determining their agency, with middle/late girls who were 14/15 years of age being more likely to disagree, while younger girls tended to accept it. However, another opinion suggested that adolescent girls generally followed their parents' decisions, regardless of their age, and thus, lacked agency. Conversely, informants agreed that middle/late adolescent girls were not forced to marry.¹³¹⁰ Regardless of the legal age of consent being 18 years,¹³¹¹ it was widely recognized in the study area that the age of 15 years was the appropriate age of consent for marital decisions by adolescent girls.

According to adolescent girls who have participated as FGD informants in the study, some parents resort to marrying their daughters secretly if they believe the girls will resist the arranged marriage. Furthermore, the girls stated that *"parents will inform those girls who are assumed to be willing to accept an arranged marriage, but they will not inform those who are suspected to resist, usually those who are 15 years old or more."*¹³¹² Adolescent girls in another group of FGD stated, *"Parents will not request girls consent before marriage. Nearly all girls have 'chagula regte wal' (meaning married at their childhood)."*¹³¹³ After attaining the age of 15 and older, they continued, *"the girls' choice is not uniform, some prefer marriage over education while others*

¹³⁰⁷ Ibid

¹³⁰⁸ See (Emirie, Jones, and Kebede 2021)

¹³⁰⁹ Ibid

¹³¹⁰ This holds true both at the factual level and in the perception/ understanding of the study informants.

¹³¹¹ See Article 7 (1) of (*Federal Negarit Gazetta of the Federal Democratic Republic of Ethiopia, The Revised Family Code Federal Negarit Gazetta, Issue Number 1/2000 2000*); see also Article 18 of (*The Amhara National Regional Family Code Approval Proclamation Proclamation No. 79/2003, A Proclamation to Approve the Amhara National Regional State Family Code. 2003*)

¹³¹² FGD 005, 13 April 2022, Quarit

¹³¹³ FGD 007, 30 March 2022, Quarit

*vice versa. However, most girls accept their parents' choice, will not resist. And those resisting girls will run away.*¹³¹⁴

In Quarit Wereda, middle/late adolescent girls have ‘apparent’ choices regarding their marriage. They can either consent to the arranged marriage or resist it. The study explored the perspectives of adolescent girls who participated as in-depth interview informants on the factors influencing their choice in making marital decisions; it is summarized in the following table.

Table 4: Summary of in-depth interview adolescent girl participants’ marital choices vis-à-vis exerting agency

Adolescent Girls Marital Choice: Exploring Their Agency				
	Goal setting	Action	Goal Achievement	Remark
AG1	She models one of her close family, an educated medical doctor. Her parents also held this aspiration, encouraging her to pursue education	She values education over marriage, intending to select her spouse after completing school.	Education	Education enhances the girl’s and her parent’s ability to exert agency and resist child marriage
AG2	She was married in childhood but was separated; follows the dominant norm of being a child bride	Accepted arranged marriage : She married someone she didn't know before their wedding day	Child Bride	Has not exerted agency
AG3	She lost hope in education due to existing conflict and instability	Changed her goal from pursuing education to marriage: Accepted arranged marriage	Child bride	Exercised passive agency
AG4	She was separated from her childhood spouse and pursued education.	Resisted arranged child marriage: Age & education gave her voice/agency to resist child marriage	Education	Exercised transformative agency
AG5	Missing classes to do chores led her to declining grades; dropped out eventually.	Accepted an arranged marriage. She aimed to continue her education while getting married, making it a condition during betrothal negotiations. However, after marriage, her husband opposed her education, believing that her primary duty was to manage the household. She left him to resume her education with the support of her parents. Nonetheless, she is not able to continue education due to household responsibilities at her parents’ house	Once a child bride, but separated and resisted.	She exercised passive agency when she consented to an arranged marriage. Then, education was her framing when she resisted by running away.

¹³¹⁴ Ibid

AG6	She lives with her stepmother and is fed up with the domestic workload, drops out after grade 10	Accepted arranged marriage: Her goal shifted from education to marriage because of unemployment among educated girls. She believes in the advantage of shouldering domestic work by starting her own family, rather than serving her stepmother	Child bride	Exercised passive agency
AG7	She was not married during childhood. She values couple-initiated consensual marriage after completing school	Perusing education: Her parents accepted her decision since she is more than 15 years	Education	Education is a framing that helps the girl to resist child marriage
AG8	When her friends married, she dropped out of school. She could not continue her education as the school was far away, and she could not travel alone	Accepted arranged marriage: Changed her goal from pursuing education to marriage.	She did not pass the age estimation.	Exercised passive agency
AG9	She was married in childhood(12/13 years of age) but was separated; follows the dominant norm of being a child bride	Accepted arranged marriage: She married someone she didn't know before their wedding day	Child bride	Has not exerted agency
AG10	She valued child marriage over education and rejected her father's claim to pursue education.	Self-arranged child marriage: Threatened her parents she would elope with the boy she loved if they did not accept the betrothal	Child bride	Exercised passive agency
AG11	She was not married during childhood. she values education and plans to select her partner after finishing school	Resisted arranged child marriage: Education and changing norms on age gave her voice and agency	Education	Exerted transformative agency
AG12	She was married in childhood but was separated; follows the dominant norm of being a child bride	Accepted arranged marriage: She married someone she didn't know before their wedding day	Child bride	Have not exerted agency

The table shows that some adolescent girls followed the dominant norm of becoming child brides, while others exercised passive agency despite accepting child marriages. Some of the study informants stated that adolescent girls have value for 'education' over 'child marriage' and resisted. The subsequent section focuses on thoroughly examining the agency of girls who have consented to arranged marriages, as well as those who have resisted or entered into self-initiated child marriages at the research targeted *Wereda*.

8.3.1.1 *Girls that Accepted Arranged Marriage*

This study indicates that when girls accept arranged marriages, they are regarded as being married with 'their own choice.'¹³¹⁵ Most (7 out of 12) consented to arranged marriages for various reasons (see table 4 above). Except for three who wanted to fit in with the dominant social norm, the remaining had other justifications. Two of them had given up on their education and dropped out;¹³¹⁶ one of them had lost hope in education due to the existing war and instability;¹³¹⁷ Moreover, one participant stated that on top of the unemployment of educated girls, she wanted to escape the household chores imposed by her stepmother.¹³¹⁸

Four out of the seven adolescent girls exercised passive agency even if they agreed to the arranged marriage. Their justifications reveal a change in 'goal,'¹³¹⁹ and 'value' towards marriage as a viable option. Rather than focusing on their final decision to be child brides, what should be highlighted is their intention and motivation¹³²⁰ to exert the limited agency¹³²¹ they can exercise.

8.3.1.2 *Self-initiated underage Marriage by Adolescent Girls*

Applying legal semiotics offers a valuable lens for comprehending the interpretation of child marriage law by grassroots governmental authorities in the study area. This study shows that the local government responds differently depending on who initiates the underage marriage: parents or girls themselves. The Amhara region family law envisages 18 as the age of consent,¹³²² however, the authorities only intervene to stop forced marriages by parents, but not self-initiated marriages by girls who are 15 or older.¹³²³ They only advise them to reconsider their decision.¹³²⁴ If girls persist with their decision and started to leave with the boy they loved, neither the

¹³¹⁵ In-depth Interview with FP1, 4 April 2022, Quarit; In-depth Interview with FP2, 4 April 2022, Quarit; In-depth Interview with FP8, 8 April 2022, Quarit; In-depth Interview with AB1, 12 April 2022, Quarit; In-depth Interview with AB2, 12 April 2022, Quarit; In-depth Interview with AB8, 15 April 2022, Quarit

¹³¹⁶ In-depth interview with AG5, 10 April 2022, Quarit & In-depth interview with AG8, 12 April 2022, Quarit

¹³¹⁷ In-depth interview with AG3, 6 April 2022, Quarit

¹³¹⁸ In-depth interview with AG6, 1 April 2022, Quarit

¹³¹⁹ See (Sen 1985; Donald et al. 2020; Alkire 2008)

¹³²⁰ See (Gruber et al. 2015; Donald et al. 2020)

¹³²¹ See (Kabeer 1999; Emirie, Jones, and Kebede 2021)

¹³²² See Article 17 Cumulative with Article 18 (1) (*The Amhara National Regional Family Code Approval Proclamation Proclamation No. 79/2003, A Proclamation to Approve the Amhara National Regional State Family Code.* 2003)

¹³²³ In-depth Interview with A02, 5 April 2022, Quarit; In-depth Interview with A03, 7 April 2022, Quarit In-depth Interview with A06, 10 April 2022, Quarit; In-depth Interview with A001, 29 March 2022, Quarit; In-depth Interview with A002 & A003, 31 March 2022, Quarit; FGD017, 12 April 2022, Quarit

¹³²⁴ Ibid

parents, nor the local authorities intervene.¹³²⁵ In accordance with Wagner and Marusek (2023) this finding exemplifies the non-verbal ‘sign’ system in legal interpretation that conveys cultural meaning.¹³²⁶

One of the study informants, AG10,¹³²⁷ valued 'marriage' over 'education'. Her father, who was also an informant, said:

My daughter was only 14 when she wanted to get married. I attended community training on child marriage and tried to stop her. I took her away from our village to change her mind, but she refused. I had no choice but to marry her off before she eloped with the boy she loved (In-depth interview with MP10, 12 April 2022, Quarit).

Kenny et al¹³²⁸ argues that the increase in girls' agency maintains a harmful practice of child marriage by increasing adolescent-led marriages. In contrast to this view, the writer of this research claims adolescent girls exert limited agency in the couple's initiated consensual marriage; locals refer to it as "*jenjena agebache*" (meaning she flirted with him to marry her). Although they still follow the dominant norm of becoming wives, they choose their partners. The adolescent girls took explicit actions to pursue their goals. Girls elope with the boys they love and force their parents to accept their choices. As a result, in line with Donated et.al(2020)¹³²⁹ framework of exerting agency, adolescent girls achieve their initial goal of marrying their desired lifelong partner. Hence, although uncommon, some self-initiated marriages in the study area also demonstrate the limited agency of middle/late-adolescent girls.

8.3.1.3 Resisting Girls

Exerting agency highly depends on one's values.¹³³⁰ And the concept of ‘value’ from the semioticians’ point of view offers a comprehensive explanation for the disparities among adolescent girls in their choices/decision-making of accepting or resisting arranged marriages. According to Saussure, as cited by Chandler, “*the ‘value’ of a sign depends on its relations with*

¹³²⁵ Ibid

¹³²⁶ See (Wagner and Marusek 2023)

¹³²⁷ In-depth interview with AG10, 12 April 2022, Quarit

¹³²⁸ See (Kenny et al. 2019)

¹³²⁹ See (Donald et al. 2020)

¹³³⁰ See (Sen 1985; Donald et al. 2020)

other signs within the system.”¹³³¹ In contrast to AG10, the four (AG1, AG4, AG7 & AG11) out of the 12 adolescent girl in-depth interview participants had ‘value’ for ‘education’ over ‘child marriage.’

AG5 had run away and separated from her husband because she ‘valued’ education over child marriage. Even if she was unable to achieve her goal, other study informants indicated that some resisting girls escaped child marriage by running away to relatives who could support their education and managed to continue their education.¹³³² Girls who fled their homes to continue their education inspired other girls in their communities to do so.¹³³³ These girls had the option of conforming to the prevalent norm of becoming wives. However, they defied this norm by taking the bold step of running away. As a result, they achieved their goals of pursuing education by exercising transformative agency. This finding concurs with Kassegne et al.,¹³³⁴ who indicated girls who view education as a viable option are ‘avoiding’ child marriage.

Attending school is a key factor that supported middle/late adolescent girls to resist child marriage in the study area. In an in-depth interview, an adolescent girl stated, *“I have friends who are not yet married against the will of their parents. They are challenging their parents because they want to continue their education.”*¹³³⁵ This finding concurs with Jones, Tefera, Presler-Marshall et al.¹³³⁶ who argue that education is a strong driver of change against norms on child marriage among girls in Ethiopia. The agency of adolescent girls living in rural *Kebeles* of Quarit *Wereda* is, however, constrained due to gaps in access to education. An adolescent girl, an in-depth informant, stated, *“When all my friends married, I dropped out from grade 5. The school is located at Biradama, which is very far away, and I cannot travel alone between forests. I am willing to marry; my parents have accepted betrothal.”*¹³³⁷ The study shows that even temporary reasons that close schools have a direct negative impact on adolescent girls’ resistance to arranged marriages. The failure of a significant number of students, mainly in the Amhara

¹³³¹ See (Chandler 2007), p. 13

¹³³² FGD 005, 13 April, 2022, Quarit; FGD 008, 14 April, 2022, Quarit; In-depth Interview with A001, A005, A009 & A010, 29 March 2022, Quarit; In-depth Interview with YA, 15 April 2022, Quarit

¹³³³ Ibid

¹³³⁴ See (Kassegne, Kwaak, and Kok 2023, 15)

¹³³⁵ In-depth interview with AG01, 1 April 2022, Quarit

¹³³⁶ See (Jones, Tefera, Presler-Marshall, et al. 2016)

¹³³⁷ In-depth interview with AG08, 12 April 2022, Quarit

region, in the 2020/2021 GC University entrance exam exacerbated the prevalence.¹³³⁸ In addition, the current armed conflict in the northern part of Ethiopia had a spill-over effect to drive the persistence of the practice. When schools were closed due to the country's instability, girls who would have preferred to continue their education lost hope and resorted to child marriage.¹³³⁹

8.3.2 Adolescent Girls Collective Agency

The UNICEF/UNFPA joint initiative with local government created an opportunity for in-school and out-of-school adolescent girls to exert collective agency. For the first time, a group of out-of-school adolescent girls was formed to secretly report cases of child marriage to local government authorities. Secret boxes that allow the in-school gender club member girls (and boys) to take collective action against child marriage are also prepared for selected 10 schools in Quarit.¹³⁴⁰ Through the use of secret boxes, 145 underground reports are gathered from all schools.¹³⁴¹ In addition, in-school and out-of-school adolescent girls' club members receive life skill training which aims *"to build their self-esteem to resist underage marriage, understand they have the right to choose their spouse and change the community's attitude."*¹³⁴²

The study found that adolescent girls exhibit collective solidarity through collaboration with local actors, utilizing "underground reporting." The enrolled students had better access to resources for resistance than those who were out of school. However, out-of-school girls can still report to village leaders, *Kebele* administrators, and women focal government stakeholders. The Out-of-school collective agency also monitors and reports cases of child marriages to local authorities. Furthermore, resistant middle/late adolescent girls often seek assistance from family members who support their education. These family members usually support the education of resisting girls by sheltering them when they flee from their parents' homes to avoid marriage.

¹³³⁸ In-depth interview with Adolescent Girl; II with Wereda Culture

¹³³⁹ In-depth interview with AG03, 6 April 2022, Quarit; In-depth interview with A001, 29 March 2022, Quarit; In-depth interview with A005, A009 & A010, 29 March 2022, Quarit

¹³⁴⁰ The selected schools are 'ቦረቦር'(Borebor), 'ቡጥላ'(Butla), 'አሸቲ'(Ashety), 'ሌባገደል'(Leba Gedel), 'ብርሐኑዳማ'(Bere Adama), 'ሻባ'(Sheba), 'በእንቁ'(Beeneku), 'እንደበጎ'(Endebgo), 'አየንብርሀን'(Ayen Bereha), and 'ገንትአቦ'(Genet Abo); These schools are selected based on the high prevalence of girls' child marriage

¹³⁴¹ There are 71 schools, In-depth interview with A006, A015 & A016, 30 March 2022, Quarit

¹³⁴² In-depth interview with A001, 29 March 2022, Quarit

8.4 Conclusion

The findings on the investigation of trends in child marriage among girls indicate that local government intervention, combined with intergovernmental organization efforts, met with resistance and caused the practice to remain hidden rather than contribute to its eradication. Moreover, the study shows that the interventions were insufficient in altering the community's mindset. Additionally, the impunity of child marriage law in the neighboring *Weredas* exacerbated community resistance at Quarit. As a consequence, community members employed coping strategies to hide underage marriages among girls, thereby hindering the local government's ability to take action. These coping strategies encompass both individual (*chefeleko medar* and *ashulko medar*) and collective resistance (i.e. social sanction, intimidation and armed attack). The study findings further reveal that with the existing shortage of police officers; it has been challenging to intervene even if the local government managed to get secret information on the planned child marriage.

This research reveals that the strategies implemented to curb child marriages among girls typically follow a 'top-down' approach, and the methods employed do not take into account local community justifications. Another key finding of this study is that the issue of resistance to and/or acceptance of global norms prohibiting child marriage go beyond the preservation of tradition. The findings suggest that the widespread unemployment of educated girls and the economic value of marrying off girls are among the factors that have intensified community resistance. This study also found that parents were at the driver's seat of the practice, but priests, elders, adolescent boys, and even girls played a role in upholding the norms. Finally, this research provides a hint of hope for the eradication; the findings reveal that adolescent girls who are exerting active and passive agency are the most influential local actors in the fight against child marriage and are "authentic" in their efforts to combat the practice.

CHAPTER NINE

Conclusion and Recommendation

This dissertation investigates how the globally defined norms of the minimum marriageable age of 18 and the (free, full and informed) legal consent notions are interpreted, framed, and implemented while also seeking to understand the local community's receptiveness and resistance to this translation process. It employs a vernacularization framework to gain insight into and document how the contextualization process shapes and implements the globally defined norms against child marriage in a manner that resonates with and gives meaning to the local community. This framework is crucial as it allows for a comprehensive examination of the perspectives of key local stakeholders, including mothers, fathers, adolescent girls, adolescent boys, religious leaders, and community elders, regarding their reasons for establishing an appropriate marriageable age and marital consent for girls in their local setting.

The dissertation begins by exploring the context of 'girlhood,' 'childhood' and 'marriage' in the targeted areas and locating the factors, i.e., the semiotic system, that sustained the practice of child marriage among girls. It further delves into the perspectives of influential local actors regarding their acceptance or resistance to global norms against child marriage among girls in their locality. Moreover, the dissertation explores the pivotal roles of 'intermediaries' in implementing global norms on child marriage, identifying the participation of local government, CBOs, and IGOs. The study also underscores their successes and challenges. Lastly, the dissertation discusses the implications of the key findings and offers concluding remarks.

9.1 Conclusion

This study successfully addressed its initial contextual inquiry regarding the local conceptualizations of 'marriage,' 'childhood,' and 'girlhood.' The responses to these questions revealed that the underlying justifications for the locally appropriate first age at marriage among girls are far below the legal¹³⁴³ marriageable age (starting from 4/5 years). Additionally, applying semiotics theory provides insight into the significant role of parents in determining the age of marriage, choosing spouses, and giving consent.

¹³⁴³The term legal here refers to both the domestic and international law, i.e. marriageable age of 18

The present research endeavored to explore the different ways in which not only the state and non-state stakeholders but also how the local actors comprehend and translate the globally norms against child marriage in the targeted areas. And the results highlight the importance of moving beyond the conventional perspective of categorizing contestation of gendered social norms vis-a-vis legal¹³⁴⁴ norms into two distinct levels: internal community on one hand and external agents of local government, CBO's and global partners on the other side. The findings explored and documented the internal contestation among key local norm holders, mainly religious leaders, community elders, parents, and adolescent girls and boys. The results further demonstrated that paying attention to the translations of global norms by the local actors will result in a framing that is locally 'meaningful' marriageable ages, i.e., the religious-based and sociocultural framings of 22 and 15 years. Notably, the religious based framing of age of 22 as an appropriate age of marriage among girls is a new finding articulated by this dissertation.

This dissertation aims to document and analyze the strategies and tactics used to frame and shape the globally defined norms against child marriage to get acceptance by the grassroots communities. In line with this objective, this dissertation thoroughly examined the joint efforts of the local government, CBOs, and IGOs. The findings evidenced that the local governments used diversified strategies, tactics, and framings. The strategies and tactics employed include raising community awareness, promoting dialogue and mobilization, fostering collective agency among adolescent girls, gathering information through covert reporting, providing consultation and advice, verifying the age and consent of girls before marriage, and implementing temporary detention and monetary penalties to "stop" the planned arranged underage marriages. Additionally, the translation used to contextualize the global norms on child marriage includes framing on cost implication/economic argument, early separation, investing in education, fistula as a justification, the socio-cultural-based framing/age of 15 as an appropriate marriageable age, and religious-based framings/the two contrasting views of 22 and 15 as appropriate marriageable ages.

This dissertation uncovered deficiencies in the scope and implementation of interventions aiming to address child marriage among girls in the targeted areas. Currently, the local government's efforts are confined to districts supported by UNICEF and UNFPA. Prevention efforts in Quarit

¹³⁴⁴ Ibid

Wereda heavily rely on external funding and a donor-centered approach, potentially lacking long-term effectiveness. While the joint initiative to eliminate child marriages provides a valuable guide, the limited resources and absence of a nationwide approach may hinder the successful eradication of this practice. Furthermore, while IGOs lead these efforts, their effectiveness has been questioned. The intervention focuses solely on Quarit and overlooks neighboring *Weredas*, resulting in inactive HP elimination committee operations. Capacity gaps are discernible, particularly in remote areas within Quarit. Additionally, challenges were identified at every stage of the intervention's implementation, including in law enforcement approaches for age estimation and consent verification. Another key new finding, in relation to this, is the gap of intervention by local government stakeholders to prevent child marriages initiated by middle/late-adolescent girls due to a non-verbal 'sign' system in legal interpretation conveying cultural meaning. The new finding I want to highlight here is it offers a new perspective.

The results of this dissertation provide not only evidence for the theory of vernacularization but also brings a new issue which the theory should address. The results illustrate hybridization in line with vernacularization theory as it shows how the global and national law on the minimum marriageable age of 18 and consent notions are framed, redefined, and even include a stricter norm than what is required globally. The findings highlight that the universal legal framework for marriageable age, set at 18, is not accepted at the local level in the study area (i.e. it is resisted and 'redefined' in line with the conceptual framework guiding this study). The study further demonstrates that the local community desires a law that is meaningful to them. And the results indicates that the minimum marriageable age requirement of the law is 'redefined' or changed to 22 or 15 in line with the religious-based and sociocultural framings respectively. Accordingly, using age of 22 as a framing is a stricter norm that the theory should address. The important follow up question will be *'how does a stricter norm fit into the vernacularisation theory?'*

Regarding the legal consent notions of 'free, full and informed consent,' middle/late adolescent girls rarely exercise it in cases of adolescent-led child marriages and/or when they accept arranged marriages through exerting passive agency. The study shows that the efforts of the local government to verify consent in arranged marriages have not been successful due to the intra-

household power dynamics between parents and adolescent girls. Accordingly, the age at which these girls are considered to have the capacity to provide legal consent is lowered from 18 to 15 years, i.e., the global law on consent is 'redefined' or changed at the local level.

This dissertation makes a valuable contribution to the existing body of academic research by challenging the global legal framework on three grounds. Firstly, the experience of child brides has not been fully incorporated into the definition and approach of human rights law, even though they are disproportionately affected. The strategy to eliminate child marriages must undergo a significant shift, moving from viewing it narrowly as an age or protection issue to incorporating a gender perspective. By taking a gender-focused approach, one of the root causes (i.e., gender inequality) contributing to the practice of child marriage can be identified and addressed. The findings in this dissertation highlight the disproportionate impact of child marriage on girls, with specific reasons uniquely associated with them. For the issue 'why girls are disproportionately affected?' Most of the study findings can be summarized under one sentence: it is to manage and control their sexuality. An age beyond eight years is locally perceived as no more a child; however, the prevailing misconceptions about girls' sexuality and traditional gender norms render girls a target for child marriage more than their male counterparts. Consequently, the local community created age junctures that are only given to girls; 11/12 is the 'socially appropriate' age for marrying them off, since 14/15 and beyond is their 'age of consent.' The latter age triggers frustration in parents since it marks the age at which adolescent girls start to exert agency.

Secondly, the current narrow scope of the global legal framework on age (i.e., universal minimum age of 18 years) in defining and addressing child marriage overlooks the role of influential local actors. These local agents have the power and authority to determine appropriate marriageable ages among girls within their local context. The current legal framework provides an opportunity to work closely with them and collaborate in raising awareness from the national up to the targeted study *Woreda* level. However, I still argue that it not 'meaningful engagement;' it is very minimal engagement, which is not empowering in terms of recognizing and providing tailored progressive responses to their fears associated with child marriage among girls, including early pregnancy, losing virginity, and being ashamed as '*Kumoker*.' I strongly argue that the engagement is also hierarchical since they were bound to accept the global law,

while their fears still remained. This study uncovers various forms of underground child marriages among girls, which can be attributed to the absence of meaningful engagement with key local actors by the state parties/local government.

My third ground in challenging the current legal framework is an implication of the study findings that mainly targets community collective resistance through covert coping strategies locally known as ‘ጭፍልቆመዳር’ (*chefeleko medar*) and ‘ሹልክልክ’ (*shuleklek*). I disagree with the law's stance that obliges state parties to abolish the practice of child marriage immediately. I want to highlight two grounds in criticizing the current law: the approach of addressing child marriage and the timing. Human rights law must adopt an approach that takes into account both age and gender aspects by requiring state parties to critically evaluate the rationales put forth by local communities/actors to develop targeted and customized interventions that address the root causes of child marriage among girls and thus eliminate the practice progressively. The important gap that this study documents is that existing initiatives on awareness rising are not able to alter the perspectives of community members concerning child marriage. The role of law could be significantly enhanced if it were to adopt a more progressive approach that emphasizes the active leading role of local actors, rather than focusing solely on abolition. The results in this study provide sufficient insight into the extent to which the key local actors play a role in the process of translation especially religious fathers who came up with stricter framing of age of 22.

9.2 The Way Forward

The local context consideration and framing of girls' marriageable age in the targeted areas unveils internal debate and contestation not only among the local actors but also among the local government stakeholders. Lessons from recent previous studies show that neither increasing nor decreasing girls' marriageable age contributes to declining the practice's prevalence. Accordingly, existing contestations on appropriate marriageable age have minimal significance for impacting the statutory law. The focus should, instead, must be on the justifications to be used as a ground for framing girls' marriageable age at the community level.

It is important to note that strengthening girls' agency is a strategy that would effectively contribute to eliminating child marriage in the targeted areas rather than enforcing minimum marriage age of 18. The latter approach has only pushed the practice to continue being

underground. Based on the findings of this study, I would like to conclude by proposing seven short-term and two long-term suggestions.

1. Child marriages in the targeted areas are, predominantly, arranged by parents. This study unequivocally demonstrated that early adolescent girls are highly vulnerable to child marriage in the targeted sites; however, existing interventions fail to target them to equip them with the necessary skills and knowledge to exert agency. The health Office provides awareness-raising training particularly targets middle/late adolescent girls aged 15–19 years. Only girls who are enrolled in schools supported by UNICEF and UNFPA have the opportunity to participate in life skills training that targets the ages of 10 to 11 and 13 to 14. Therefore, future awareness raising interventions by the Women Mobilization Office, Justice office, Health Sector and Culture Office should focus on young/early adolescents by offering life skills training specifically prioritizing out-of-school girls. Adolescents enrolled in schools have a greater opportunity to become members of gender clubs that provide them with information. However, it is crucial for schools to strategically target and work towards ensuring that early adolescent girls are part of these clubs. Furthermore, incorporating life skill training into the curriculum is recommended to ensure continuity and to address all enrolled adolescent girls.
2. From the local to the federal level, government stakeholders highlighted that girls who resist are running away. The study further reveals that, apart from those girls who managed to get support from their families, government stakeholders have not yet fulfilled their responsibility to protect girls who flee underage marriages. It is essential to note that girls who run away to continue their education merit serious consideration. Adolescent girls who flee their homes require prompt attention and protection. Therefore, it is the responsibility of the local government, particularly to Women and Social Affairs Office and the Education Sector to take prompt action by building temporary shelters, particularly girls' hostels, within schools using locally available low-cost construction materials.
3. This research reveals that the local government has put in place a compulsory age estimation strategy aimed at preventing child marriages. This strategy is grounded in

biological development and hence, the health extension workers are required to assess the sexual and reproductive organs of adolescent girls as part of the procedure. Prompt action by local authorities is crucial for age estimation procedures that are not carried out with the appropriate regard for privacy and inherent dignity and respect owed to girls. Until the inadequacy of age estimation is rectified through birth registration, the local government, particularly the Quarit *Wereda* Justice Office, must establish guidelines that ensure that girls are only examined by female healthcare professionals.

4. The present study aimed to explore whether and how adolescent girls exercise agency about their marital decisions, such as the timing and choice of their spouse, as well as the reasons for accepting or resisting arranged marriages. The findings suggest that some of the adolescent girls accepted child marriage to fit in with the prevailing norm of becoming wives and, therefore, did not exercise agency. On the other hand, others exerted passive agency even if they agreed to the arranged marriage, as they had justifications that indicated a shift in their goals and values towards marriage as a viable option. Furthermore, self-initiated child marriages demonstrate the limited agency of middle/late-adolescent girls, albeit child marriages in the targeted areas are predominantly arranged. This study also indicated that some middle- and late-adolescent girls exercised active agency and resisted running away because they valued education over child marriage.

The results of this study shows adolescent girls' resistance for combating child marriage is linked to their educational access and performance. Accordingly, low-performing and out-of-school middle/late adolescent girls should be the focus of future interventions. These girls could have resisted arranged marriages by exercising transformative agency but were limited to exerting passive agency. Consequently, future initiatives that aim to eliminate child marriages in the study area will contribute more if they address educational access gaps, including a tutoring program focused on female students. Nonetheless, many girls in rural settings, including Quarit, are out of school.

5. This study indicates that altering the perspectives of community members concerning child marriages is a pressing issue. The findings further reveal gender-based disparities in the awareness of the law and preference for child marriage. Among the female parent participants, none could identify both the age and consent legal notions. This research shows that the preferred minimum age for girls' marriage is the least (at 11/12 years old) among study informant female parents, followed by male parents at 15 years old, and adolescent boys between the ages of 15-20 years old, in descending order of preference. In addition, a significant majority of study participants including religious fathers, elders, male parents, and adolescent boys, who had a better awareness of the legal marriageable age than female parents, resisted the legal marriageable age. Furthermore, the study revealed that the awareness-raising efforts were inconsistent in terms of content and time allocation, and were conducted seasonally, and had not yet reached remote areas. Accordingly, I would like to make the following two suggestions:-

- 5.1 With regard to conducting effective awareness raising, undertake capacity-building training in a highly targeted manner as opposed to employing a generic approach to empower the community at large. Undoubtedly, it is crucial to start with women grassroots associations in order to equip them with the skills to lead the efforts of combatting child marriage among girls and women as mobilizers of the process and to serve as catalysts. Their current role tends to overlook and restrict the scope of their duties (i.e., providing underground information to report child marriage cases). By adopting this approach, the local government can strategically collaborate closely with grassroots women who are identified as one of the central norm holders of the practice in the study area.
- 5.2 Prepare and implement awareness-raising planning and monitoring mechanisms to rectify shortcomings in the areas of content consistency and time allocation with meaningful participation of men/women, girls/boys, and those living with disability. Consideration of the gender perspective is of utmost importance in this context, as women and girls continue to bear the burden of domestic responsibilities. Consequently, it is essential to design awareness-raising initiatives that consider their availability and accommodate flexible schedules.

6. Prosecutors differ on the interpretation and legality of criminal prosecution of child marriage cases before invalidation of the marriage under civil courts as per Article 648 and Article 649 of the Criminal Code. Some argue for direct criminal prosecution, while others argue to invalidate the child marriage under civil courts first. In *Weredas* that adhere to this approach, justice is often delayed, and offenders can escape to *Weredas* where child marriage law is not enforced. Accordingly, the Justice office shall conduct a training sessions for prosecutors at the regional level, involving prosecutors from each *Wereda*, to clarify contrasting interpretations that exist about the permissibility of initiating criminal prosecution before invalidating child marriage under civil court. Ensure that all prosecutors who participated in the training cascade it to prosecutors within their respective *Weredas* and establish a regular training program to train new staff. In the meanwhile, undertake a training session for prosecutors at Quarit for clarity of interpretation.

Based on the findings of this research, I do not concur with Ethiopia's pledge to eradicate child marriage within a very short timeframe owing to the complexity of the practice and the insufficient resources currently available to address it. The following long-term suggestions underscore the progressive nature of eliminating child marriage in the study area.

7. The elimination of child marriage through inaccurate age estimation results is a paradox. Girls' age estimation is currently conducted by observing biological changes and inquiring girls and their families. This method has proven to be problematic, as health extension workers often present age estimation results in a range format, which make it difficult for prosecutors to make decisions, especially when the range includes the legal cutoff age. Besides, estimates of specific ages are also provided, although exact ages cannot be determined with certainty. Participants in the study identified age estimation as a top priority challenge that hinders efforts to combat child marriage among girls in the targeted areas. Accordingly, MoWSA shall prioritize birth registration, from all the efforts conducted to eliminate child marriage, as a pre-condition to combat child marriage among girls.

8. The second long-term suggestion is to provide employment opportunities for educated girls through initiatives that create income generating activities (IGA). Adolescent girls who run away, paying all the necessary sacrifices to achieve their goal of continuing education, will end up being role models for other girls who prefer the 'right of exit' approach in their locality. All local government stakeholders must jointly advocate for intervention strategies to incorporate employment opportunities in projects that are aimed at eradicating child marriages in the targeted areas.

9.3 Area for Future Research

This dissertation has indicated that the consent verification process carried out by prosecutors is merely a superficial procedure, i.e., 'mere consent.' I suggest conducting feminist research to document and analyze the experiences of adolescent girls engaged in age estimation, their interactions with prosecutors at the *Wereda* Level for consent verification, and their encounters with parents concerning whether they have been pressured into providing consent.

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Appendixes

1. Informed Consent and Assent Forms

1.1 Informed Consent Form for Research Participants

Ph.D Project Dissertation Title: - Contextualization and Responses to Global Norms on Child Marriage: A Case Study on Quarit *Wereda* Amhara Regional State of Ethiopia

Supervisors: -Meron Zeleke (Associate Professor, AAU Center for Human Right), and

Wouter Vandenhoe (Professor, University of Antwerp Faculty of Law)

Candidate/ Researcher: - Yitaktu Tibebu

Introduction: - Good morning/good afternoon! My name is Yitaktu Tibebu. I am a student. I am doing my Ph.D. dissertation on child marriage.

(Note: when the request is to get informed consent from parents, the following is informed

“I am contacting you today to get permission for participating your adolescent girl/boy in the study”)

The study's overall objective is to explore the contextualization of the global norms of a minimum marriageable age of 18 years and consent legal notions, including the local community's reception and/or resistance. You have the right to have full information about this research. If you want more elaboration about its objective, kindly let me know and I will give you details of explanation. You can also contact me any time after the data collection, and get copy of the findings of the study.

I have permission from the required federal and regional government offices to conduct the study in this *wereda*. And I am now requesting your permission to conduct an interview/FGD that should take about 1-2 hours. If you agree to take part in this study, I want to assure you that the information you provide will be kept strictly confidential, and you can withdraw your consent and stop providing information at any time. Your identity will not be disclosed to anyone, and your name will not be stated in the dissertation and any publication. If you agree to tape recording our discussion, I will record it and then transcribe it. The tape recording will help me

to analyze the data I collected from you easily. And I assure you that the transcript will not be disclosed to anyone except the required academicians in the University I am studying.

Kindly be informed that you will not gain any benefit by participating in this study. However, the information I get from you is very valuable for learning more about your lived experiences.

Are you willing to participate in this study? If so, kindly confirm your willingness by putting a tick mark or verbally provide your consent to the following:-

Terms of Agreement	Consent
I consent to participate in this study being informed of its objectives including its academic purpose (For parent/guardian - I consent to participate my adolescent girl/boy in this study being informed of its objectives including its academic purpose)	
The consent I provided to participate in this study is made individually, not in group	
I have been informed that I can quit participating in the study any time (For parent/guardian - I have been informed that my adolescent girl/boy can quit participating in the study any time)	
I have been informed that the student researcher will use the data I provided as an input to her study	
I have been informed that the information I provide will be kept strictly confidential. It will not be disclosed except for academic purpose (For parent /guardian: I have been informed that the information my adolescent girl/boy provide will be kept strictly confidential. It will not be disclosed except for academic purpose)	
I consent for audio-typing the information I provide for this research (For parents /guardians : I consent for audio-typing the information my adolescent girl/boy provide for this research)	
I have been informed that my agreement to participate in this study will be verbally recoded and retained by the student researcher	
I consent for transcription of the data I provide	

I have also been told that the transcript might be seen by the required university academicians	
I have been informed about my autonomy and my right to have full information about this research	
I have been informed that I will get the copy of the findings, based on request	

Contact Information

If you want to contact me for getting the findings of the study or for any explanations you might need, you can call me at 09 11 48 20 66 or email me (tyitaktu21@gmail.com).

Participant Name and Signature -----

Date -----

Thank you very much for your willingness to participate in this study. The information I get from you is very valuable. Please kindly share your experiences, knowledge, and opinions on the questions I ask you.

1.2 Informed Assent Form

Introduction: - Good morning/good afternoon! My name is Yitaktu Tibebu. I am a student. I am doing a study on child marriage as part of my education. The aim of conducting study is to learn more about lived experiences of people in your community. In this particular study, I am interested know more and learn regarding community's reception and/or resistance about our national law on child marriage. If you want me to tell you more about its objective, kindly let me know and I will give you details of explanation. You can also contact me any time after the data collection, and get copy of the report I wrote on what I learned.

Your parents/guardians have information about your participation in this study. You can also ask them again and get approval. In addition to their willingness, I want you to know that your willingness to take part in this study is needed. You will be involved in this study only if you are willing. Please be informed that you can decide not to participate initially or decide to quit at any time during our discussion. Your decision either to take part or not in this study, will not have

any impact at all. Please feel free and discuss with your parents/guardians, family, teachers or any one you want to consult with prior to your decision to take part in the study.

I want to tell you that our discussion which will be made privately (if in-depth interview) or in – group (FGD) and will take about 1-2 hours. Our discussion will not be disclosed to anyone. Your name will not be stated in the report I will write after discussing with you. I want also to ask you if you agree to tape recording our discussion. I am taking note but I am not fast enough to take down all points. And audio-typing it will help me much. And I want also to tell you that your name will not be disclosed in the report.

You will not gain anything by participating in this study. However, the information I get from you is very valuable for learning more about your lived experiences. I want also to inform you that you might feel dizzy in between our discussion. Accordingly, we will have simple body exercises and drink hot tea to keep you alert.

- Do you have any clarity question? If so please tell me and I will explain?
- Are you willing to participate in this study? Please tell me the date you will inform me of your decision to participate. Thank you very much in advance.

Thank you so much for your willingness to participate in this study. Kindly confirm your willingness by putting a tick mark or verbally provide your consent to the following:-

Terms of Agreement	Consent
I agree to participate in this study being informed of its aim	
My agreement to participate in this study is made individually, not in group	
I have been informed that I can quit and stop participating in the study any time	
I have been informed that the student researcher will use our discussion as an input to her study	
I have been informed that the information I provide will not be disclosed except for academic purposes	
I consent for audio-typing our discussion	
I have been informed that my agreement to participate in this study will be verbally recoded and retained by the student researcher	
I agree for written report of our discussion without disclosing my name	
I have been informed about my right to have full information about this study	
I have been informed that I will get the copy of the report that will be prepared by the student researcher, based on my request	

Contact Information

If you want to contact me for getting the report I wrote after conducting the study or for any explanations you might need, you can call me at 09 11 48 20 66 or email me (tyitaktu21@gmail.com).

Participant Name and Signature -----

Date -----

Thank you very much for your willingness to participate in this study. There is no right or wrong answer. Please be honest and share your experiences, knowledge, and opinions on the questions I will ask you.

2.Data Collection Tools

a. Vignette Tool used to Guide FGD for Adolescent

Girls/Boys

Objective: Drawing on the lived experiences of adolescent girls/boys, this Vignette exercise focuses on learning about the contextualization of the global norms of a minimum marriageable age of 18 years and consent legal notions including the local aspects of reception and/or resistance. This FGDs involved homogenous adolescent girls/boys regarding educational status.

Background Information about Participants

Kebele

Name (Optional)	Age	Education Status/ Level	Religion	Marital Status*	No of Children (if any)	Phone Number

Key* Use Code – ‘0,’ if the participant is not yet married

Use Code - ‘1,’ if the participant marry according to the custom below 18 years

Use Code - ‘2,’ if the participant marry with her/his own consent after attaining 18 years

Use Code – ‘3,’ if the participant is divorced

Use Code – ‘4’ if the participant marry with her/his own consent before attaining 18 years

I want to tell you a story about Zeritu. Let us assume that she lives in this village. Please do not consider real Zeritu, if there is any, we are using this name as an example. I will tell you part of the story and kindly help me complete it.

Zeritu is 14 years old and a 6th-grade student. She is the eldest child in her family and has three brothers and two sisters. Zeritu is keen on being a teacher, but her aspiration is challenged when Ato Tariku (again, this name is an example) asks her parents (by sending elders) to marry her. Ato Tariku is a respected man, and the marriage will create an opportunity for establishing a family bond.

Assume that Zeritu's families live in your village, and the request for marriage was presented a week ago. Please answer the following questions.

2. Do you think Zeritu's parents will accept the marriage request? Why?

Probe: -

- a. Imagine that you are Zeritu's sister/brother; do you think your mother will accept the marriage request? Why? Why not?
- b. Imagine that you are Zeritu's sister/brother, what about your father? Why? Why not?

3. If I ask you to complete the story, what do you think will happen next?

4. Assume that either of Zeriu's mother or father agrees to give Zeritu for marriage.

What will the other partner i.e. the mother or father who rejected the marriage do?

Assume that the mother/father who rejected the marriage decided to consult with the following

Probe:-

- a. If he/she consulted the neighborhood, will they accept or reject it? Why?
 - i. Do you think they will support the parent who rejected the marriage? Why and how?
 - ii. Why and how will you think they will resist Zeritu's marriage?
- b. Do you think that religious/community leaders in your neighborhood will accept or reject it? Why?

- i. Do you think they will support the parent who rejected the marriage?
Why and how?
 - ii. If you think that they will resist Zeritu's marriage, why and how?
- c. Do you think that Zeritu's school/teachers will accept or reject it? Why?
 - i. Do you think they will support the parent who rejected the marriage?
Why and how?
 - ii. If you think that they will resist Zeritu's marriage, why and how?
- d. Do you think that social/health extension workers in your neighborhood will accept or reject it? Why?
 - i. Do you think they will support the parent who rejected the marriage?
Why and how?
 - ii. If you think that they will resist Zeritu's marriage, why and how?
- e. What will the parent who wants the marriage do to ensure Zeritu's marriage without interference and rejection from all the actors mentioned above, and why?
- 5. Assume that both Zeritu's father/mother agreed to marry her. Will they celebrate the marriage ceremony together with their relatives and neighbors openly? Why? Why not?
- 6. What if Zeritu's father/mother insisted on continuing her education and disagreed with the betrothal request? What do you think you will do? And why?
- 7. Assume that you are Zeritu's sister/brother, and Zeritu's father/father insisted on marrying her while you disagreed. What do you think you will do?

Probe:-

- a. Do you think that you can resist and get support? If yes, from whom and how will they support you? If not, why not?
 - b. Are there any platforms or ways for expressing your view and voice?
 - i. If so, what are they?
 - ii. If not, why not?
- 8. Do you believe that Zeritu's parents should ask for her consent? Why? Why not?

Probe:-

- a. Who should give consent for girls' marriage and why?

- b. Are there any changes? If so, please explain?
9. Do you believe that Zeritu is old enough to marry and establish her own family?

Probe:-

- a. How do you perceive being a child (focus on girlhood)?
 - b. What is the age range of childhood for girls?
 - c. What is the marriageable age for adolescent girls? Why? And how should it be demarcated?
 - d. Are there any changes in the marriageable age of adolescent girls? If so, please explain?
10. Does Zeritu's story reflect adolescent girls' experience in your village/*wereda*? Why? Why not?

Probe:-

- a. Why do you think this is the reason behind girls' child marriage in your locality/*wereda*?
 - b. Has child marriage of girls declining or increasing trend in this locality/*wereda*? And why?
11. What is your future expectation regarding:-
- a. The age of marriage for girls in your community, and why?
 - b. Who should provide consent for girls in your community, and why?
12. Before we end our discussion, I would like to ask you about your experiences with different intervention programs that have been implemented in this area with the aim to end child marriage among girls:-
- a. Do you have any information about the different organizations and programs working on child marriage in this village?
 - b. When and how did you get to know about the programs?
 - c. Tell us a bit about the information you have about their different initiatives related to child marriage in the area?
 - d. What are the approaches these actors used to explain to the local community about child marriage? what are the main issues they addressed?
 - e. How did you and other adolescent girls/boys in the area react to their program initially? And why?

- f. What were the different ways the program collaborates with women/men on its initiatives targeting girls' child marriage in the area?
 - g. What are the major issues you learned from the program staff?
13. Considering the different initiatives undertaken in the area to eradicate child marriage, what are the main things you find unacceptable to the local community and why?
- i. How was the resistance expressed?
 - ii. Is there a difference over time?

2.2 FGD Guide for Community Members¹³⁴⁵

1. I want to know how you understand and define the following terms :-
 - 1.1 Child
 - 1.2 Marriage
 - 1.3 Girlhood and Girl's Childhood
2. Is there a difference in the definition across time? If yes, please explain.
3. ***Age at Marriage***
 - 3.1 What is the appropriate age for girls to be married off?
 - 3.2 What is the appropriate age for boys to be married off?
 - 3.3 What influences the decision for girls to be married off before attaining 18 years?
 - 3.3.1 Would you please list the factors and then identify the most important ones?
 - 3.3.2 Are the reasons similar for marrying off boys? Please explain
 - 3.3.3 What are the existing forms of child marriage
 - 3.4 Are you aware of the legal age of marriage? If so, please tell me.
 - 3.5 Do you think the legal age of marriage is widely known by the community?
 - 3.6 Among the community members, who resisted the legal age of marriage most (Community elders/religious leaders, male parents, female parents, adolescent girls, adolescent boys)? Why?
 - 3.6.1 Would you please tell me the ways in which the community members express their resistance/acceptance?

¹³⁴⁵ This guide was used to facilitate FGD with male parents, female parents, mixed community members, religious fathers (priests) and elders

3.6.2 What are the main reservations of those who resisted?

3.6.3 Is there a difference over time?

4. Consent

4.1 Whose consent is commonly taken into account for marriage and why?

4.2 Do you know the legal requirement concerning consent for marriage? If so, please explain?

4.3 Do you think the legal requirement of consent is widely known by the community? Please explain?

4.4 Among the community members, who resisted the legal consent requirement most? What were their reasons?

5. Exiting interventions that aims to combat child marriage among girls

5.1 Tell me about your experience on the different ways in which the local government and CSO's (local organizations, NGO's and CBO's) work on eliminating child marriage among girls? What are they doing?

5.2 Do you have any role, please explain?

5.3 Do you think the approach and framings used in the implementation of the interventions takes the local context (culture or social norms) into account? If yes, in what way? If not, please explain.

2.3 Vignette Exercise asFGD Guide for Female Parents

I want to tell you a story about Zeritu. Let us assume that she lives in this village. Please do not consider real Zeritu, if there is any, we are using this name as an example. I will tell you part of the story and kindly help me complete it.

Zeritu is 14 years old and a 6th-grade student. She is the eldest child in her family and has three brothers and two sisters. Zeritu is keen on being a teacher, but her aspiration is challenged when Ato Tariku (again, this name is an example) asks her parents (by sending elders) to marry her. Ato Tariku is a respected man, and the marriage will create an opportunity for establishing a family bond.

Assume that Zeritu's families live in your village, and the request for marriage was presented a week ago. Please answer the following questions.

1. Do you think Zeritu's parents will accept the marriage request? Why?
2. Imagine that you are Zeritu's mother. Will you accept Zeritu's marriage request? Why? Why not?
3. If I ask you to complete the story, what do you think will happen next?

2.4 FGD Guide for Stakeholders¹³⁴⁶

1. I want to know how the local community understand and define the following terms:-

1.1 Child

1.2 Marriage

1.3 Girlhood and Girl's Childhood

14. Is there a difference in the definition across time? If yes, please explain.

15. What are the existing forms of child marriage among girls? How about boys?

Age at Marriage

16. What is the appropriate age for girls to be married off according to the existing social norms? And why?

- a. Do you think the legal age of marriage is widely known by the community?
- b. What influences the decision for girls to be married off before attaining 18 years?

Would you please list the factors and then, identify the most important ones?

5.3 Among the community members, who resisted the legal age of marriage most?

5.3.1 What are the main reservations of those who resisted?

5.3.2 Is there a difference over time?

5.4 Can we list the possible reasons sustaining the practice after having prohibiting laws? And then, can we identify the most important ones?

¹³⁴⁶ This tool has been used to guide FGD with Quarit *Wereda* Administration, Quarit *Wereda* Women Mobilization Experts and community facilitators

5.5 Among the community members, who have accepted the law? And why? In what way did they express their acceptance?

Consent

6. Whose consent is usually taken into account for marriage and why?
7. Do you think the legal requirement of consent is widely known by the community? , Please explain?
8. Among the community members, who resisted/accepted the legal consent requirement most? What were their reasons?
 - 8.1 What are the main reservations of those who resisted it?
 - 8.2 How was the resistance and/ or support expressed?
 - 8.3 Is there a difference over time?

Exploring Existing Interventions and Framings Used

9. What are the existing interventions to combat child marriage among girls?
 - 9.1 Who are the different actors that you are closely working with? And what are the areas of collaboration?
 - 9.2 What are the different awareness raising mechanisms used?
10. What is your opinion about the mechanisms used to effectively implement child marriage law and the framings used, including the challenges?
11. What is your role in alleviating the challenges relation to law implementation and framings used to convince the community
 - 11.1 What has been done? Existing pertinent challenges or successes
 - 11.2 What are the different roles played by local actors?

Ending Child marriage and the Law

12. Would you please list the possible enforcement challenges in relation to child marriage law? And then, would you please identify the most important factors?
13. In your view, what kind of laws better influence the community in the efforts of eliminating child marriage among girls in Quarit *wereda*

14. What do you think government, CSO's and IGO's should consider in their efforts to eliminate child marriage among girls in Quarit *wereda*
15. Can we list possible challenges that hinder the law from being an important instrument for eliminating child marriage among girls? And please prioritize them.

2.5 In-depth Interview Guide for Community Members¹³⁴⁷

A) *Aspects of Local Resistance/Acceptance*

1. How do you understand/perceive the following:-
 - 1.1 Childhood
 - 1.2 Girlhood
 - 1.3 Girl's childhood
2. What is marriage?
3. What is your view on the appropriate marriageable age for girls to marry? And what is your reasons for that?
4. Do you know the legal marriageable age? If yes, would you please tell me?
5. Is there a difference between age at marriage for girls in the Quarit *wereda* and legal marriageable age? If so, why?
6. How do you describe the community reaction to the notion of legal age of marriage?
 - 6.1 Would you please describe the local aspects of resistance
 - 6.2 Who were the community members who resisted this most?
 - 6.3 What are the main reservations of those adolescent girls/boys who resisted?
 - 6.4 How was the resistance expressed?
7. Is the consent of girl brides taken into account for their marriage?
 - 7.1 If yes, how?
 - 7.2 If not, what are the justifications given?
8. How do you describe, the community reaction to the introduction of notion of girls' free/full/informed consent to marriage?
 - 8.1 Who were the community members who resisted this most
 - 8.2 Describe the local aspects of resistance?

¹³⁴⁷This guide was used to conduct in-depth interview with adolescent girls, adolescent boys, male parents, female parents, priests and elders

8.3 What are the main reservations of those who resisted?

B) Consideration of Local Context

9. Do you have any information about local government, CSO and IGO's programme related to child marriage in this *wereda*/locality? If so, would you please tell us a bit about the information you have about their different initiatives in the area?
10. What were the different ways in which the programme collaborates with the members of the local community?
 - 10.1 Do you have the opportunity to have a role? In what way, please explain
 - 10.2 What have you done so far? Please explain
 - 10.3 Is there any challenges or successes you came across? Please explain
11. In your opinion, do the programme implemented in this area considerate of the local norms and values?
 - 11.1 If you think the programme was considerate about the local norms please state some points that made you think this way?
 - 11.2 If you think the programme lacks such contextual considerations please state how?
12. What are the different ways in which the government, CSOs and IGOs team introduced to the community the theme of a minimum age of marriage for girls?
 - 12.1 Do you think the framing considerate of the local culture and norm? If yes, how?
 - 12.2 If not, please explain.
13. What are the different ways in which the government and CSO team introduced to the community the norms on girls' free and full consent for their marriage?
 - 13.1 Do you think the framing considerate of the local culture and norm? If yes, how?
 - 13.2 If not, please explain.

C) Exploring Forms, Factors and Trends of Child Marriage among Girls

14. What forms of child marriage among girls are practiced in area?
15. What is the recent trend in child marriage in this locality? Is it on the rise or decline? And what brought about such a change?
16. What are the different factors accounting for the practice of girls' child marriage in the area?

2.6 In-depth Interview Guide for Members of the Local Government

Exploring the Local Context

1. Is child marriage among girls practiced at Quarit?
 - 1.1 If so, what forms of child marriage are practiced in this *wereda*/locality?
 - 1.2 What about child marriage among boys? Is there any difference between child marriage among girls and boys? (In terms of factors behind the practice and trends)
2. How is marriage perceived/understood in this locality?
3. How do the community understand/perceive the following in this locality:-
 - 3.1 Girlhood
 - 3.2 Girl's childhood
4. Is the consent of girl brides taken into account for their marriage? Why? Why not?
5. Is child marriage among girls declining or increasing?

A) Ending Girls Child Marriage and the Law

6. What is the role of your office in relation to elimination of child marriage among girls?
Please explain in detail.
 - 6.1 What has been done so far?
 - 6.2 What are the challenges faced and successes attained? And why?
7. What sustains girl's child marriage after having laws that set 18 years as a minimum age of marriage and free/full/informed consent?

B) Exploring international, regional and local level CSO Actors and their Collaboration with the Government Stakeholders

8. Are there international, regional and local level IGO and/or CSO actors that work with your office in order to facilitate elimination of the practice of child marriage among girls?
 - 8.1 If so, who are they and their respective roles
 - 8.2 If not, why not?
9. In your perspective, how do the international, regional, and local level IGO and/CSO actors interact to eliminate girl's child marriage?
10. In your perspective, among the three actors (international, regional, and local), who is playing the crucial role in eliminating child marriage among girls? Why and how?
11. In your opinion, how do you view the agency of key local actors in the elimination of child marriage among girls? Please explain.

12. In your opinion, are the local actors' contributing?
 - 12.1 If so, what are these contributions, and how are they making these contributions?
 - 12.2 Are there any challenges local actors are facing in this regard?
 - 12.3 If you believe that local actors are not contributing in this regard, what do you think the reason is?
13. How do you describe the collaborative efforts among the regional, *wereda*, and *kebele* level offices with a view to eliminate the practice of child marriage among girls?
 - 13.1 If so, please explain. Tell us a bit about the efforts, success and challenges encountered.
 - 13.2 If not, why not?
14. Are there initiatives implemented by your office and IGO's /CSO's to eliminate the practice of child marriage among girls in Quarit *wereda*?
 - 14.1 If so, please explain. Tell us a bit about the projects and activities.
 - 14.2 In what way is the local government supporting the initiatives?
 - 14.3 Please list the roles of the government from national up to local level
 - 14.4 How do you describe the government partnership (strong collaboration and partnership, somehow mid-level collaboration or very loose collaboration) and why?
 - 14.5 What challenges have you come across in supporting these initiatives?

C) Consideration of Local Context

15. Do you believe that 18 years as first age for marriage should be translated to fit with the different gendered social norms at the grassroots community level?
 - 15.1 If so, how?
 - 15.2 If not, why not?
16. Do you believe that girls consent and agency in the choice of their spouse and the timing needs framing to fit with the different gendered social norms at the grassroots community level?
 - 16.1 If so, how?
 - 16.2 If not, why not?
17. What is your opinion about the cultural and contextual awareness of **IGO and/or** CSO led initiatives implemented in *Quarit Wereda*?
 - 17.1 If you think their initiatives had local considerations, please state few?

- 17.2 If you think their initiatives lacks contextual considerations please state how?
18. How do you view the role of your office (at the national, regional and *wereda* level) with regard to consideration of local context? Please explain.
19. What is your opinion about the different ways in which the IGO's and/ or CSO's role inframing the theme of a minimum age of marriage?
- 19.1 Do you think the approach took into consideration the local context? If yes, how?
- 19.2 If not, please explain.
20. How does the IGO's and CSO's translate "free and full consent of girls for their own marriage" to get acceptance by the community?
- 20.1 Do you think the framing considerate of the local culture and norm? If yes, how?
- 20.2 If not, please explain.

D) Aspects of Local Resistance/Acceptance

21. How do you describe the local community's reaction to the introduction of the minimum age of marriage?
- 21.1 Who were the community members who resisted this most? (Community elders/religious leaders, male parents, female parents, adolescent girls, adolescent boys)
- 21.2 What are the main reservations of those who resisted it?
- 21.3 How was the resistance expressed?
22. How do you describe the local community's reaction to the introduction of notion of girls' free/full/informed consent to marriage?
- 22.1 Who were the community members who resisted this most ((Community elders/religious leaders, Male parents, female parents, Adolescent girls, Adolescent boys)
- 22.2 Describe the local aspects of resistance, if any?
- 22.3 What are the main reservations of those who resisted it?
- 22.4 How was the resistance expressed?

2.7KII Guide for IGO's¹³⁴⁸ and CSOs¹³⁴⁹

¹³⁴⁸ This guide was used to conduct KII with UNICEF and UNFPA focal persons

¹³⁴⁹ This guide was used to conduct KII with women and youth association focal persons

1. Would you please tell me the different initiatives in relation to ending child marriage in Quarit *Wereda*?
2. In what way is your organization supporting the implementation of these program/ initiative? Please state your organizations roles in this Program.
 - 2.1 What have you done so far
 - 2.2 What challenges and success you came across
3. How do you explain the local community reception and/ resistance against norms prohibiting child marriage among girls
 - 3.1 Who are resisting and why
 - 3.2 Who are the most influential local actors that support ending child marriage among girls? And how are they supporting

II. Identifying International, Regional and Local Actors with their Respective Roles

4. Apart from UNICEF and UNFPA, are there any other international actors actively collaborating to end child marriage?
 - 4.1 If yes who are they and what roles do they play?
 - 4.2 If not, what are the factors for non-engagement?
5. Are there any regional actors?
 - 5.1 If yes who are they and what roles do they play?
 - 5.2 If not, what are the factors for non- engagement?
6. Are there any local actors actively collaborating?
 - 6.1 If yes who are they and what roles do they play?
 - 6.2 If not, what are the factors for non-engagement
7. How do you describe the role of the local government in relation to ending child marriage among girls at the grassroots community level at Quarit?
8. How do international, regional, and local actors interact to eliminate girl's child marriage at Quarit *wereda*?
9. In your perspective, among the three actors (international, regional, and local), who is playing a crucial role in eliminating child marriage among girls at the grassroots community level in the *Wereda*? Why and how?
10. In your perspective, are the local actors contributing?

- 10.1 If so, what are these contributions, and how are they making these contributions?
- 10.2 Are there any challenges local actors are facing in this regard?
- 10.3 If you believe that local actors are not contributing, what do you think the reason is?

III-Consideration of Local Context

11. In your opinion, are the efforts by UNICEF/ UNFPA programme's and CBO's considerate of the local norms and values? If you think the program was considerate about local norms please state some points that made you think this way?
12. How participatory was the program's intervention planning in terms of engaging local community?

IV Lessons learned and Way forward

13. Do you think your role (as IGO or CBO) contributes to declining the practice of child marriage among girls at the grassroots community level in Ethiopia?
 - 13.1 If so, how? If not, why not?
 - 13.2 Do you think eliminating girls child marriage is possible – even in the long term – Why/Why not?

2.8KII Guide for Key Stakeholders¹³⁵⁰

1. Is child marriage among girls practiced in this locality? If so, what forms of child marriage are practiced?
2. How is marriage perceived/understood in this locality?
3. How do the community understand/perceive the following in this locality:-
 - 3.1 Child
 - 3.2 Girlhood
 - 3.3 Girl's childhood
4. What are the different factors accounting for the practice of girl's child marriage in the area?

¹³⁵⁰ This guide was used to conduct KII with school principals/ vice principals, gender club focal female teachers, health extension workers and health center had

5. Is the consent of girl brides taken into account for their marriage? If yes, how? If not, what are the justifications given?
6. Is the trend of girls' child marriage in the decline or increasing? And what brought about such a change?
7. What roles are you contributing? What are the challenges and successes you came across?
8. Who are the different international, and regional institutions/actors working on to end child marriage among girls?
 - 8.1 Do you have a role? Please explain
 - 8.2 If there are none, what do you think is the reason?
9. What is your opinion about the cultural and contextual awareness of **IGO or CSO** initiatives that aims to end child marriage among girls in this *wereda*?
 - 9.1 If you think the program has contextual considerations, please state few?
 - 9.2 If you think the program lacks contextual considerations please state how?
10. What was the local community's reaction to the implementation of child marriage law?
 - 10.1 Describe the local aspects of resistance by community elders/religious leaders, male parents, female parents, adolescent girls, and adolescent boys
 - 10.2 What are the main reservations of those who resisted?
 - 10.3 How was the resistance expressed?
 - 10.4 How are those community members (specifically addressing community elders/religious leaders, male parents, female parents, adolescent girls, and adolescent boys) who accepted, contributing?
 - 10.5 Please describe the trends of support and /or resistance.
11. Are there any existing social/gender norms that help to frame the global law with local norms? If so, please state few?
 - 11.1 How do you describe role of the school/school principals?
 - 11.2 How do you describe the role of the health office/health centers/ health extension workers

Appendix 3: Profile of In-depth Interview Participants from Government Stakeholders

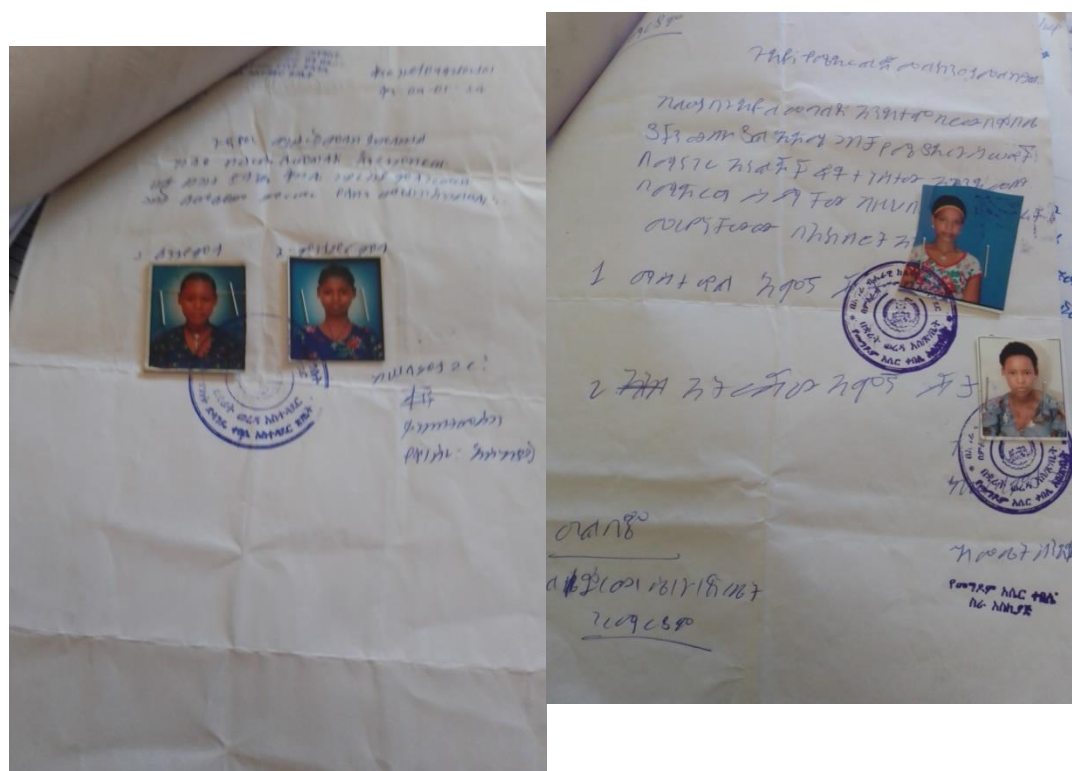
Position	Sex	Sector	Location	
Director, Human Rights Directorate	M	Justice	Regional Level /	
Prosecutor and Gender Focal Person	F			
Women Mobilization Enhancement Director	M	Women Mobilization		
Women Mobilization Expert (UNFPA Focal)	M			
Women Mobilization Expert	2 M			
Coordinator, Amhara Region Alliance to end Child Marriage (and FGM)		Alliance	Bahir Dar	
Gender and HIV AIDS Expert	M	Education		
Officer	M	Culture and Tourism office		
Public Prosecutor	3 M	Justice	Zonal Level /	
Head, West Gojam Women and Children Mobilization Office	F	Women Mobilization		
Expert, Women Mobilization Office	M			
Team Leader, Child Protection	M	Child Protection		Finote Selam
Expert, Child Protection	M			
Director, Zone Education	M	Education		
Expert, Curriculum and Gender Focal	M			
Expert	M			
Team Leader, Health Protection and Promotion	M	Health		
Quwarit Wereda Administrator	M	Administration	Wereda	
Team Leader, Women Mobilization	F	Women Mobilization		

Head, Prosecutor Office	M	Justice	Level/ Quarit
Prosecutor	M		
Investigative Police	2 M		
Gender Focal Police	1 F		
Judge	1 M		
Team lead, Culture and Tourism	1F	Culture and	
Experts	2M	Tourism office	
Head, Health office	M		
Vice Head	F		
Head, Education	M	Education	
Experts	2 M	Office	
<i>Kebele</i> Administrators	5M	Administration	<i>Kebele</i> Level
<i>Kebele</i> Manager	1F		
Head, Health Center	1M	Health	
Police	2 M	Justice	
Peace and security	2F		
CEO, Women’s Right Prevention and response	M	Women and Social Affairs	Federal Level
Expert, Women’s right Mainstreaming	M		
Desk Head, Child Protection System Strengthening	F		
Desk Head, Child Right Advocacy & Personality Development	M		
Coordinator, National Alliance to end Child Marriage (and FGM)	M		
Directorate Directress, Women and Crosscutting Affairs	F	Justice Office	
Directorate Directress, Criminal Cases	F		
Expert, Women Affairs	M		
Executive, Women and Social Affairs Mainstreaming Implementation	F	Education	

Expert	M	Health	
Directorate Directress, Women	F		
Expert	M	Finance	

Appendix 4: Age Estimation

Appendix 4.1: Example Documents: Sending Girls for Age Estimation



[illegible]245 | Page

Appendix 4.3: Examples for Age Estimation Results with Exact Ages

[illegible]

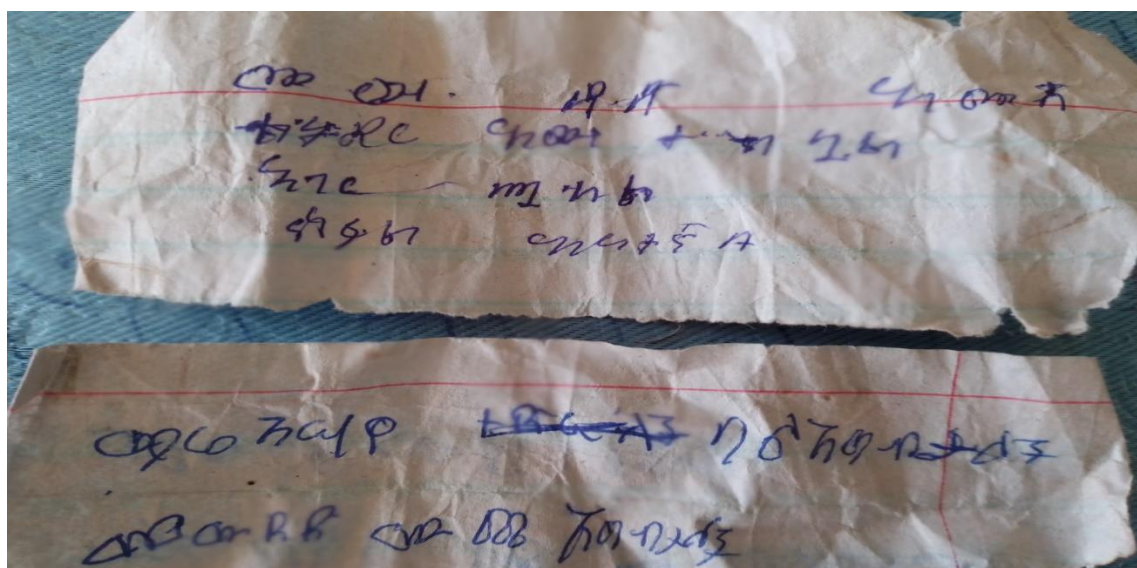
Appendix 5: Quarit *Wereda* Priests Statement of Position

[illegible]

Appendix 6: Secret Boxes



Appendix 7: Underground Reports using Secret Boxes



Appendix 8: Quarit Wereda Girls Hostel



Appendix 9: Preliminary Note

- CM is strongly prevalent in Quarit
- The effectiveness of punishment appears to be limited, as the CM has become concealed. Consequently, parents are opting for the summer season, given the likelihood of the planned CM taking place during school hours. It is important to note that there will be no public celebrations; instead, they use "tewa" and "maheber" should be employed.
- The community is proposing negotiations regarding the age of CM. Specifically, they suggest ending marriages for those below the age of seven and lowering the minimum age of marriage to fifteen years.
- The point of reference for defining marriage is the parents, not the bride and her groom.
- Male fathers are norm holders. Some instances have been reported where individuals attempt to cause harm to law enforcement officials when they intervene to stop CM among girls.
- Religious leaders can be convinced by awareness raising and soon help in the efforts for elimination. However, male fathers are strongly resisting.
- Orthodox religious fathers are suggesting 22 years as the initial age for girls' marriage (eve is created being 15 years and it is after 7 years that she gave birth).
- Mothers, who have passed through the same experience, do not inform the consequences of CM to their children
- The community shows its resistance by leaving slowly from the community conversation on CM. Those community members that are ready to listen often argue for negotiation of age.
- Reasons behind CM are different across *Wereda*'s even in Amhara region. Pregnancy, and fear of not getting a husband are very common. In rare cases, adolescent girls themselves want to get married since those who have learned eventually stayed home as they couldn't pass the national exam.
- UNICEF- UNFPA program only supports the budget and it is the government that is implementing it at the ground level through community conversation. One group hold 70 members (35 mothers and 35 fathers) for 15 sessions.

Appendix 10: Document showing Local Government Stakeholder Partnership with Selected Priest



ቁጥር 27-1-2014
ቀን 27-3-2014 ጳጳሩ

ለቁስ (መርጌታ) _____
ባለቤት _____

ጉዳዩ:- የልጅነት ጋብቻና ጎጂ ልማዳዊ ድርጊት አስወጋጅ ሊቀመንበር ሆነው በ_____ ቀበሌ የተመረጡ መሆንዎ ይታወቃል፡፡

ስለዚህ በቀበሌው ውስጥ በሚገኙ አብያተ ክርስቲያናት በመዘዋወር ከሰበካ ጉባኤው ጽ/ቤት ጋር በመወያየት በቀበሌው ውስጥ የልጅነትና ያለ ዕድሜ ጋብቻ እና ሌሎችም ጎጂ ልማዳዊ ድርጊቶች እንዳይፈጸሙ ቅድመ መከላከል እንዲያደርጉ እና ከአቅም በላይ ከሆነ ለሚመለከተው ጥቆማ እንዲሰጡ ከወዲሁ በቤተ ክርስቲያን ስም እናሳውቃለን፡፡

በላላው አግዚአብሔር ከሁላችን ጋር ይሁን!



ግልባጭ

❖ ለ_____ ሰበካ ጉባኤ ጽ/ቤት _____

ለተገኘው ግዴታ አሰራር
የቆረቆረ ወረዳ ቤተ ክህነት ጽ/ቤት
ሥራ አስኪያጅ

ተቶ	የወረዳው ስም	የደረሰ የል/ጋብቻ ጥቆማ ብዛት	የተቆረጠ የል/ጋብቻ ብዛት	የአድማ ምርመራ የደረሰ ብዛት	የአድማ የምርመራ ያላላፉ	ጋብቻ የተፈቃለቸው ብዛት	የተፈፀመ የል/ጋብቻ ብዛት	ባህሪ ርምጃ የተወሰደባቸው ብዛት	ድርጊቱን ለመከላከል ያጋጠመች ግርመራ	ምርመራ
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2	አደት	2		2		2				
3	ይልማና	2	2							
4	ባ/ዳር	8	7	1		1				2ቱ በከተታል ላይ ያለ
5	ሰማሜ	4	2							
6	መራዊ									
7	ደ/ማሜ									
8	ዱርቤቱ									
8	ደ/አቸረር	5	2	1		1	2			በሂደት ላይ ያለ
9	ሰ/አቸረር	1								1 በከተታል ላይ ያለ
10	ሰከላ									
11	ቡሬ ዙ/	1								1 በከተታል ላይ ያለ
12	ቡሬ ከተማ									
13	ወምባርማ	47	1	26	16	10	5	ከከ የተመሰረተባቸው	የአድማ ምርመራ ለማድረግ ፍቃደኛ አለመሆኑን	36 በከተታል ላይ ያለ
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15	ፍለሰም									
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17	ደምባሜ ዙ/									
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20	ድምር	260	63	160	46	114	9			96 በከተታል ላይ ያለ

~16~

Appendix 12: Social Sanction Regulation for Combatting HTPs: Designed by Quarit Wereda Justice Office

ቀን 24/03/2014 ዓ.ም

መተዳደሪያ ደንብ ቁጥር 1/2014

ገዢ ሰማዳዊ ድርጊቶችን ለመቀረፍ በቀበሌው ውስጥ በነዋሪዎች ሙሉ ስምምነትና ፊቃድ የወጣ መተዳደሪያ ደንብ

ፊቃድ የወጣ መተዳደሪያ *ሀብቱ*

ሰንቀጽ 1 ሳይ መተዳደሪያ ደንብ ገዢ ሰማዳዊ ድርጊቶችን ለመቀረፍ በቀበሌው ውስጥ በነዋሪዎች ሙሉ ስምምነትና ፊቃድ የወጣ መተዳደሪያ ደንብ ቁጥር 1/2014ዓ/ም ተብሎ ሲጠቀስ ይችላል፡፡

የመተዳደሪያ ደንቡ ስላማ

- ያስረዳል ጋብቻን ለመቀረፍ በህዝቡ ተሳትፎ መደበኛ ህጎችን ተፈጻሚ የሚያደርግ ስላራ ለመዘርጋት፤
- የህብረተሰቡን የርስ በርስ ውይይት ስና ቁጥጥር ለማሳደግ፤
- ለሳስፈሳሊ የንብረት ብክነትን ለመቀነስ፤
- ህጋዊ ስውቀትና ፊቃድ ያገኘ ጋብቻ ለፈጸመውን ባህሪ ለማድረግ፤
- የህብረተሰቡን ንቃት ህሊና ለማሳደግ፤

ሰንቀጽ 2 (ተርጓሚ)

- ✓ ህዝብ ማለት የቋረት ወረዳ ሁሉም ህዝብ ነው፡፡
- ✓ ህፃን ማለት ስድሚው ከ18 ስመት በታች ያለ ሁሉንም ያካተተ ሰው ነው፡፡
- ✓ ማህበራዊ ስርዓቶች ማለት የህዝቡን ማህበራዊ ኑሮ መሰረት ያደረጉና በራሱ በህዝብ የሚወሰዱ ናቸው፡፡

ተፈጻሚነት ወሰን

ሰንቀጽ 3 ይህ ማህበራዊ መተዳደሪያ ደንብ ስምምነቱ በደደቀበት ቀበሌና ነዋሪው ሳይ ተፈጻሚ ይሆናል፡፡

ሰንቀጽ 4

የተከሰከሱ ተግባራት

- ሀ. ማንኛውንም ጋብቻ ሰዓ/ህግ ጽ/ቤት ሳያሳውቅ፤ ፊቃድ ሳያገኝ መፈጸም፤
- ለ. የህፃናትን ጋብቻ መፈጸም፤
- ሐ. የህፃናትን የቀሰበት ስነ-ስርዓት ተግባራት መፈጸም፤
- መ. የሴት ሰድ ግርዛት መፈጸም፤
- ሠ. ህፃናትን ግግ ማስፈሰፈስ፤
- ረ. የህፃናት ጋብቻ ፕሮግራም ሳይ ተሳታፊ መሆን፤ ማስፈጸም፤

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Appendix 13: Monitoring Chick Lists

Appendix 13.1: Quarit Wereda Education Office Monitoring Checklists

የቋራት ወረዳ ትምህርት ጽ/ቤት የመስክ ስምሪት መከታተያ ቸክሊስት

ቀን :- 23/07/2014

1. የአገልግሎት ድጋፍ ሰጪ ክፍሎች(ቤተመጻህፍት፣ ቤተመኅራ፣ ት/ማዕከል፣) ተሟልተው የራሳቸው እቅድ ፍራፍሬ በእቅዳቸው መሰረት ተገቢውን አገልግሎት እየሰጡ መሆናቸውን ማረጋገጥ። የክፍሎች ሁኔታ ምን እንደሚመስል መፈተሽ፣ ተማሪዎችን መጠየቅ ማረጋገጥ
2. የትምህርት ፋሲሊቲ (ኮምቢይንድ ዴስክ) ጥቁር ስለዳ፤ መማሪያ መጽሃፍት ዉሃ ተሟልተው ምቹ የት/ቤት አካባቢ መፍጠር መቻላቸው
3. የፋይናንስ አጠቃቀም ገቢና ወጪ ሰነዶች ስለመኖራቸው፣ የሂሳብ ሊቸር ስለመኖሩና የር/መምህር፤ ገንዘብ ያሻር፤ የሂሳብ ሰራተኛው ተናባቢ ስለመሆኑ፤ በሂሳብ አሰራር ላይ ያጋጠመ ችግር ካለ መፍትሄ መስጠት
4. የተመደበ ጂ.ኤ.ፕ በጀት በእቅዳቸው መሰረት ወደ ስራ ለመግባታቸው ማረጋገጥ። ከተመደበው ዉስጥ ለቅድመ መደበኛ ለብቻው ለመደበኛው ለብቻው ስራ ላይ የዋለ ገንዘብ ስንት እንደሆነ መረጃውን መያዝ። በተለ- አጠናቆ ሂሳቡ በወቅቱ እንዲወራረድ አቅጣጫ ማስቀመጥ።
5. የተመዘገቡ የቅድመ መደበኛ፣ የመደበኛ ተማሪዎች እንዲሁም የልዩ ፍላጎት ያለባቸው ት/ቤቶች አሳላሽንና አቋራጭን ለመቀነስ ያለው አሰራር መፈተሽና ክፍተት ካለ አቅጣጫ መስጠት። የዉሉ ምጣኔ በየቀኑ እየተመዘገበ መረጃው ለመያዝ ማረጋገጥ። የተወሰነ ክፍልን በማየት የዉሉ ምጣኔው ማየት። ኮማንድ ፖስት በመገኘት ችግሮችን በማቅረብ ማስፈታት ስለመቻሉ።
6. መምህራን /ር/መምህራን ሱፐርቫይዘሮች እና ድጋፍ ሰጪ ሰራተኞች በስራ ቦታቸው ላይ ተጣብቀው ተገቢውን አገልግሎት እየሰሩ ለመሆኑ የሰዓት ፈርማ በማየት ማረጋገጥ ለወደፊቱ አቅጣጫ ማስቀመጥ።
7. የትምህርትን ጥራት ለማረጋገጥ የተማሪዎችን ዉጤት ለማሻሻል የተሰጠ የቲቶሪያ መጠን ከፍተኛ ገዢነትና በሚል እና በማን እንደተሰጠ ማረጋገጥ፤ የባክነ ክፍል ጊዜና ከዚያ ዉስጥ የተካሄደ ያልተካሄደ መረጃ መያዝ፤ የቀለም ትምህርት ወድድር ለስንት ጊዜ እንደተሰጠ፤ የተዘጋጀ ወርክሽት ብዛት በትምህርት አይነት ከፍተኛ እና ገዢነት ያዘጋጁ መለየት፤ በዘመኑ የተገዙ አጋሻ መጽሃፍት አይነትና ብዛት መረጃ መያዝ በአጠቃላይ በክፍተቶች ዙሪያ አቅጣጫ መስጠት
8. የመማር ማስተማሩ ስራ በአለታዊ እቅድ እየተሰራ መሰጠቱ መፈተሽ፤ ከዓመታዊ እቅድ ጋር ማገናዘብ።
9. በሽግግር ማንዋሉ መሰረት አደረጃጀቶች በተለይ ስርዓተ ትምህርትና ማኔጅመንት ኮሚቴ ተግባርና ርሃፊነታቸውን እየተወጡ ለመሆኑ የተያዘ ቃል ጉባኤ ማረጋገጥ
10. ቅርንጫፍ ማዕከል የራሱ ተጠሪ ስለመኖሩ፣ በመምህራንና በተማሪዎች የተሰሩ መርጃ መሰሪያዎች ካሉ ብዛት እንዲሁም የተዋሉ መምህራን ከፍተኛ ገዢነትና በሚል ከመዝገብ ላይ ለቅሞ መረጃውን መያዝ
11. የ1ኛ ክፍልና የ5ኛ ክፍል ማስቻልና ማብቃት እንዴት እየተሰሩ ለመሆናቸውና አሁን ያለውን አፈጻጸም ማየትና አስከ መጋቢት 30 100% ማብቃት አቅጣጫ ማስቀመጥ
12. የ8ኛ ክፍል ለክልላዊ ፈተና ከስነ ልቦና ገዛጆች ጀምሮ ያለፉ ሽቶችን ከመስራት በተለየ መልኩ ድጋፍ እየተደረገላቸው ለመሆኑ የተደረገ እንቅስቃሴ በቃል ጉባኤ የተደረገ ዉይይት ካለ
13. ተማሪዎች በትምህርት አቀባበላቸው በመለየት እየተደረገ ያለ ድጋፍና ክትትል ምን ይመስላል።
14. የት/ቤትን ገጽታ ለማሻሻል ህ/ሰቡን በማነቃነቅ የተከናወነ ተግባርና በህ/ሰብ የተከናወነ ተግባራት እና በሃብት ተሳትፎ አፈጻጸም መረጃ መያዝ
15. የጉድኝት ሱፐርቫይዘሮች ት/ቤቶችን በቸክሊስትና በስራ ፕሮግራም እየደገፉ ለመሆናቸው፣ ደረጃ እያወጡ መገምገማቸው፣ የተሰጠ ደረጃ ብዛት፤ በጉድኝት ስንት ጊዜ ተገመገመ፤ የት/ቤት የተሰጠ ቸክሊስት ብዛት፤ ለት/ቤት ስንት ጊዜ ደግፈዋል፤ በጉድኝት ደረጃ የተሰጠ ስልጠና ብዛት እና የተደረገ የልምድ ልዉዉጥ፤ የቸለም ዉድድር ቃል ጉባኤ በማየት ማረጋገጥ፤
16. በት/ቤት ተመማ ስልጠና መምህራን እቅድ አዉጥተው በሳምንት አንድ ቀን እየሰለጠኑ መሆኑን ማረጋገጥ፤ የተያዘ ፕሮቲፎሊዮ ማየት የተወያዩበትን ቃል ጉባኤ ማየት፤ ወደ ስራ ካልገቡ በዝወዉርና ከደረጃ እድገት ጋር የተያያዘ ስለመሆኑ አቅጣጫ መስጠት
17. ከወረዳ የሚሰራጩ ንብረቶችን እና በት/ቤት ሃብት የሚገዙ ንብረቶች በሞዴል ገቢና ወጪ ስለመሆናቸውና በትዕዛዝ እየተሰሩ ለመሆኑ ንብረት ክፍል በማየት ማረጋገጥ
18. የት/ቤት ር/መምህራን ለመምህራን ቸክሊስት ቆጥሮ በመስጠት በየወሩ በመገምገም ደረጃ እያወጣ የፋክክር መንፈስ እየፈጠረ መምራት ስለመቻሉ፤ የ1ኛው ወሰነ ትምህርት የስራ ግምገማ ለመደረግ ከቃል ጉባኤ መረጋገጥ
19. በት/ቤት ር/መምህር የተደረገ ሱፐርቪዥንና የርስ በርስ ሱፐርቪዥን ስለመደረጉ
20. ያለአድማ ጋብቻን ለመከላከል እየተሰራ ያለ ስራ፣ የሚዳሩ ልጆችን መረጃ ቀድሞ ማሰባሰብና ለትምህርት ጽ/ቤት ቀድሞ መረጃውን እንዲያደርሱ፣ ሾልከው የሚዳሩ ካሉ ትምህርታቸውን እንደያደርጡ ቀስቅሶ ማምጣት እንዲችሉ አቅጣጫ ማቀመጥ። ማሳሰቢያ፡
ከላይ የቀረቡት በጥንካሬና በድክመት በአስተያየት መስጫ በመዝገብ ማስቀመጥና አንድ ኮፒ ይዞ መምጣት በስምሪት የሚታዩ ት/ቤቶች የጉድኝት ማዕከሉ ት/ቤት ይሆናል
የመዉጫ ኮንፈረንስ ከመምህራን ጋር ማድረግ።
የጉድኝት ሱፐርቫይዘር የሌለባቸው ት/ቤት ሁሉም ር/መምህራን በማዕከሉ ተገኝተው በስልተናዉ ይሳተፋሉ የስምሪት ቀን 26/07/2014 ዓ.ም እስከ 27/07/2014 ዓ.ም ይሆናል።

Appendix 13.2: UNICEF Guide: Combatting Child Marriage among Girls in the Targeted Schools

በዩኒሴፍ/uncife/ በታቀፍ ት/ቤቶች የሰርዓት ጋብቻን ለመከላከልና ለማስቆም ስለተከናወኑ ያሉ ተግባራትን ድጋፍ ለማድረግ የተሠጠ የባለሙያዎች የድጋፍ ችክሲስት

❖ የሰርዓት ይታ ተቋማዊ መዋቅር ያለበት ሁኔታ

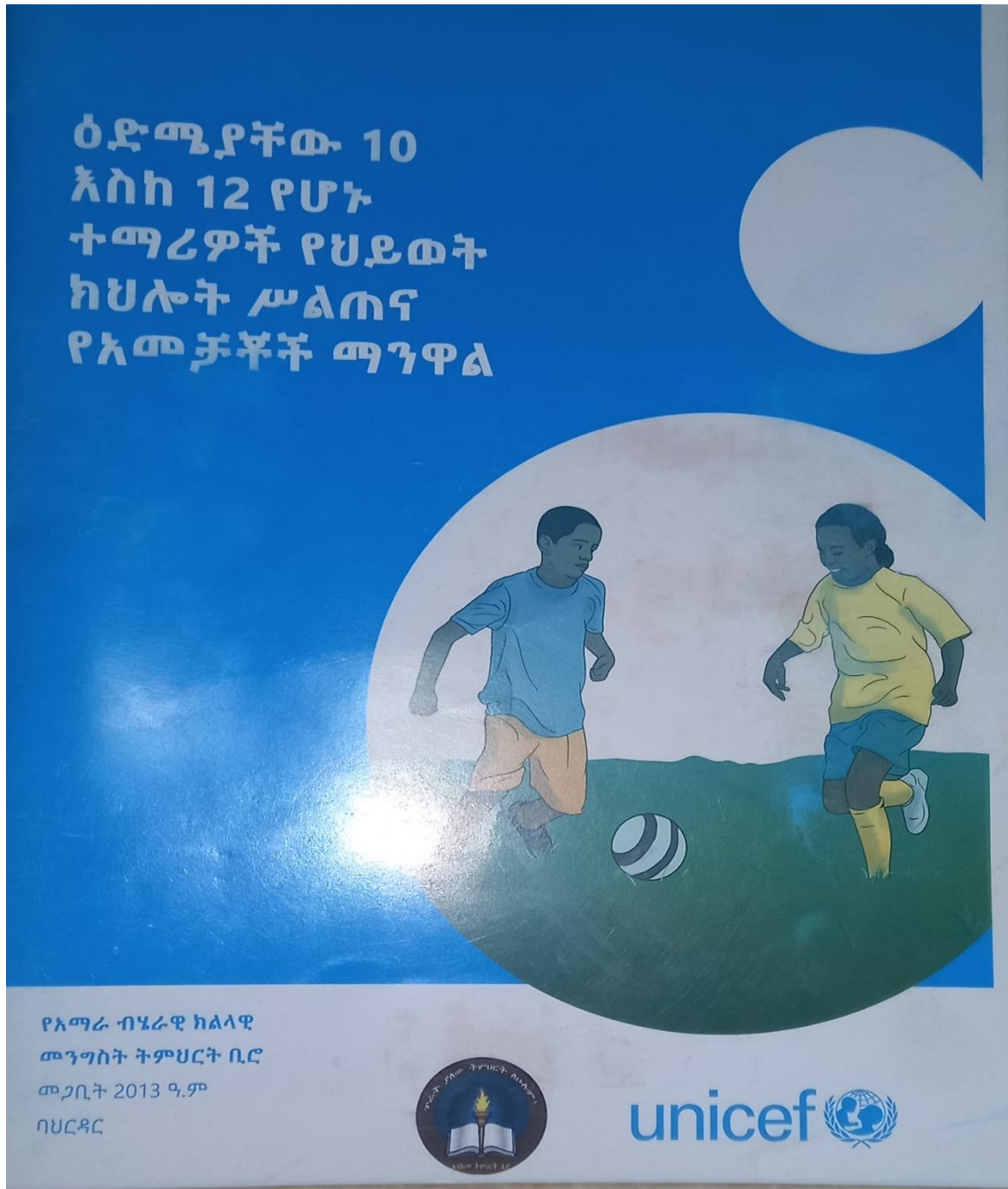
1. በሁሉም በታቀፍ ት/ቤቶች የሰርዓት ያሉ ክብብ የተቋቋመ መሆኑን ማረጋገጥ፡፡
2. የክብቡ ስባሳት በየ15 ቀኑ በቃሰ ጉባኤ ውይይት ስያደራጉ መሆኑንና ስባሳት ስልጠና የተሠጠ መሆኑን ማረጋገጥ፡፡
3. የሰርዓት ጋብቻን ለማስቆም ስተማሪዎችና ስስካባቢው ማህበረሰብ ግንዛቤ የተፈጠረ መሆኑን ማረጋገጥ፡፡
6. የሰርዓት ይታ ክብብ ስደራጃጃት፤ ስሰራርና ስመራር መመሪያ ት/ቤት መድረሱን ማረጋገጥና በመመሪያው መሰረት ስቅድ ስለመታቀዱ

➤ ሲቹ ስገረዶችና ሲቶችን ለማብቃት የሰርዓት ይታ ስኩሰነትን በትመህርት ተሳትፎ ወጤታማነትና ተጠቃሚነትን ለማረጋገጥ ታቅደዉ የሚሰሩ ጉዳዮችንና የተገኙ ወጤቶችን በትመሰክቱ፡-

1. የወር ስበብ ንፅህና መጠበቂያ ክፍል ስለመኖሩና ስገረግሱት ስለመሰጠቱ
2. በይታ የተሰየ የተማሪዎች መፀዳጃ ቤት ስለመኖሩ
3. የሰርዓት ጋብቻን በት/ቤት ደረጃ ለመከላከል ስና የክስተቶች መረጃ መስተሰብያና ምሳሽ መስጫ ስርዓት በተቋሙ ስለመኖሩ፡፡
4. በት/ቤቱ የህጻዎች ክህሎት ስልጠና ስለመሰጠቱ፡፡
5. የትምህርት ቅሳቅስ ድጋፍ የሚያገኙ ስተሰያዩ ችግሮች ተጋሰጡ የሆኑ ታዳጊ ሴት ተማሪዎች ብዛት፡፡
6. በሴት ስደቪ /ሴድስ ስና ስነተዋሰዶ ጤና ዙሪያ የግንዛቤ ትምህርት ስለመሰጠቱ፡፡
7. የሪፖርት ንጽሕና ምን ያህል ሲሆን፡
8. ያለ ይፍጥ ዓጽ የተረፈ መሆኑና የተረፈ መሆኑን ማረጋገጥ፡፡

Appendix 14: Facilitators Manual

Appendix 14.1: Life Skills Training Facilitators Manual: For 10-12 years Old Girls



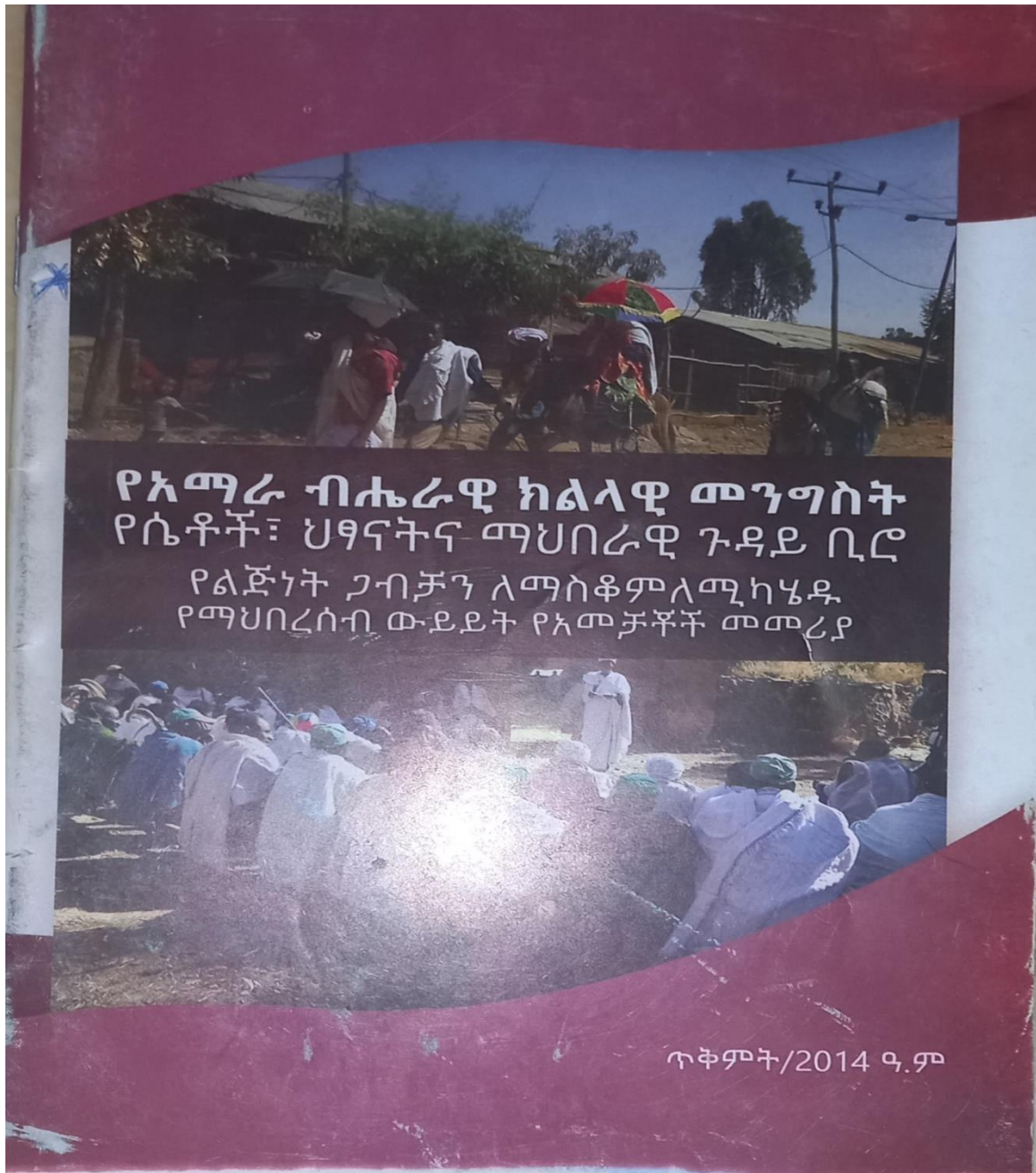
Appendix 14.2: Life Skills Training Facilitators Manual: For 13-14 years Old Girls



Appendix 14.3: Life Skills Training Facilitators Manual: For Out-of-School Girls



Appendix 14.4: Community Dialogue: Facilitators Manual



Appendix 15: Few Pictures Taken during Data Collection (Photo credit: Yitaktu Tibebu)





Yitaktu Tibebu, A picture taken during Data Collection

Appendix 16

Place, Date and Duration of the Primary Data Collection Methods

Appendix 16.1: FGD with FGD Informants: Average Duration 2 hours

List of FGD Informants	Pseudonym	Place	Date
Adolescent Girls	FGD 005	Zambit Zeguda	April 13/2022
	FGD 007	Asheti Leba Gedel	March 30/2022
	FGD 008	Zambit Zeguda	April 14/2022
	FGD 013	Quarit	April 01/2022
Adolescent Boys	FGD 001	Asheti Leba Gedel	April 7/2022
	FGD 004	Zambit Zeguda	April 13/2022
Female Parents	FGD 011	Zambit Zeguda	April 10/2022
	FGD 012	Asheti Leba Gedel	April 2/2022
Male Parents	FGD 002	Asheti Leba Gedel	April 2/2022
	FGD 003	Zambit Zeguda	April 10/2022
Mixed	FGD 006	Asheti Leba Gedel	April 2/2022
	FGD 014	Quarit	April 05/2022
Teachers	FGD 009	Zambit Zeguda	April 14/2022
Religious Fathers	FGD 016	Zambit Zeguda	April 03/2022
Community Elders	FGD 015	Asheti Leba Gedel	April 10/2022

Appendix 16.2: KII Informants: Average Duration 1 hour

List of KII Informants	Pseudonym	Place	Date
School Principals/ Vice Principals	SD1	Asheti Leba Gedel	March 30/2022
	SD2	Asheti Leba Gedel	April 7/2022
	SD3	Zambit Zeguda	April 14/2022
	SD4	Zambit Zeguda	April 14/2022
Gender Club Focal Female Teachers	GCFFT1	Asheti Leba Gedel	April 18/2022
	GCFFT2	Zambit Zeguda	April 13/2022
Health Extension Workers	HEW1	Asheti Leba Gedel	March 31/2022
	HEW2	Quarit	April 3/2022
	HEW3	Asheti Leba Gedel	April 8/2022
Health Center Head	HCH	Zambit Zeguda	April 13/2022
	IGO1	Bahir Dar	April 29/2022
UNICEF/UNFPA Focal	IGO2		April 29/2022

Appendix 16.3: In-depth Interview Informants

Average duration of the in-depth Interview: 2 Hours

Appendix 16.3.1: From Addis Ababa, Federal Level

List of Informants	Pseudonym	Date	Place
Women and Social Affairs	AD1	March 21/2022	Addis Ababa
	AD2	June 01/2022	Addis Ababa
	AD3	May 16/2022	Addis Ababa
	AD4	May 20/2022	Addis Ababa
	AD5	May 20/2022	Addis Ababa
Justice Office	AD6	May 27/2022	Addis Ababa
	AD7	June 10/2022	Addis Ababa
	AD8	June 10/2022	Addis Ababa
Education	AD9	June 6/2022	Addis Ababa
Health	AD10	June 14/2022	Addis Ababa
Finance	AD11	June 27/2022	Addis Ababa
	AD12	June 27/2022	Addis Ababa
UNICEF	AD13	August 2/2022	Addis Ababa

Annex 16.3.2: From Region, Bahir Dar

List of Informants	Pseudonym	Date	
Women Mobilization	AA002	April 29/2022	Bahir Dar
	AA003	April 28/2022	Bahir Dar
	AA004	March 28/2022	Bahir Dar
Justice Office	AA001	April 27/2022	Bahir Dar
	AA005	April 27/2022	Bahir Dar
Education	AA006	April 28/2022	Bahir Dar
Culture	AA007	April 29/2022	Bahir Dar
Alliance	AA008	August 2/2022	Bahir Dar

Appendix 16.3.3: From Finote Selam Zone

List of Informants	Pseudonym	Date	Place
Child Protection	AA01	April 15/2022	Finote Selam
	AA06	April 15/2022	Finote Selam
Culture	AA02	April 15/2022	Finote Selam
Education	AA03	April 21/2022	Finote Selam
	AA11	April 15/2022	Finote Selam
Women Mobilization	AA04	April 2/2022	Finote Selam
	AA09	April 2/2022	Finote Selam
Justice	AA05	April 14/2022	Finote Selam
	AA07	April 14/2022	Finote Selam
	AA08	April 14/2022	Finote Selam
Health	AA10	April 15/2022	Finote Selam

Appendix 16.3.4: From *Wereda*, Quarit

Pseudonym	Date	Place
A001	March 29/2022	Quarit
A002	March 31/2022	Quarit
A003	March 31/2022	Quarit
A004	April 7/2022	Quarit
A005, A009 & A010	March 29/2022	Quarit
A006, A015 & A016	March 30/2022	Quarit
A007	April 2/2022	Quarit
A008	April 2/2022	Quarit
A011	April 12/2022	Quarit
A012	April 12/2022	Quarit
A013	March 28/2022	Quarit
A014	April 15/2022	Quarit

Appendix 16.3.5: From *Kebele* Level

1) In-depth Interview with *Kebele* Administration

Pseudonym	Date	Place
Ao1	April 3/2022	Quarit
A02	April 5/2022	<i>Asheti Leba Gedel</i>
A03	April 7/2022	<i>Zambit Zeguda</i>
A04	April 1/2022	Quarit
Ao5	April 10/2022	Quarit
A06	April 10/2022	<i>Zambit Zeguda</i>
A07	April 2/2022	Quait
A08	April 1/2022	Quarit
A09	April 4/2022	Quarit
A10	April 4/2022	<i>Asheti Leba Gedel</i>
A11	April 4/2022	Quarit

2) In-depth Interview with Priests

Pseudonym	Date	Place
Prist 01	April 2/2022	Quarit
Prist 02	April 9/2022	<i>Zambit Zeguda</i>
Prist 03	April 9/2022	<i>Zambit Zeguda</i>
Prist 04	April 5/2022	<i>Asheti Leba Gedel</i>
Prist 05	April 5/2022	<i>Asheti Leba Gedel</i>

3) In-depth Interview with Community Elders

Pseudonym	Date	
Elder 01	April 06/2022	<i>Zambit Zeguda</i>
Elder 02	April 11/2022	<i>Zambit Zeguda</i>
Elder 03	April 5/2022	<i>Asheti Leba Gedel</i>

4) In-depth Interview with Community Members

In-depth Interview with Community Members : Male Parents

Pseudonym	Date	Place
MP1	April 3/2022	<i>Zambit Zeguda</i>
MP2	April 3/2022	<i>Zambit Zeguda</i>
MP3	April 3/2022	<i>Zambit Zeguda</i>
MP4	April 3/2022	<i>Zambit Zeguda</i>
MP 05	April 06/2022	<i>Zambit Zeguda</i>
MP 06	April 6/2022	<i>Zambit Zeguda</i>
MP 07	April 1/2022	<i>Asheti Leba Gedel</i>
MP 09	April 1/2022	<i>Asheti Leba Gedel</i>
MP 10	April 1/2022	<i>Asheti Leba Gedel</i>
MP11	April 13/2022	<i>Zambit Zeguda</i>
MP 12	April 13/2022	<i>Zambit Zeguda</i>
MP 13	April 4/2022	<i>Asheti Leba Gedel</i>
MP 14	April 7/2022	<i>Asheti Leba Gedel</i>
MP 15	April 7/2022	<i>Asheti Leba Gedel</i>
MP 16	April 31/2022	<i>Asheti Leba Gedel</i>
MP 17	April 31/2022	<i>Asheti Leba Gedel</i>

In-depth Interview with Community Members : Female Parents

Pseudonym	Date	Place
FP 01	April 4/2022	<i>Asheti Leba Gedel</i>
FP 02	April 4/2022	<i>Asheti Leba Gedel</i>
FP 07	April 9/2022	<i>Zambit Zeguda</i>
FP 04	April 7/2022	<i>Zambit Zeguda</i>
FP 05	April 7/2022	<i>Zambit Zeguda</i>
FP 06	April 8/2022	<i>Asheti Leba Gedel</i>
FP 03	April 4/2022	<i>Zambit Zeguda</i>
FP 08	April 13/2022	<i>Zambit Zeguda</i>
FP 09	April 2/2022	<i>Asheti Leba Gedel</i>
FP 010	April 4/2022	<i>Asheti Leba Gedel</i>

In-depth Interview with Community Members : Adolescent Boys

Pseudonym	Date	Place
AD 01	April 12/2022	<i>Asheti Leba Gedel</i>
AD 02	April 12/2022	<i>Asheti Leba Gedel</i>
AD03	April 05/2022	<i>Asheti Leba Gedel</i>
AD04	April 05/2022	<i>Asheti Leba Gedel</i>
AD 05	April 11/2022	<i>Zambit Zeguda</i>
AD 06	April 11/2022	<i>Zambit Zeguda</i>
AD 07	April 11/2022	<i>Zambit Zeguda</i>
AD 08	April 5/2022	<i>Asheti Leba Gedel</i>
AD 09	April 5/2022	<i>Asheti Leba Gedel</i>
AB 10	April 5/2022	<i>Asheti Leba Gedel</i>
AD 11	April 1/2022	<i>Asheti Leba Gedel</i>

In-depth Interview with Community Members : Adolescent Girls

Pseudonym	Date	
AG01	April 1/2022	<i>Asheti Leba Gedel</i>
AG 02	April 05/2022	<i>Asheti Leba Gedel</i>
AG 03	April 6/2022	<i>Zambit Zeguda</i>
AG 04	April 10/2022	<i>Zambit Zeguda</i>
AG 05	April 10/2022	<i>Zambit Zeguda</i>
AG 06	April 1/2022	<i>Asheti Leba Gedel</i>
AG 07	April 12/2022	<i>Asheti Leba Gedel</i>
AG 08	April 12/2022	<i>Asheti Leba Gedel</i>
AG 10	April 12/2022	<i>Asheti Leba Gedel</i>
AG 9	March 31/2022	<i>Quarit</i>
AG 11	April 14/2022	<i>Zambit Zeguda</i>
AG 12	April 14/2022	<i>Zambit Zeguda</i>

Appendix 17

Review of Relevant Literatures

	Lists Relevant Literatures Reviewed	Critical Review	Implication for this Dissertation
	Inclusion Criteria 1: Key Literatures on the drivers of child marriage & why it persists on one hand and conceptualizing girls agency		
1	Malhotra, Anju, & Shatha Elnakib. 2021. <i>20 Years of the Evidence Base on What Works to Prevent Child Marriage: A Systematic Review</i> .	The authors conducted a thorough review of the literature from 2000 to 2019 to identify effective interventions for preventing child marriage in low-income and middle-income countries. Their research involved a comprehensive search of electronic databases and grey literature, ultimately selecting 30 pieces of literature for in-depth review. The authors argue that access to girls' education and targeted life skills and livelihoods training consistently lead to successful delays in child marriage among girls. However, the study also highlights the limited success of multicomponent interventions, prompting questions about the effectiveness of complex program designs compared with single-component interventions. Additionally, the review notes that assets or cash transfers conditional on delaying marriage and unconditional cash transfers for poverty mitigation have produced mixed results, contradicting some narratives suggesting that financial incentives alone are sufficient to delay marriage.	The findings of this study are directly relevant to my research question, which aims to explore the myriad factors influencing the acceptance or resistance of globally defined norms against child marriage by local communities. In particular, the study suggests that targeted interventions such as access to education, life skills, and livelihood training can significantly empower girls to exert agency. In my dissertation, I will delve into the extent to which local actors have shaped the implementation of these norms. Additionally, in line with the study's findings, interventions that foster agency in adolescent girls can effectively equip them to become influential local actors in combating child marriage. These findings are consistent with the conclusions drawn from my own research.
2	Kohno, Ayako, Maznah Dahlui, Nik Daliana Nik Farid, Siti Hawa Ali, & Takeo Nakayama. 2019. <i>In-Depth Examination of Issues Surrounding the Reasons for Child Marriage in</i>	This study aimed to explore the various factors driving child marriage in Kota Bharu district, Kelantan, a northeast state in Peninsular Malaysia. The researchers used a social-ecological model as a conceptual framework. They conducted semi-structured interviews with 18 former child wives and five key informants (i.e., "a government officer, a community leader, an officer from a religious department, and two mothers") to gain a nuanced understanding of the drivers of individual, familial, community, and societal levels. The study's outcome reveals that "immaturity in	The implication of the finding in this study, similarly informs my research question that aims to investigate various factors that impact the adoption or rejection of the globally defined norms on child marriage by local communities. The study found that sex education and community awareness-raising were effective strategies for eradicating child marriage in their area of research. However, the findings of my dissertation contradict these

	<i>Kelantan, Malaysia: A Qualitative Study.</i>	decision-making, family poverty and religious and cultural norm' are critical drivers of the practice. They additionally emphasized the necessity of having interventions on sex education and community awareness-raising activities that focus on the consequences of child marriage as a pre-requisite to eradicate the practice. However, it is essential to note that the findings of this study may not be applicable beyond Kelantan's specific socio-cultural and regional context. Additionally, it is feminist research, and hence, the study focused on women's perspectives, which is essential as it gives voice to those who usually participate as victim witnesses. Nevertheless, critics may argue that the study overlooked the viewpoints of male parents who are in the driving seat to determine the appropriate marriageable age in their local setting. In addition, only one religious leader and one community elder are involved.	results, as the community awareness-raising interventions were not successful in my research target area despite being implemented.
3	Giaquinta, Belén. 2016. <i>Silenced Subjectivities & Missed Representations: Unpacking The Gaps Of The International Child Marriage Discourse.</i>	The research draws on the work of post-colonial feminist writers, scholars from the sociology of childhood, and post-development theory to critically assess the international discourse on child marriage. It aims to identify the constraints of a framework that often silences the perspectives of those it aims to represent. The research proposes that a more comprehensive understanding of agency is essential to address the issue of child marriage effectively. In conclusion, the author argues for a reevaluation of the discourse surrounding child marriage in order to better capture the agency of adolescent girls. The author boldly concludes (see p. 38) that child marriage should be conceptualized " <i>based on what this practice might provide and its value, rather than only on its oppression and what it takes away. Maybe even on how the problem may be with the international development community and not, for once, with the Global South.</i> " These findings are crucial for guiding future research and interventions aimed at addressing child marriage in a manner that respects the voices and experiences of those	The research arguments have been instrumental in shaping my dissertation on how to conceptualize girls' agency in combatting child marriage. I agree with the author's viewpoint that the agency of child brides should not be confined to merely resisting child marriage. It is crucial to recognize their passive agency, even when they ultimately accept arranged marriages or become involved in adolescent-led child marriage.

		most impacted by the practice, i.e., adolescent girls.	
4	Kenny, Leah, Hamse Koshin, Munshi Sulaiman, and Beniamino Cislighi. 2019. <i>Adolescent-led Marriage in Somaliland and Puntland: A Surprising Interaction of Agency and Social Norms.</i>	Kenny et al. explored the dynamics between the agency of adolescent girls and the gendered social norms that justify child marriage in Somaliland and Puntland. The authors posit that adolescent agency, influenced by technology and economic factors, contributes to the prevalence of child marriage. The study underscores the significance of technology as a catalyst for adolescent-driven child marriage, shedding light on the complex nature of the issue and its intersection with traditional societal structures.	The findings of this study contribute to my research question, which aims to explore and identify influential local actors involved in combating child marriage in the research area. However, the author of this dissertation contends that exercising agency should not be narrowly construed as mere resistance to child marriage and that the focus should not be solely on the final decisions of the adolescent girl bride.
5	Bezie, Minale, and Dagne Addisu. 2019. <i>Determinants of Early Marriage among Married Women in Injibara Town, North West Ethiopia: Community-Based Cross sectional Study</i>	This study shows the prevalence and determinant factors of child marriage among married women in Injibara town, North West Ethiopia. The research utilized a community-based cross-sectional study design and included 373 women, employing multistage sampling for participant selection. The study found a high prevalence of early marriage at 44.8%, with determinant factors including the father's non-formal education level, family income, family size, and the educational level of the participants themselves.	The findings of this study informs my research question, which aims to investigate the various factors that impact the adoption or rejection of the globally defined norms on child marriage by local communities. particularly, this study suggests that interventions focused on providing access to education will reduce early marriage in Injibara town. The findings of study further provides insights into determinants of child marriage, even if it specifically shows the case in Injibara town, it is important to consider the drivers that surround the parents as decision-makers, which is far from the intention of the law that puts the would-be bride and the groom at the far front in the decision making
6	Emirie, Guday, Nicola Jones, and Meti Kebede. 2021. <i>'The School Was Closed, So When They Brought Me A Husband I Couldn't Say No': Exploring</i>	The study examined the impact of child marriage on girls and boys in the Amhara and Oromia regions, using semi-structured interviews with 190 adolescents, 44 parents, and 20 critical informants from 2017 to 2020. The results highlight the influence of economic and gender norms on both adolescent-initiated and parent-arranged child marriages, impacting girls and boys differently. The study suggests that eradicating child marriage, in line with SDG	The findings of this study informed my dissertation research question, which delved into the agency of adolescent girls. Upon analyzing how these girls exercised agency, the findings emphasized the importance of considering constrained or passive agency. It also highlighted that exerting agency should not be narrowly viewed solely as resisting

	<i>the Gendered Experiences of Child Marriage Amongst Adolescent Girls and Boys in Ethiopia.</i>	target 5.3, requires tailored gender-specific strategies. In Ethiopia, factors such as gender, age, and inheritance practices significantly influence experiences of child marriage, which are further influenced by social norms, access to essential services like secondary schools, and policies promoting youth skills building and gender-responsive social protection.	child marriage.
	Inclusion Criteria 2: Relevant Literatures that deal with existing dynamics and challenges in relation to contextualization of global norms, in general and women's human rights and children rights in particular, and its effective realization at the grass roots community level		
7	Goodale, Mark, and Sally Engle Merry. 2007. <i>The Practice of Human Rights: Tracking Law between the Global and the Local.</i>	The authors posit that the practice of human rights necessitates carefully examining the intricate relationship between global norms and local practices. They discuss how human rights law is formulated internationally but must be applied and adjusted within diverse local contexts. Consequently, the authors emphasize that these complex dynamics underscore the intricacies of legal pluralism and the challenges of upholding universal human rights standards in varied cultural settings. They highlight the inherent contradictions within the global-local interplay, underscoring the importance of understanding the cultural dimensions of legal systems and advocating for a nuanced approach to human rights implementation. In conclusion, the authors stress the significance of a culturally informed perspective in human rights practice. They suggest that the effectiveness of human rights law hinges on its ability to navigate the complex interplay between global standards and local realities. Their work contributes to a deeper understanding of legal pluralism and the socio-legal processes that influence the practice of human rights across diverse societies.	Their argument lent credibility to this dissertation, which investigates how the globally defined minimum marriageable age of 18 and legal consent notions are interpreted and framed to gain meaning that can persuasively influence the local grassroots community and, consequently, enforce national law.
8	Addo, Michael K. 2010. <i>Practice of United Nations Human Rights Treaty Bodies in the</i>	This literature delves into integrating cultural diversity with universal human rights, highlighting a nuanced scholarly discourse. It argues that the United Nations human rights treaty bodies have developed a practice that views cultural diversity and universal human rights as complementary	His arguments broadly examined the need to reconcile human rights norms with the reality of cultural diversity. Moreover, in this regard, he argued, the UN human rights treaty bodies should stay in the middle ground position of

	<i>Reconciliation of Cultural Diversity with Universal Respect for Human Rights.</i>	rather than conflicting. This involves establishing a legal framework that challenges cultural practices deemed detrimental or contradictory to human rights while simultaneously acknowledging the significance of cultural diversity. This perspective offers an alternative to the long-dominant discourse of universalism and cultural relativism. The analysis presents an approach that endeavors to reconcile cultural diversity with the universality of human rights.	reconciliation rather than being occupied with the long-standing debates of universalism and cultural relativism. Accordingly, his arguments pave the ground for my dissertation research question, which aims to investigate how the global and local actors translate the globally defined norms against child marriage to get acceptance at the grassroots community level.
9	Vandenhoe. 2012.	Vandenhoe 2012 'question's and 'challenges,' what he calls the 'top-down' approach of formulating legal standards. His argument is well-founded in highlighting the significant challenges of effectively implementing child rights laws at the grassroots community level, specifically due to cultural diversity.	The author's arguments are highly pertinent to my dissertation, which examines the rights of a girl child, highlighting the difficulty in enforcing child marriage laws at the community level. Additionally, it provides a foundation for my dissertation's crucial research questions, particularly the necessity of interpreting and framing the globally defined norms against child marriage to provide meaning that the local communities can easily understand. Accordingly, his argument effectively supports the third objective of my dissertation.
10	Rajaram, N., and Vaishali Zararia. 2009. <i>Translating Women's Human Rights in a Globalizing World: The Spiral Process in Reducing Gender Injustice in Baroda, India.</i>	Their research centered on Baroda, Gujarat, India, to explore the intricate relationship between global norms and local cultural contexts in women's human rights. The authors assert that the translation of women's rights is a multifaceted process characterized by a dynamic and non-linear "spiral process" in which global ideas are localized and, in turn, can impact global discourses. They also underscore the influence of social norms and the state's role. The authors identify different types of translators, such as converters and transformers, each playing specific roles in the translation process, involving meaning-making through processes, what they refer to as - 'recuperation,' 'hybridization,' 'simplification,' and 'compartmentalization.' Their study emphasizes the non-linear nature of translating	The results of this study have informed my dissertation research question, which delves into the various ways global and local actors interpret globally defined norms against child marriage within a specific grassroots community. I am particularly impressed by their work, which underscores translation as a 'meaning-making' process. The authors meticulously identify how the framing effort is contingent upon existing social norms and the role of the local government. In my dissertation, I explore the diversity of translators, particularly the involvement of key local actors such as adolescent girls, priests,

		human rights. It illustrates how global women's human rights are rendered in local cultural contexts—a complex process shaped by various actors and factors. The research highlights the importance of acknowledging translators' diversity and recognizing the translation process's multifaceted nature.	community elders, and community facilitators. Furthermore, I aim to document the most influential regional actors involved. My dissertation examines the roles of the local government, community-based organizations (CBOs), and international governmental organizations (IGOs) and evaluates their effectiveness, success, and challenges. The results of this study have informed my dissertation research question, which delves into the various ways global and local actors interpret globally defined norms against child marriage within a specific grassroots community. I am particularly impressed by their work, which underscores translation as a 'meaning-making' process. My finding concurs with this and identified six framings that try to interpret the law by linking it with existing local context and religious ideologies. The authors meticulously identify how the framing effort is contingent upon existing social norms and the role of the local government. In my dissertation, I explore the diversity of translators, particularly the involvement of key local actors such as adolescent girls, priests, community elders, and community facilitators. Furthermore, I aim to document the most influential regional actors involved. My dissertation examines the roles of the local government, community-based organizations (CBOs), and international governmental organizations (IGOs) and evaluates their effectiveness, success, and challenges.
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11	Chow, Vinci, and Eva Vivalt. 2021. <i>Challenges in Changing Social Norms: Evidence from Interventions Targeting Child Marriage in Ethiopia</i>	This study investigated interventions targeting the elimination of child marriage in Ethiopia. The researchers employed a weighting and difference-in-differences method to evaluate the effectiveness of interventions aiming to change social norms related to child marriage. These interventions included community discussions and providing economic incentives for girls to stay in school and unmarried. The results revealed that both interventions reduced the likelihood of marriage for girls aged 8-17 by approximately 4 to 7 percentage points. The study also highlighted challenges in shifting social norms, such as potential backlash and the limited impact on education, emphasizing the multifaceted nature of the issue.	The results of this study inform my dissertation research questions, which aim to identify existing interventions on the one hand and trends in community resistance or reception on the other. The study reveals that wider community awareness raising has a positive impact on reducing child marriage, even if its impact is very low, less than 10%. The study further highlights the 'backlash,' which is similarly observed as an important finding in my dissertation.
Inclusion Criteria 3: Key Ligatures that deals with the efficacy of the law in defining and addressing child marriage			
12	Maswikwa, Belinda, Linda Richter, Jay Kaufman, and Arijit Nandi. 2015. <i>Minimum Marriage Age Laws and the Prevalence of Child Marriage and Adolescent Birth: Evidence from Sub-Saharan Africa.</i>	This study aimed to determine whether enacting consistent laws that set the minimum age for girls to marry at 18 or older is associated with a reduction in the prevalence of both child marriage and adolescent birth. In this study, countries were considered to have consistent laws if they clearly set 18 years or more for girls to 'marry' with their own consent, to marry with parental consent, and also set 18 years for sexual consent. The research, which utilized data from the Demographic and Health Surveys and the Child Marriage Database, found that in countries with consistent laws, the prevalence of child marriage was 40% lower, and teenage childbearing was 25% lower compared to countries without such laws. Even if previous literature does not concur on the efficacy of law in defining and eliminating the practice, this study's findings highlight the relevance of clear and consistent laws. This suggests that consistent legal frameworks play a vital role in safeguarding adolescent girls from child marriage.	The findings of this study are essential to my dissertation as they provide evidence of the effectiveness of consistent application of the law. In my dissertation, I am exploring the implementation of the law, and I argue that it is crucial to interpret and frame to be in line with existing local ideologies to minimize resistance from the community. This means that the law plays a pivotal role in efforts to eradicate the practice of child marriage among girls. However, since the factors driving child marriage vary, we need to address the issue from multiple socio-cultural and economic perspectives.
	Collin, Matthew, Theodore Talbot, and	This study is grounded in empirical research and examines the efficacy of age-of-marriage laws in developing	The findings of this study contribute to my dissertation by justifying the need to interpret

13	World Bank. 2017. <i>Do Age-of-Marriage Laws Work? Evidence from a Large Sample of Developing Countries</i>	countries. The authors contend that despite the presence of legal frameworks designed to curtail child marriages, child marriage persists, underscoring the need for more robust enforcement of these laws. They have utilized regression discontinuity methods to illustrate that these legal measures are not effectively enforced, and this trend requires attention. In conclusion, they assert a significant disparity between establishing age-of-marriage laws and their practical enforcement in developing countries. Their study implies that more than just enacting laws is necessary; effective implementation and enforcement are vital, necessitating enhancements in law enforcement monitoring mechanisms.	and frame globally defined norms against child marriage to combat underground child marriages due to community resistance. I agree with the authors that laws alone will not protect girls; effective implementation is imperative. Community resistance demonstrated through underground child marriages, is one of the several factors that hinder the enforcement of the law.
14	Batyra, Ewa, and Luca Maria Pesando. 2021. <i>Trends in Child Marriage and New Evidence on the Selective Impact of Changes in Age-at-Marriage Laws on Early Marriage</i>	This study delved into the trends of child marriage and the impact of increasing the minimum legal age for marriage to eliminate this practice. It employed a cohort perspective to compare six low- and middle-income countries that had modified their minimum legal age for marriage over the past two decades. The researchers utilized individual-level data and a regression discontinuity design to evaluate the effectiveness of raising the age of marriage in reducing the prevalence of child marriage. The study discovered that increasing the minimum legal age for marriage did not significantly decrease child marriage rates in the four countries investigated. This indicates that while legal changes can have an impact, their success may be limited and context-dependent. The study emphasized the complexity of addressing child marriage solely through legal reforms, highlighting the need for comprehensive strategies that encompass legal enforcement and monitoring, as well as alternative policy changes to promote access to education for girls.	Although the objectives vary, the study results will significantly inform my dissertation. The findings suggested that simply raising the minimum marriage age may not suffice as a solution, given the various factors that influence child marriage. Therefore, contextualizing the law to align with local contexts is crucial. This approach facilitates local community acceptance and helps deter underground marriage practices, strengthening legal enforcement. My dissertation is centered on interpreting and framing the globally defined universal marriageable age of 18 and the free, complete, and informed legal consent notions.
Inclusion Criteria 4: Key Literatures that show current state of Research			
15	Jones, Nicola, Emirie Guday, Tefera	The authors investigated eight districts in Amhara Regional State by involving around 800 participants over a three-year	The findings of this study provide insight into the research questions of my dissertation on

	Bekele, and Presler-Marshall Elizabeth. 2018. <i>'Sticky' Gendered Norms: Change and Stasis in the Patterning of Child Marriage in Amhara, Ethiopia.</i>	period. Their findings indicate that although progress has been made, most adolescent girls in the region still face numerous threats to their well-being, primarily due to deeply ingrained, discriminatory gender norms. On one hand, girls in Amhara are now more likely to attend school than their male peers, and child and arranged marriages are on the decline. On the other hand, only 60% of girls in the region complete primary school, and over half are married before the age of 18. Moreover, the study found that many girls, particularly those from poor and remote rural households, have their options limited by repressive gender norms that assign them excessive domestic and care work, resulting in high rates of academic failure. These entrenched norms also view girls' virginity as a symbol of their family's honor, leading many adolescent girls to be married off to older men, thereby restricting their access to the voice and agency necessary to pursue new futures.	the various factors that influence the acceptance or rejection of the globally defined norms against child marriage in my dissertation target areas. The study's results emphasize the significance of family honor and the value placed on girls' virginity in driving child marriage in the studied eight districts of the Amhara Region. This finding aligns with the results of my dissertation. Additionally, the study reveals the pervasive gendered social norms that limit the agency of adolescent girls, providing valuable information for my dissertation on how to conceptualize girls' agency. It is important to note that exercising agency should not only be resisting child marriage and hence, exerting passive or constrained agency shall be taken into account.
16	Supraptiningsih, Umi. 2021. <i>Pros and Cons Contestation on the Increase of Marriage Age in Indonesia.</i>	This study delves into the contentious issue surrounding the enforcement of Law No. 16 of 2019, which raised the minimum marriage age in Indonesia. Prior to the implementation of this law, Indonesia had discriminatory minimum marriageable ages, 16 for girls and 19 for boys. However, with the introduction of the new law, a uniform minimum marriage age of 19 was set for both genders. The author utilized a qualitative methodology with discourse analysis, applying Pierre Bourdieu's theory of genetic structuralism to examine the societal dynamics of acceptance and resistance to the law. The research has yielded significant findings, identifying the benefits of increasing the marriage age, including a reduction in divorce rates, decreased school dropout rates, and lower maternal and child mortality rates. However, the study also brings to light the opposition rooted in cultural, economic, and lifestyle factors, with some community members resorting to unregistered marriages or exploiting legal loopholes to bypass the law. The research also highlights	The results of this study informs my research questions, which aim to explore the factors influencing grassroots community resistance or acceptance of globally defined norms against child marriage. The study illustrates that the increase in the minimum marriageable age was met with resistance from the local community, leading them to circumvent the law through underage marriages. This finding aligns with the results of my dissertation, further validating my research. My work seeks to interpret, redefine, and frame global norms in a way that resonates with the local context, making them more meaningful to the community.

		the conflict between legal marriage requirements and Islamic law provisions, which some community members prioritize, revealing a discrepancy between statutory law and religious practices. Furthermore, the study underscored the role of the Religious Courts in enforcing the law despite societal resistance. The study emphasizes the complexities of implementing legal reforms in a diverse society with varying religious and cultural values.	
17	Scholarlycommons, Scholarlycommons, and Ewa Batyra. 2022. <i>'Reverse Policies?' Reducing the Legal Minimum Age at Marriage Increases Child Marriage Among the Poorest in Mali</i>	In 2011, Mali introduced a new Family Code, which reduced the minimum marriage age from 18 to 16 in an attempt to combat child marriage. However, following the implementation of the new law, there has been a concerning rise in child marriage among adolescent girls with limited education. The prevalence of child marriage increased from 59% to 79% among the youngest cohort of women who were permitted to marry at the age of 16. This "reverse policy" of existing legal safeguards for girls may have adverse implications for the most marginalized members of society and could exacerbate child marriage.	The findings from this study inform my dissertation question, which aims to investigate how global and local actors contextualize the globally defined norms against child marriage to gain acceptance at the grassroots community level. Despite the minimum marriageable age being 18 in Ethiopia, my research reveals the use of socio-cultural framing. According to my dissertation findings, neither local government stakeholders nor parents intervene to prevent child marriages initiated by middle/late-adolescent girls due to non-verbal 'sign' systems in legal interpretation conveying cultural meanings. Additionally, this study suggests that the socio-cultural framing of decreasing the marriageable age should not be employed.
18	Barney, Morgan, Amanda Murdie, Baekkwon Park, Jacqueline Hart, and Margo Mullinax. 2022. <i>From Age to Agency: Frame Adoption and Diffusion Concerning the International Human Rights Norm</i>	This study posits that advocates for human rights have adopted their approach to shaping the international standard against child marriage in recent times. It asserts that while historical perspectives identified poverty and underdevelopment as the predominant drivers of child marriage, contemporary advocates have increasingly embraced a feminist sexuality framework in their discourse on the subject. Employing a multi-method approach involving machine-learning text analysis, process tracing, and interviews, the research examined the process of frame adoption among international norm entrepreneurs.	My dissertation focuses on the globally defined law against child marriage and specifically investigates the agency of adolescent girls. According to their argument, the implementation of international human rights laws at national and local levels relies on framing norms. Furthermore, the findings argue that international norms regarding child marriage have evolved from setting a minimum age limit to empowering girls to resist the practice. I agree with them, as

	<i>Against Child, Early, and Forced Marriage.</i>		empowering girls' agency is a more effective strategy for eliminating child marriage in the Asheti Leba Gedel and Zambit Zeguda Kebeles, Quarit Wereda, as opposed to solely enforcing the minimum marriage age of 18.
19	Horii, Hoko. 2022. <i>Child Marriage, Rights and Choice Rethinking Agency in International Human Rights.</i>	This book offers a critical analysis of the oversimplified binary perspective often used in international discussions on child marriage. It argues that this viewpoint overlooks the agency of adolescents in traditional societies. The author examines explicitly the socio-legal realities of child marriage in Indonesia and grounds her arguments on reasons why girls marry, such as a lack of opportunities. Additionally, her book suggests that the child marriage framework and human rights framework, in general, are based on a narrow vision of human agency, failing to respect and promote the agency of all individuals, regardless of their gender, race, religion, or age. The author advocates for a more nuanced approach that considers diverse influences and legal pluralism to effectively address child marriage.	The arguments in this literature informed my dissertation research question, which investigated the agency of adolescent girls. Rather than focusing on their final decision to be child brides, my dissertation similarly argued that what should be highlighted is their intention and motivation to exert the limited agency they can exercise. Similarly, I have tried to argue that exerting agency should not be conceived as resisting child marriage by analyzing the distinctions between exercising passive and active agency.
	Inclusion Criteria 6: Key Very Related Prior Research conducted in Amhara Region, Ethiopia		
20	Tayechalem, Girma Moges. 2018. <i>Towards a Transformative Human Rights Based Approach towards the Practice of Girl Early Marriage in Ethiopia</i>	This research is focused on the ongoing issue of child marriage, which remains prevalent despite being legally prohibited. The author examined the efficacy of international human rights law in effecting change at the grassroots level. This study is grounded in feminist post-colonial legal theory. The research is centered on the perspectives and experiences of former child brides in the Amahara Region, particularly Bhair Dar Zuria, Fogera, and Mecha Weredas. The study assesses the coping mechanisms employed by former child brides in their efforts to resist child marriage. The finding documents former child wives used the language of rights in their resistance. The research further reveals that girls as young as 11 or 12 are socially expected to engage in sexual relations. Nonetheless, the	This is one of the few researches conducted in Ethiopia which aims to document the adoption or translation of global norms against child marriage. It is a feminist research which gave voice to women who experienced child marriage. It is based on their lived experiences that the study looks into the efficacy of the human rights law in regulating child marriage. The result of this study informs my research question which investigates the role of adolescent girls as one of the influential local actors in the fight against child marriage. My dissertation finding concurs with the author's finding that girls at the age of 11/12 are

		national law does not prohibit sexual violence within the realm of child marriage. The study also highlights the need for institutional support for resisting girls, as well as the limitations of the current legal framework in addressing the challenges faced by girls and women in this context. The findings demonstrate that the prevalence of child marriage is deeply ingrained in social norms and that legal provisions based on minimum marriageable age and consent are insufficient to address the challenges faced by girls and women in the context of child marriage.	expected in sexual relations as well as running away is used by adolescent girls to resist child marriage. However, my dissertation intends to document and understand the perspectives of not only adolescent girls but also local actors who are in the driving seat to define appropriate marriageable age of girls in their locality, mainly parents, priests, community elders and adolescent boys. Accordingly, in my dissertation, I want to investigate the gender dimension of the practice where these key local actors have a critical role in fixing locally appropriate age of marriage. And I further digs into the efforts of the local government, CBO's and UN agencies on how they frame and interpret the globally defined universal marriageable age of 18 and consent legal notions to get acceptance at the grass roots community level. And my research questions try to document, understand and analyze (based on age and gender) the perspectives of the above mentioned key local actors on why they resist or accept the globally defined norms prohibiting child marriage among girls. And in this regard my dissertation uncovered, documented and analyzed the effectiveness and the challenges of the contextualization as well as the six framings utilized to interpret and frame the globally defined legal norms with the existing social context.
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