

## Realization of the Rights of the Girl Child in Nigeria: Child Marriage in View

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doi: <https://doi.org/10.37745/gjplr.2013/vol12n54151>

Published August 31, 2024

**Citation:** Obagboye T.G. and James S.T. (2024) Realization of the Rights of the Girl Child in Nigeria: Child Marriage in View, *Global Journal of Politics and Law Research*, Vol.12, No.5, pp.41-51

**Abstract:** *Child marriage is a human rights violation that prevents girls from obtaining an education, enjoying optimal health, maturing, and ultimately choosing their own life partners. Current studies reveal that Nigeria has one of the highest rates of child marriage in the world. The victims of this inhuman practice are girls. In Nigeria, the practice of child marriage is mostly found in the northern part of the country. In Nigeria, Child marriage is driven by weak legal sanctions against child-marriage, cultural beliefs and traditional practices, religious beliefs, socio-economic challenges, lack of education and empowerment of the girl-child. Child marriage has many effects on the girl child's health such as increased risk for sexually transmitted diseases (STD), cervical cancer, death during childbirth, and obstetric fistulas. Child marriage also affects the psychological and mental health of the girl child. This paper discusses the factors that engender child marriage in the society, the effects of child marriage on the girl-child, and canvasses that a holistic approach must be taken to curb this menace of child marriage in Nigeria. This involves the law and socio-economic approaches to tackle child marriage. The paper makes several recommendations to prevent child-marriage including, nation-wide adoption and enforcement of the Child Rights Act 2003, criminalization of child marriage and punishment of perpetrators of child-marriage, awareness and enlightenment campaigns on the varied implications of child-marriage, among others.*

**Key words:** rights, girl- child, child marriage, Nigeria

### INTRODUCTION

Child marriage is a fundamental violation of human rights. Current studies reveal that Nigeria has one of the highest rates of child marriage and pregnancy in the world.<sup>1</sup> The victims of this inhuman practice are

<sup>1</sup> Roy, R.C. 'Child Marriage in India', *The North American Review* [1988] Vol.147, No.383415-423.

girls. Although this issue could affect boys as well, yet it has disproportionate negative impact on the girl-child. Young girls, very often are forced into marriage by their families for many reasons such as financial benefits, social and religious justifications, and most importantly as part of culture/custom of the people. In Nigeria, the practice of child marriage is mostly found in the northern part of the country. The percentage of married teenagers in the northern region is much higher compared to the South. For example, the percentages of married girls aged 15-19 in the northwest and northeast are 73% and 59%, compared to the southeast and southwest with only 3% and 4% respectively.<sup>2</sup>

The term Early Marriage is used to refer to both formal marriages and informal unions in which a girl lives with a partner as if married before the age of 18<sup>3</sup>. According to International Planned Parenthood Foundation (2006) early marriage, also known as Child marriage, is defined as any marriage carried out below the age of 18 years, before the girl is physically, physiologically, and psychologically ready to shoulder the responsibilities of marriage and childbearing. Child marriage involves either one or both spouses being children and may take place with or without formal registration, and under civil, religious or customary laws. Marriage is a social institution that unites people in a special form of mutual dependence for the purpose of founding and maintaining a family. As a social practice entered into through a public act, religious or traditional ceremony, it reflects the purposes, characters, and customs of the society in which it is found. Many societies have norms that limit the age of young girls to enter into marriage, but in some cases the age limit does not take their physiological readiness for childbearing into consideration.<sup>4</sup> Marriage often takes place at ages much earlier than the legally ratified minimum age. The countries with the highest rate of child marriage before the age of 18 are Niger, Chad, Mali, Bangladesh, Guinea and the Central African Republic. Child marriage violates the rights of children, it affects both boys and girls, but it is more common among girls.<sup>5</sup>

Child Marriage, generally defined as marriage before age 18, is not limited to any one country or continent. Generally, girls living in rural areas marry earlier than girls in urban areas. In rural areas of Nigeria, for example, 21 percent of young women, who are now 20 to 24, were married by, age 15, as compared to 8 percent in urban areas.<sup>6</sup>

### **CHILD MARRIAGE AND CHILD BETHROTAL IN NIGERIA**

Child marriage is the practice of marrying a young girl (generally defined as below the age of fifteen) to an adult. In most cases, it is always a young girl married to a man.<sup>7</sup> It is a situation where female adolescents and teenagers are married to adult husbands. In these instances, sometimes, the men can be twice their ages and these females become child brides. Child Marriage refers to any marriage

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<sup>2</sup> Adebuseye, P. A. 'A Profile of Married Adolescents in Northern Nigeria'[1988] <<http://www.actionhealth.org> Action Health Incorporated> Accessed May 10, 2010.

<sup>3</sup> UNICEF (2005).

<sup>4</sup> Basazinewu, Z.D. 'An Assessment Study on the Prevalence and Causes of Early Marriage and its Associated Problems on Socio-Economic and Health of Women in Gozamine Woreda East Gojjame Zone Amhara Region' *International Journal of Social Sciences Perspectives* [2018] Vol. 2, No. 1, 1-37 .

<sup>55</sup> See UNFPA (2006), UNICEF (2012).

<sup>6</sup> Alexandra Hervish and Charlotte Feldman-Jacobs, 'Who Speaks for Me? Ending Child Marriage' <https://www.igwg.org/wp-content/uploads/2017/06/ending-child-marriage.pdf> Accessed August 20, 2024.

<sup>7</sup> 'Child Marriage Wikipedia' <[http://en.wikipedia.org/wiki/child\\_marriage](http://en.wikipedia.org/wiki/child_marriage)> Accessed December 1, 2010.

carried out below the age of eighteen (18yrs) years before the girl is physically, physiologically and psychologically ready to shoulder the responsibilities of marriage and child bearing.<sup>8</sup>

The Universal Declaration of Human Rights recognizes the right to “free and full” consent to a marriage, acknowledging that consent cannot be “free and full” when one of the individuals involved is not sufficiently mature to make an informed decision about a life partner (UNICEF, 2005). Hence, early marriage is considered a human rights issue<sup>9</sup>

Historically, the aristocracy of some culture tends to use child marriage among different factions or states as a method to secure political ties between them. The son or daughter of a royal family of a weaker family would sometimes arrange to marry into the royal family of a stronger neighbouring power, thus preventing itself from being assimilated. In the lower classes if they were fortunate, families could use child marriage as a means to gain financial ties with wealthier people ensuring their successions.<sup>10</sup> The incidence of child marriage has become a global phenomenon, particularly in Sub-Saharan Africa.

## **THE LAW CRIMINALIZING CHILD MARRIAGE IN NIGERIA**

### **1.1 The Nigerian Constitution 1999 (As Amended)**

The Nigerian constitution<sup>11</sup> provides fundamental rights for every citizen of the county including women. These rights include:

- i. Section 33 – Right to life
- ii. Section 34 – Right to dignity of human person
- iii. Section 35 – Right to personal liberty
- iv. Section 36 – Right to fair hearing
- v. Section 37 – Right to private and family life.
- vi. Section 38 – Right to freedom of thought, conscience and religion.

Based on these rights, a girl child is protected from acts that are against the dignity of the human person, and is entitled to personal liberty. Child marriage is a flagrant violation of these rights.

### **1.2 The Violence Against Persons Prohibition Act 2015**

Violence Against persons (Prohibition) Act (VAPPA) 2015<sup>12</sup> was passed into law in May, 2015. The Act was a result of agitations for protection of persons against the different forms of violence. Violence, both at the home front and the larger society, is fast becoming a trend in present day Nigeria. The VAPPA 2015 is an improvement on the Penal and Criminal codes in relation to violence; it also makes provision for compensation to victims as well as the protection of their rights. The Act provides protection for all persons including women.

The Act was passed into law in a bid to eliminate violence in private and public life; prohibit all forms of violence, including physical, sexual, psychological, domestic, harmful traditional practices;

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<sup>8</sup> United Nations Fund for Population Activities

<sup>9</sup> USAID, (2009): Fact Sheet on Youth Reproductive Health Policy; Early Marriage And Youth Reproductive Health.

<sup>10</sup> *Ibid.*

<sup>11</sup> Constitution of the Federal Republic of Nigeria 1999 (as amended).

<sup>12</sup>Comments on The Violence Against Persons (Prohibition) Act, 2015 <<https://lawpavilion.com/blog/the-Violence-against-persons-prohibition-Act-2015>> Accessed September 28,2022.

discrimination against persons and to provide maximum protection and effective remedies for victims and punishment of offenders.<sup>13</sup> The National Agency for the Prohibition of Trafficking in Persons (NAPTIP) is named as the service provider.<sup>14</sup> The Agency is mandated to administer the Provisions of this Act and collaborate with the relevant stakeholders including faith based organizations.

Under the VAPPA 2015, rape<sup>15</sup>, spousal battery, forceful ejection from home, forced financial dependence or economic abuse, harmful widowhood practices, female circumcision or genital mutilation, abandonment of children, harmful traditional practices, harmful substance attacks such as acid baths, political violence, forced isolation and separation from family and friends, depriving persons of their liberty, incest, indecent exposure and violence by state actors (especially government security forces) among others are punishable offences.

Forced Marriage, aside being a violation of fundamental human rights of the victim, it is also a criminal offence. In 2015, the National Assembly (Nigeria's federal legislature) made the Violence Against Persons (Prohibition) Act 2015 to discourage violence against human beings in the Federal Capital Territory (FCT) and to punish offenders. The said federal law for the FCT, listed forced marriage as a harmful traditional practice and declared such harmful traditional practice as unlawful and criminal. The Violence Against Persons (Prohibition) Act 2015 is popularly known as the VAPP ACT, it is operational in the Federal Capital Territory (FCT) and many states across Nigeria, have adopted and enacted similar laws. This means we have the Violence Against Persons (Prohibition) Laws in many states across Nigeria.

Since forced marriage is a crime, it has a punishment. Forced marriage is punishable with maximum of 2 years imprisonment or fine of N500,000.00 or both. Punishments for attempting such offence or assisting and aiding an offender is imprisonment for 1 year and or fine of N200,000.00.<sup>16</sup> Sec 46 defines harmful traditional practices to include all traditional behaviour, attitudes or practices, which negatively affect the fundamental rights of women, girls, or any person and includes forced marriage among other things.

### **Child Rights Act 2003**

Nigeria signed the International Human Rights Convention on the Rights of Children. It was officially passed into law in 2003 by Former President Chief Olusegun Obasanjo as the Children's Rights Act 2003 (CRA) to domesticate the International Convention on the Rights of the Child. Many of the issues canvassed in the Convention on the Rights of Child (CRC) and the African Charter on the Rights and Welfare of Child (ACRWC) were covered by the Child Rights Act 2003 (CRA) The structure of the Act was informed by the mandate to provide a legislation, which incorporates all the rights and responsibilities of children, and which consolidates all laws relating to children in a single legislation. The Act seeks to set out the rights and responsibilities of the child in Nigeria and provides for a system of child Justice Administration and the care and supervision of children, amongst other things.

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<sup>13</sup>Long title, VAPPA 2015.

<sup>14</sup> VAPPA 2015 S 44.

<sup>15</sup>*Ibid.* Part 1.

<sup>16</sup> S 20 *Ibid.*

Part 3 of the CRA 2003 provide for the protection of the rights of a child as follows: Prohibition of Child Marriage, Prohibition of Child Betrothal, Prohibition of Tattoos and Skin marks, Prohibition of Exposure to Use, Production and Trafficking of Narcotic Drugs, Prohibition of use of Children in other criminal activities, Abduction, removal and transfer from lawful custody, Prohibition of Forced or Exploitative Labour, Prohibition of buying, selling, hiring or otherwise dealing in children for the purpose of hawking or begging for alms or Prostitution, Domestic or Sexual Labour or for any Unlawful or Immoral Purpose or Slavery, Prohibition of Unlawful Sexual Intercourse with a Child, Rape, or other forms of Sexual Abuse and Exploitation, and Prohibition of Recruitment into the Armed Forces.

Nigeria signed the Convention on the Rights of the Child in January 1990 and ratified the same in April 1991.<sup>17</sup> Despite stiff oppositions to the Convention on the Rights of the Child, it was domesticated as the Child Rights Act in 2003. The CRA provides a comprehensive and child specific legislation which is in accordance with international standards.

The CRA in Section 21 prohibits child marriages. A person under the age of 18 years is incapable of contracting a valid marriage and where such marriage is contracted, it is null and void. Furthermore, a parent, guardian or any other person cannot betroth a child in contravention of this section as such betrothal will be null and void. The Act states clearly the category of persons contemplated by this provision, that is a person who marries a child, to whom a child is betrothed, promotes the marriage of a child or who betroths a child.

In order to show the seriousness of this issue, the Act makes it an offence liable on conviction to a fine of N500, 000 or imprisonment for a term of five years or both.<sup>18</sup>

Most Northern states have refused to adopt the CRA 2003.<sup>19</sup> In fact, the strongest opposition to the CRA by Islamic leaders pertains to the age of marriage.<sup>20</sup> A Nigerian cleric, Imam Sani, declared that if the government imposed the CRA, there will be violent conflicts from some Muslims to the extent that some would even die in the process.

In line with the Convention on the Rights of a Child, Nigeria enacted the Domestic Child Act, 2003 to enforce the rights of the child, regardless of sex. Also, the African Charter on Human and People's Rights, 1981 explicitly prohibits the marriage of persons less than eighteen years. Article XXI (2) provides that "child marriage and betrothal of boys and girls shall be prohibited, and effective action including legislation shall be taken to specify the minimum age of marriage to be 18 years. The continual practice of child marriage in Nigeria signifies a complete deviation from these international agreements and rights. Young girls' privileges as children are not fully enjoyed or sometimes not

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<sup>17</sup> Status of Ratification of the Convention on the Rights of the Child, <http://www2.ohchr.org/english/law/crc-ratify.htm> Accessed August, 8 2010.

<sup>18</sup> Ss 22(1) &(2) CRA 2003.

<sup>19</sup> Ogunniran, I. 'Child Bride and Child Sex: Combating Child Marriages in Nigeria' *Nnamdi Azikiwe University Journal of International Law and Jurisprudence* [2011] Vol 2, 1-12.

<sup>20</sup> Child Marriage in the Islamic World, <<http://97.74.65.51/readArticle.aspx?ARTID=36336>> Accessed December 12, 2010.

enjoyed at all, as child marriage forces them to assume adult responsibilities to the detriment of their personal development. Article 3 of the CRC states that, “In all actions concerning children ... the best interests of the child shall be a primary consideration.” Early marriage is based on the consent of the parents and often fails to ensure the best interests of the child. And even when the girl-child appears to give her consent, the fact of not attaining the age when she can make well-informed choices on whether or not to marry makes her consent questionable as to whether the consent is free and full.

### **The African Children’s Charter**

The African Children’s Charter was signed by Nigeria on 13 July 1999, and ratified on 23 July 2001. The African Children’s Charter is a more comprehensive instrument as it deals with a multitude of rights of the child, including marriage. The African Children’s Charter sets the age of childhood below 18 years, without affording states the opportunity to prescribe otherwise. The prohibition of child marriage is included in the African Children’s Charter under article 21(2), which states:

Child marriage and the betrothal of girls and boys shall be prohibited and effective action, including legislation, shall be taken to specify the minimum age of marriage to be 18 years and make registration of all marriages in an official registry compulsory.

Similar to the African Children’s Charter, the Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa (African Women’s Protocol), which defines women as including girls, stipulates 18 years as the minimum age of marriage for women. Furthermore, a number of articles under the African Children’s Charter specifically deal with child marriage. These include, but are not limited to, the protection of children from economic exploitation and sexual abuse. Much like article 24(3) of CRC, the African Children’s Charter also contains a provision that urges states to protect children against harmful social and cultural practices. Under article 21 of the African Children’s Charter, state parties are urged to:

... Take all appropriate measures to eliminate harmful social and cultural practices affecting the welfare, dignity, normal growth and development of the child and in particular:

- (a) Those customs and practices prejudicial to the health or life of the child; and
- (b) Those customs and practices discriminatory to the child on the grounds of sex or other status.

This article stamps out the major causes of child marriage, namely, customs and traditional practices. In the Nigerian context, the Hausa-Fulani undoubtedly are in violation of article 21 of the African Children’s Charter.

Despite being a signatory to both the African Children’s Charter and CRC, Nigeria saw the need to domesticate both instruments and to promote the protection of children in Nigeria.<sup>21</sup>

In conclusion, the Child Rights Act of Nigeria, which protects girls from child marriage, has the potential to transform the maternal mortality trend. However, it has not been implemented across every

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<sup>21</sup> Braimah, T. S. ‘Child marriage in Northern Nigeria: Section 61 of Part I of the 1999 Constitution and the Protection of Children against Child Marriage’ <<https://www.saflii.org/za/journals/AHRLJ/2014/24.html>> Accessed October 28, 2022.

state in Nigeria due to state autonomy.<sup>22</sup> The government should enact the Maternal and Child Health Country-wide Policy. This policy proposes treating maternal and child health matters as issues of national security as matters of national security are on the exclusive legislative list of the federal government and as such take precedence over state autonomies.

Nigeria operates a three-tiered system of government—legislative, executive, and judicial. Although federal legislation have the force of law in the entire country, the states still have legislative autonomy (i.e. laws have to be domesticated into each state for it to be effective except if they conflict with the constitution) (Federal Government of Nigeria 1999). Nigeria's tripartite legal system—the simultaneous implementation of civil, customary, and Islamic law—prevents the federal government from having control over marriages conducted under customary or Islamic law. Therefore, without the domestication of the Child Rights Act in the non-implementing states which are governed by customary and Islamic laws, the Child Rights Act cannot be operationalized.

The Child Rights Act that has been enacted to guard against child marriage in Nigeria has been particularly weak with respect to enforcement. Findings show that some states in the Northern part of Nigeria have not implemented the Child Rights Act because they have internal laws (mostly customary and sharia laws) that allow marriage for girls as young as 11 years old. The autonomy of states, as recognized by the constitution, have aided this lack of consistency in implementation. However, the Federal Government and all stakeholders can embark on the goal to ensure that the provisions of the Child Rights Act are adopted and enforced nationwide.

## **FACTORS RESPONSIBLE FOR CHILD MARRIAGE IN NIGERIA**

### **Weak Legal Sanctions against Child marriage in Nigeria**

Child marriage in Nigeria is rooted in traditional, religious and cultural practices. This has made it quite difficult to eradicate it completely. Similarly, the sanctions against child marriage are quite weak.

### **Cultural Beliefs and Traditional Practices**

Despite the numerous conventions, international and regional human rights instruments that Nigeria is signatory to traditional practices in the name of culture, has often been used to discriminate and violate Nigerian women's rights. Majority of women in Africa still occupy inferior position in society because of discriminatory, dehumanizing and derogatory practices meted out to them. Because of the patriarchal nature of most African societies, Nigeria inclusive, men are hardly subjected to dehumanizing and degrading cultural practices. These cultural practices against women take various forms such as early/child marriage, genital mutilation, widowhood rites/dehumanizing death rituals and lack of inheritance/property rights among some ethnic groups in Nigeria. The reality on the ground in Africa is in stark contrast to the wide legal protections and international instruments ratified by African countries. The fact that almost all African countries recognize customary law as part of their governing law makes dealing with these issues intractable. The Nigerian girl-child is still faced with cultural limitations that hinder her from full enjoyment of her rights. With these dominant religious and traditional beliefs in Nigeria, the Nigerian girl-child has continued to experience different kinds

<sup>22</sup>Obaje, H.I. et al, 'Ending Child Marriage in Nigeria: The Maternal and Child Health Country-Wide Policy' *Journal of Science Policy and Governance* [2020]Vol. 17, Issue 1, 1-6.

of discrimination, and challenges due to the fact that 'she is a girl.' Primarily, the Nigerian girl-child has been limited in many ways by the so-called 'culture.'

### **Religious Beliefs**

At present in Nigeria, only one state (Jigawa) in the northern region had formally adopted the 2003 Nigeria's Child Act but replaced the minimum legal age of 18 with 'puberty', leaving room for individual interpretations. Religion and customary laws have a great influence on the adoption and enforceability of the Child's Act especially in northern Nigeria, a Muslim dominated region.<sup>23</sup> More importantly, Nigeria has three legal systems operating simultaneously- Civil, Customary and Islamic laws, with state and federal governments having separate controls of those marriages that take place within the civil system. This in fact, hinders the adoption of the Act in different states in the region as they are not under any obligation to enforce laws passed by federal government. Thus, these legislation are yet to gain enforcement in the northern region because of the separate legal systems operating at different levels. Islamic laws are also considered and applied independently. For instance, the national minimum age for marriage is only applicable in civil marriages and hardly ever enforced in Islamic or customary marriages in Nigeria.

### **Socio- Economic Challenges**

Unfavourable socio-economic conditions can engender child marriage. A good number of Nigerians are living in dire poverty. The cultural leanings encourage large families, however the economic climate does not allow for robust resources to adequately take care of the family. The difficult economic terrain and lack of resources can invariably encourage child marriage because the parents of this young girls and sometimes even the young girls themselves consider this as an escape route out of poverty and lack. Furthermore, some girls remain trapped in abusive marriages because they are completely financially dependent on the abuser.

Underlying causes of early marriage are many and include poverty, parental desire to prevent sexual relations outside marriage and the fear of rape, a lack of educational or employment opportunities for girls, and traditional notions of the primary role of women and girls as wives and mothers.<sup>24</sup>

Other factors include: Cultural and Social pressure; persecution, forced migration and slavery; financial challenges; politics and financial relationship; religion and child marriage.<sup>25</sup> Poverty, weak legislative frameworks and enforcement, harmful traditional practices, gender discrimination and lack of alternative opportunities for girls (especially education) are all major drivers of child marriage. Lack of education, the lower value placed on girls' education, school drop-out, gender-based violence (including sexual violence) and early pregnancy, can be both causes and consequences of child

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<sup>23</sup> Osondu- Oti, A. 'Nigerian Girl-Child and Human Rights: Addressing the Cultural Limitations' <[<sup>24</sup> See United Nations Children's Fund \(UNICEF\), New YORK, \(2008\): Child Marriage And The Law, Legislative Reform Initiative Paper Series, Global Policy Section.](https://www.researchgate.net>338517925_> Assessed December 10, 2022.</a></p></div><div data-bbox=)

<sup>25</sup> Aduradola, A. M. 'Child Marriage: Issues, Problems and Challenges' A Paper presented at a One Day Seminar organized by National Open University of Nigeria, Lagos on the 4<sup>th</sup> September 2013.



marriage.<sup>26</sup> In many societies, women and girls are subject to deep-rooted norms, attitudes and behaviour that assign them a lower status than men and boys within the household, the community and in society at large. These beliefs deny girls their rights and stifle their ability to play an equal role at home and in the community.<sup>27</sup>

### **Consequences of Child Marriage on the Girl- Child**

In the case of child marriage, many young girls have suffered greatly. Early marriage creates a number of conditions (economic dependency of women, low economic status et cetera) that may expose young girls to sexual exploitation. Unequal gender relations and the large age difference between husbands and young wives increase the likelihood of domestic violence. Child brides are more likely to experience domestic violence, separation and abandonment, which can seriously endanger their mental, emotional and physical health.

Also young girls are prone to HIV infections.<sup>28</sup> Since these young girls are married off to older men who may have had multiple sexual partners and are infected in their previous sexual relationships. The age gap makes it impossible for these girls to negotiate sex or demand fidelity. However, some who cannot cope with their husbands are forced to run away and in many cases end up as prostitutes with greater risks of HIV infections.

Early marriage constitutes grave health and developmental risks for young girls as well as has serious implications for pre-marital social and physiological developments.<sup>29</sup>

Majority of young girls in Northern Nigeria have their childhood dreams and career cut short by early marriage. They are today perpetually faced with increased vulnerability to diseases, poverty and rejection by their so called husbands as many of them have suffered resultant health challenges such as *Vesico Vaginal Fistula* (VVF). The development of the child cannot be realized in Nigeria without a commitment to restrain early marriage. Since the victims of child marriage are deprived of formal education, they then lack social connectedness and aptitude to key resources to alleviate poverty. More significantly, there is a vicious cycle of poverty as the poverty situations of these girls are transmitted to their offspring, leading to generational poverty. In the light of early childbearing that usually follows child marriage, it imposes huge burden on these young mothers who are saddled with the responsibility of raising children to the detriment of their personal development; also because of the fact that they are not fully matured, they often suffer from the *Vesico-Vaginal Fistula* (VVF), a disability which occurs when obstructed labour tears a hole between the birth canal and the bladder. Nigeria has the highest maternal mortality rate in Africa and one of the world's highest rates of VVF, a disease afflicting about 800,000 women and child brides in Nigeria.<sup>30</sup>

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<sup>26</sup> C O Nwonu, C.O. and Oyakhiromen, I, 'Nigeria and Child Marriage: Legal Issues, Complications, Implications, Prospects and Solutions' *Journal of Law, Policy and Globalization* [2014] Vol.29, 2014.

<sup>27</sup> Davis, A. Postles, C. and Rosa, G. 'A Girl's Right to say no to Marriage: Working to End Child Marriage and Keep Girls in School.[2013] Woking: Plan International.

<sup>28</sup> Osondu- Oti, A.(n 23.)

<sup>29</sup> *Ibid.*

<sup>30</sup> The Nation "Babies Making Babies: Sad, Sad, World of Child Brides", The Saturday Magazine, 28 March, 2009 <<http://www.thenationonlineng.net>> Accessed April 8, 2009.

Pregnancy at an early age often leads to obstetric fistula, a serious medical condition that can lead to incontinence, infection, and infertility. Due to the fact that these baby brides' reproductive organs are not yet fully matured, they develop complications, sometimes leading to mortality and morbidity. Also, early marriage deprives the young girl the opportunities for self-realization, socialization, and other accompanying benefits. By not interacting with others, the social skills and capacities to access opportunities and form social networks are missed. Isolation limits their exposure to information and opportunities for employment and modern communication.<sup>31</sup>

## CONCLUSION

Early marriage is recognized as violation of human rights, its consequences are multifaceted and they include health challenges, economics and social problems for girls and women. It also inhibits young girls from attaining formal education that would have had a positive impact on their life and well-being.

Similarly, ending child marriage requires a multifaceted approach that focuses on the girls, their families, the community and the government. Culturally appropriate programs that provide families and communities with education and reproductive health services can help stop child marriage, early pregnancies and illness and death in young mothers and their children. Furthermore, to spare the lives of our children and make them healthy, it is better for parents to look for other means to keep soul and body together rather than giving out their children early for marriage. By the time the girls are given education, they would have grown older and would be able to make a better home.

## RECOMMENDATIONS

### **Nation-wide adoption and enforcement of the Child Rights Act 2003**

There should be a nation-wide adoption of the Child Rights Act 2003 which guarantees several important rights for the girl child. Presently, 31 states in Nigeria have enacted the equivalent of the Child Rights Act while the five states that are yet to domesticate the law are Adamawa, Bauchi, Gombe, Kano and Zamfara. This situation should be remedied.

In addition, offenders and violators of the rights of the girl-child should be properly prosecuted and punished.

### **Criminalization of Child Marriage and Punishment of Perpetrators of Child Marriage**

Child marriage and all discriminatory cultural practices against the girl-child should be prohibited and punished. Parents should be enlightened on the dangers of these acts. Perpetrators of such acts should be identified and punished. This would serve as deterrence to others.

### **Awareness and Enlightenment on the varied Implications of Child-marriage.**

A wide awareness should be created and sustained on the negative implications and consequences of child marriage. The negative health consequences like *vesico vaginal fistula* should be brought to the open, the mental health effects like depression, suicidal tendencies, among others should be explained

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<sup>31</sup> Osondu-Oti, A.(n.23).

to the stakeholders and opinion leaders. They would in turn educate those within their spheres of influence. This includes the involvement of Parents, Traditional and Religious Leaders.

### **Empowerment of the Girl-Child through Education and Employment.**

Girls should necessarily be empowered through education. Both the CRA 2003 and the Universal Basic Education Act provide for free, compulsory and universal basic education for Nigerian children. Some states have taken the lead to educate the girl-child and prohibit child marriages. The Cross River State Girl-Child Marriage Prohibition Law, Niger and Bauchi states have laws prohibiting the withdrawal of girls from school for purposes of early marriage. Also, Sokoto State has a scheme whereby young married girls who dropped out of school can return to complete their education. Girl's education is said to reduce child and maternal mortality and high incidence of HIV/AIDS. It increases women's skill and productivity which consequently eradicate poverty and strengthen the economy in the long term. Ultimately, as can be seen from the foregoing global overview, educating the girl-child instead of forcing her into early marriage will translate into accelerated development for Nigeria.

In addition, providing Economic Opportunities to young Girls is a way to curb one of the causal factors underpinning early marriage. Improving a family's economic status may play a role in reducing child marriage. Reducing poverty in the long term and, more immediately, providing economic opportunities for unmarried girls after they finish school. A girl's ability to earn income can help alleviate family poverty and provide girls, as well as their families, with the option to delay marriage. Efforts to improve the access of young married and unmarried girls to economic resources should focus on expanding employment and entrepreneurial opportunities. Micro-credit programs should better provide women and girls with the basic economic opportunities. They often lack a social support network that promotes changes in attitudes and behavior. It serves as a means of granting them higher status and more control over their lives including their preference in marriage.

### **Address Faulty Traditional Values and Norms**

Traditional values and norms play a decisive role on early marriage. As child marriage is a tradition that has been deep rooted in the society. Parents may be unaware of the dangers, or may feel that it is a show for their economic status, to have good name in the society, to be competitive, and to prevent themselves from community innuendo and gossip. Even where parents and children understand the negative outcomes of early marriage, societal pressure and the tradition they live in force them to conform to the marriage. The societal poor understanding and beliefs as well as traditions promoting early marriage need to be challenged.