



## The inconvenient truth about child brides

OGUZ ALYANAK and FUNDA USTEK 11 February 2014

*It is easy for states to ratify all the necessary conventions and take all the necessary legal steps in outlawing child marriages. However, it is the very social system that produces child brides that should be put under investigation.*

On 14 January 2014, a 14-year-old girl by the name of Kader (ironically, her name means "fate" in Turkish) was laid to rest in the Pervari district of Siirt, Turkey. She shared the same fate as thousands of other child brides in Turkey, getting wedded upon reaching puberty, which was soon followed by pregnancy. Marriage had found Kader at the age of 12. She had her first child, as a child herself, at the age of 13. She got pregnant again right after giving birth to her first child, but the second child was born prematurely and did not survive. One morning, Kader's body was found lying in her bed, motionless and bearing the wounds of a rifle shot. Some called it post-partum depression, others, depression as a result of losing a child.

For many readers out there, the story ends here. They make it to the newspapers upon their death and have their 30 seconds of fame. Within those 30 seconds, we, the readers, feel sorry for the fate of yet another "unfortunate" woman out there in an undeveloped, rural part of a distant village we may have never heard of or been to. "Poor girl!" This marks the extent of our sympathy. It also instills in us a sense of moral superiority. The (false) belief that examples like Kader can only be produced within a certain context that is foreign to us prepares the grounds for the illusion that "we" are not like "them"... because our laws are superior, our understanding of religion kinder and our traditions, nothing but cultural pastimes. Through feeling sorry for Kader, we feel content with who we are and where we belong. Her death takes the blame away from us.

And then we turn the page and forget. Until we encounter another Kader.

After all, Turkey as a ratifying member to the Universal Declaration of Human Rights and Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) outlaws child marriages. Turkish Civil Code (2001 amendment, in effect since 2002) also has a specific clause outlawing forced and/or underage marriage, by which the legal consenting age is stated to be 18 for men and women (until this amendment, it was 17 for men and 15 for women). Nevertheless, distancing the stories of child brides such as Kader and attributing their unfortunate fates to Islam, lack of education of their families or backward traditions that do not follow the "law and order" rules in the country conceal many important truths about the social structure that produces child brides.

One such truth is how pervasive child marriages in Turkey are. To put it into perspective, although official statistics imply that 23% of women have married through child marriages in Turkey, Hacettepe University's Population Studies Unit in fact revealed that almost 40% of Turkish women between the ages of 15

and 49 were married by the time they turned 18.[1] That is, nearly one in every two women around each one of us. This figure ranks Turkey alongside many sub-Saharan African countries like Zambia, Ethiopia and Uganda; as well as South Asian countries of India and Pakistan. A recent study by the Diyarbakir (Eastern Anatolia) municipality initiative DIKASUM (The Centre for Investigation and Application of Women's Issues in Diyarbakir) [reveals](#) another disturbing finding: 20% of child brides were married off before reaching puberty. Moreover, according to a 2012 UN Population Fund (UNFPA) [report](#), every one in ten girls in Central East Anatolia/Turkey bear children. The phenomenon might be more prevalent in rural areas that lack better access to education but as confirmed by [UNICEF](#), the stories like that of Kader's are much more common than assumed.

The myriads of social pathologies that produce child brides are covered up by the widespread practice of religious marriages. Here, one could argue that it is Islam that encourages child brides. However, Islam alone is not sufficient to explain why child brides exist in such a wide geography that spans from India, Pakistan to sub-Saharan Africa or Turkey for that matter.

For one, Islam, as a social notion, is complicated by the mores of different communities. It takes different meanings in different local contexts. In the case of Kader, religion accompanied a tradition known as *berdel* where a girl is sent from the host family to the receiving family in exchange for another bride. This was the tradition that brought Kader to her new home. It was also the same tradition through which Kader's mother's wedding was arranged.

Then, as much as Islamic marital jurisprudence regulates the marriage contract (*nikah*), one could argue that it is people who participate in the practice and give (verbal or written) consent to the signing of the contract. However, a more attuned reading of the situation requires us to ask whether participation is voluntary or forced and the consent, the act of a free individual or an act of compliance. In Islam, the *nikah* requires consenting partners. In theory, Islam does not encourage forced marriages—it annuls them. However, in practice, the boundaries of consent are blurred. Could we argue that every “Yes” translates into consent? On the contrary, in many cases, those participating in the practice are given no other chance than to participate, which reduces their consent to mere formality. It is not a 12-year-old girl that is making the decision here. The decision is taken on behalf of her by the family, relatives or the community.

Seeking blame in religion, or the Islamic interpretation of the marriage institution would not take us far, considering how prevalent religious marriages (*imam nikahı*) are in Turkey. According to this practice, a religious authority (*imam*), who is appointed by the state to serve a local congregation or mosque, takes over the responsibility of getting partners wedded. Despite its illegality (it is not the duty of state-appointed imams to get people wedded, a *nikah* is only valid when it is approved by the state's council offices or town halls). Many people in Turkey today continue to obtain an *imam's* approval, (usually) before or after being granted permission by the state for a civil marriage. The practice is so common that, according to figures obtained from the Turkish Statistical Institute (TUIK/TURKSTAT), 93.7% of the population in Turkey took the approval of religious marriage, in addition to their civil marriage.

For those who receive the religious approval for their marriage on top of the legal state marriage, religious marriages can be considered a “harmless” ceremony to celebrate traditional practices. But the pervasiveness of such marriages actually enables the normalization of an activity that is outlawed by the state. Religious marriages may not be primarily responsible for creating “child brides”, yet they enable underage marriages to be carried out between families by creating a sphere outside the state's legal gaze. While in theory religious marriages are banned, in practice, the state lacks the monitoring capability (or more so, the interest) to do so.

In such a context, the social structure which reduces marriage to an arrangement between families in the name of continuing a lineage or the parents' attempt to make sure their children choose an 'appropriate partner' further masks child brides. Indeed a [2011 study](#) conducted by the Ministry of Family and Social Policies finds that 42.5% of all marriages conducted in urban settings (48.5% for rural) were arranged. The problem with arranged marriages is that women are usually the ones who lack a say in decision-making. According to figures [obtained](#) from the Turkish Statistical Institute, 9.4% of women in Turkey go through arranged marriages without having a say over the procedure. When it comes to child brides, the picture is even grimmer. DIKASUM's study cited above reveals that 72% of the 300 child brides

surveyed noted that their marriage took place against their will, and 30% of these women did not even see their husbands before marriage.

### The inconvenient truth

Revisiting the facts about Kader may help us to contextualize her story within a larger framework. After all, it was Kader's story that brought to light the Janus face of the cultural practices, which the majority of population continue to practice and celebrate. But as this was happening, like many women in Turkey, Kader was muted. She was not the one telling us her story; it was the journalists, who pieced her story together for her. However, when such stories are only told in the third-person narrative, the social structure that leads to them gets blurred in the midst of denouncing the women's family for letting "such a thing" happen in the first place. And this takes place all the while when the production of many other Kaders every day continues to escape our attention.

The inconvenient truth is that Kaders are out there, everywhere. That every two women (out of five) get married as a child, and four doing so against their will means that the truth is closer to us than one might realize. It is too easy to find something to blame for social ills. Religion, tradition, education, jurisdiction, patriarchy, economy... the usual suspects. It is easy for states to wash their hands clean when they ratify all the necessary conventions and take all the necessary legal steps. It is rather the very social system that produces Kaders that should be put under investigation. Perhaps this will only happen when it is finally realized that Kader was not a child bride who merely existed and died in a distant village, but she shared this same "fate" with many of the silent women in this country.

[1] Hacettepe University Institute of Population Studies (2009), p.109



*This article is published under a Creative Commons Attribution-NonCommercial 3.0 licence. If you have any queries about republishing please [contact us](#). Please check individual images for licensing details.*