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Nigeria: Child Marriage Violates Girls' Rights

(Abuja) – Child marriage remains prevalent in [Nigeria](#) because the federal and state governments have not adequately enforced laws to prevent it, Human Rights Watch said today.

Nigeria's rates of child marriage are some of the highest on the African continent. Although the federal Child Rights Act (CRA, 2003) prohibits marriage below age 18, the Nigerian constitution contains provisions which appear to [conflict with this position](#). States with Islamic legal systems have also failed to adopt both the federal law and 18 as the age of majority for marriage. Some southern states which have adopted this position have failed to take adequate steps to carry it out.

"It is disturbing that almost two decades after the Child Rights Act was passed, Nigerian girls are still being forced into child marriages," said [Mausi Segun](#), Africa director at Human Rights Watch. "Nigerian states should urgently act to adopt, implement, and align existing laws with the provisions of the Child Rights Act, which criminalizes marriage before the age of 18 and protects girls' rights."

In August and September 2021, Human Rights Watch remotely interviewed 16 married girls between the ages of 14 and 19, and representatives at eight civil society organizations working to end child marriage and gender-based violence in Imo and Kano states. Human Rights Watch selected those states because of their different legal, traditional, and demographic situations that are representative of other states in their regions. Human Rights Watch sent an interview request to the Kano State Ministry of Women's Affairs and Social Development, and the Imo State Ministry of Women Affairs and Vulnerable Groups but has received no response.

Child marriage contravenes the Nigerian constitution as well as the African Charter on the Rights and Welfare of the Child and United Nations Convention on the Rights of the Child, which affirm 18 as the age of majority, and guarantee a child's right to be free from coercion and violence, and to get health care and education.

Human Rights Watch found that married girls in Imo and Kano states are denied their fundamental rights to education, a safe dwelling, and freedom from violence, and often do not have access to adequate health care. Without strong regulatory protections for girls, families force them into early marriage for several reasons, including religious and traditional practices and to avoid the social stigma over teen pregnancy.

Some girls interviewed said they have tried to escape their forced marriages. One girl married at 14 had run away six times in three years but family members returned her to her husband each time.

Imo State, a predominantly Igbo Christian state in southeastern Nigeria, adopted the Child Rights Law in 2004. But child marriage is an ongoing problem. Girls interviewed said that their families were the main drivers of their marriage, in many cases against their will.

In the Sharia-legislated Kano State, the rates of child marriage are some of the [highest in the country](#). In February, the Kano State Assembly [voted to adopt the Child Protection Bill](#), but Governor Abdullahi Umar Ganduje has yet to assent to it. State legislators should ensure that the final version of the law guarantees adequate protections for girls, including recognizing 18 years as the age of majority as set out in African regional and international law.

In Kano state, Human Rights Watch found that families often plan marriages for girls without providing any choice over when or whom they marry. Girls and young women said that the decision about their marriage was based on traditional practices and family poverty. In many Sharia-legislated states in Nigeria, child marriage is justified on religious and traditional grounds, with the age of adulthood based on puberty. Child marriage is also reinforced by unequal gender roles. Girls have very little access to decision-making power, bodily autonomy, or rights.

While some families also sought to lessen their financial burdens by marrying their daughters off, married girls said that their economic conditions worsened after marriage and that they were poor and didn't have enough food. Most either did not attend school or were pulled out of school due to poverty and pressure to marry. They often lacked the ability to make decisions related to finances within their households and had most of the burden for household care and work. In some cases, their husbands prevented them from taking on sustained paid employment.

There is an urgent need for Nigeria to harmonize its laws to conform to international legal standards to protect children from marriage, Human Rights Watch found. The Child Rights Act should be adopted and put into practice by all states. The federal government and state authorities that have adopted the law should create a strong action plan to ensure effective implementation of legislation and sanction noncompliance.

"The plight of girls and young women in Imo and Kano states highlights the broader issues involved in ending child marriage throughout Nigeria," Segun said. "All states across Nigeria should strengthen laws and create effective systems to enforce them to guarantee the well-being and safety of Nigeria's girls."

For more details about the findings and accounts by girls forced into child marriages, please see below.

Child marriage is a common practice in Nigeria rooted in traditional, economic, religious, and legal conditions that disproportionately affect girls and women. Nigeria's rates of child marriage are some of the highest on the African continent. The 2020 [UN Development Program](#) said in its development report that 43 percent of women ages 20 to 24 had been married by the age of 18 in Nigeria. Child marriage has deep and lasting impacts on women throughout their lives. It prevents them from making their own life choices, disrupts their education, subjects them to violence and discrimination, and denies their full participation in economic, political, and social life.

The Nigerian government has obligations under African and international human rights law to protect children from being forced into marriage. However, Nigeria's federal and state laws hold contradictory positions on protecting children from marriage and violent traditional practices.

The federal Child Rights Act adopted in Nigerian law bans child marriage as required under the United Nations Convention on the Rights of the Child and the [African Charter](#) on the Rights and Welfare of the Child. But a conflicting clause in [Section 29\(4\)\(b\) of Nigeria's Constitution](#) defines any married female as having reached the age of majority, regardless of her age at marriage.

[Eleven](#) of Nigeria's 36 states have yet to adopt the Child Rights Act. Customary and Islamic laws in several northern states also permit [traditional harmful practices](#), such as child marriage and female genital mutilation, despite Nigeria's commitment to [key international human rights treaties](#). Recent reports show that in some northern states, [78 percent of girls marry before the age of 18](#).

The Human Rights Watch research in two states represents the problems around preventing child marriage in both the Muslim north and Christian south. In the Sharia-legislated Kano State, discussions are ongoing to implement the [Child Protection Bill](#), but lawmakers need to ensure adequate protection by including recognition of the age of majority as 18 as set out in international law.

Despite being one of the earliest states to pass the Child Rights Act in 2004, Imo State, a predominantly Igbo Christian jurisdiction, currently has inadequate implementation and protection of girls' rights to be free from forced marriage.

Imo State: Fear of Social Stigma Fuels Child Marriage

In Imo state, unintended early pregnancy is often considered a dishonor to the family. This may be rooted in Igbo customary law, which deems a child born out of wedlock as an illegitimate or a "[fallen tree](#)."

"If their parents are able to find a much older man that is willing to take responsibility for the pregnancy, they will give up this child for marriage and they will tell you they need to save their family face," said Mary Jacob Okwuosa, founder of [Whisper to Humanity Foundation](#), a youth-led feminist organization. "Because they want to make sure that that grandchild of theirs is going to have a better life [and] a father to count on."

Married girls interviewed who were pregnant before they were forced into marriage said that their parents decided they would be married against their will, to prevent any shame to the family based on the community's perception that they had broken social norms and to secure the financial future of the girls and their children.

The following are accounts of girls who experienced child marriage. Their real names are not being used to protect their privacy.

Rachel K., 18, Imo State

Rachel said that when she was 15, her parents discovered that she was five months pregnant by her then-boyfriend, a senior student in her school. She had to leave the house and spent two weeks in a nearby uncompleted building. She never returned to school.

"I was just thrown out of the house [then] due to fear of the pregnancy," she said. "If I stayed in my family house, the persecution would be too much for me. So, it was better that I got married."

During those two weeks, with the assistance of her younger siblings, she would sneak back to her house around 2 a.m. to eat dinner. Once her parents' anger began to subside, she was allowed to return home.

After her boyfriend denied responsibility for the pregnancy, her parents searched for another man to marry her to preserve the family's honor and secure her and the child's financial future. Less than a month later, she was married to a man who was 30 years older, who paid her family ₦15,000 (US\$36.52) as a "bride price." She did not know him and had not interacted with him before they were engaged. She saw him for the first time two weeks before the wedding:

"So, this man came to my house, and he was [introduced] to me in my father's house. After he left, I [asked] my mum 'Who is this man?' She said he is my husband. And I said, 'My husband?' My mother replied saying 'Don't you want to marry? Do you think you can stay in my house [with children]? I will not accommodate you! It's better that you go and get married.' I was only 15 years old. I didn't have any other option."

Obioma O., 18, Imo State

Obioma O., 18, was married at age 15 to a 60-year-old man, a teacher in her school who had impregnated her while she was in her first year of secondary school. Once she became pregnant, she stopped attending school. Her family was enraged by the news of her pregnancy and kicked her out of the house.

The teacher subsequently moved her into his house with his first wife. He didn't pay a dowry and there wasn't any formal marriage ceremony. Obioma said the co-wife constantly tormented her and demanded that she leave her husband and vacate the house. She earns ₦700 (\$1.70) a day, working six days a week, pulling weeds in people's yards in her village.

Her husband is now retired, her co-wife recently died, and her income supports the family. Obioma said her husband treats her poorly, describing verbal and psychological abuse, but she cannot leave him because of her children. According to customs in some Igbo communities, the children belong to the [father's lineage](#). She fears that if she leaves the marriage, she could not, by customary law, take her children with her.

"My life before marriage was better than now," she said. "Now look, I'm miserable today. Back then, my parents were taking care of me. But now, nobody even cares about me. My parents have completely cut me off."

Kano State: Poverty, Religion and Discriminatory Traditional Norms Fuel Child Marriage

In northern states, such as the predominantly Muslim Kano state, child marriage rates are some of the [highest in the country](#). The practice is generally backed by interpretations of Islam, which allow for a child's betrothal [as early as puberty](#). However, some girls and women in Kano state also said that discriminatory traditional norms and sexist social attitudes fueled their families' decision to marry them off. And poverty increases the likelihood that families will turn to these harmful religious and traditional practices.

"When the parents cannot [educate] the child, they think the best alternative is to look for somebody who can just pay her bills, and then she is just off their shoulders," said Juliet Nwobodo, former project coordinator for the [Girls Should Thrive Initiative](#) in Kano State. The decisions to marry the girls are typically made by older family members, such as parents or older uncles, whose top priority is to protect the family honor and control girls' sexuality.

The following are accounts by people married as children in Kano state:

Nafisatu L., 15, Kano State

Nafisatu L. was forced into marriage at the age of 12 to a 27-year-old man. She said that her family had no money to provide for her basic needs and education after her father died. Instead, they planned for her to leave school and marry a man they chose. She said that when she told him she wasn't interested in marriage, "[He] went back to my family members, and they told him to just forget about my decision, it's not that important if he actually loved me and wanted to marry me."

"It's like a culture here in Nigeria," she said. "If you actually love a girl, you usually ask her family's consent. So, if they give their approval, even if the girl didn't give her consent, there is no problem, you may proceed with the marriage. It's an 'I don't care' attitude of most Nigerians." She was pregnant by the age of 14 and had her first child at 15. She has not returned to school, due to her household responsibilities.

Karima A., 17, Kano State

Like many married girls interviewed, Karima A., 17, said her extended family members made the decision for her to marry when she was 13 after a distant cousin formally asked the family for her hand in marriage.

"I wasn't told that I was getting married," she said. "There was just a guy, he's my relative. He told me that he loves me. I didn't know what love was at that time. I told him that I didn't love him because I was just a kid at the time. How can I even get married at this age? But he went straight to my dad's place and informed him that he loves me, and he would like to marry me. I think my dad promised and he just agreed because he's my relative. And that's what transpired. I got married to my relative."

Many of the girls and young women interviewed said that even if they resisted the decision that had been made by older relatives about marrying them off, it didn't make a difference. They were coerced into marrying.

Hafsa N. from Kano state was married at 14 to a 30-year-old man from a neighboring village. She said that when her mother's co-wife sat her down to explain that she would soon become someone's wife she wasn't happy. "But my [stepmother] said that even if it's my dead body, they're going to take it to the husband, they don't give a damn about it. They don't care. So, I don't have any option. I spent days crying, but nobody listened, and nobody cared, because there was no one to stand up for me." Now 17, she has had two children, but one died because of untreated measles.

Both Imo and Kano states have clear distinctions in terms of legal framework and religious and traditional practices, but child marriage is still prevalent in both contexts. Imo state has enacted the Child Protection Law, but implementation and enforcement of the law is inadequate, and girls are left with minimal protection from forced early marriages.

"The justice wheel grinds terribly slowly in Imo state," said Marjorie Ezihe, the coordinator for the Imo State Committee on Ending Violence against Women and Girls. "The people on the front line of delivering justice should be trained, funding should be available to update their skills on relevant laws and policy framework. But this is not [the case]. The Child Rights Act is rather often ignored or the officers who are supposed to use it to dispense justice are totally absolutely ignorant of it."

The Human Cost: Impact of Child Marriage on Girls

Risks to Physical Health: Stillbirths, Compromised Maternal Health

Child marriage directly heightens the risks to girls' health and the health of their children. At least two of the girls interviewed had already experienced miscarriages or stillbirths. This is commonly associated with early pregnancy, [as girls' birth canals are not fully developed to bear children](#). Research also shows that married children often experience [emotional and mental distress](#) because of the pressures of adult responsibilities, including managing a household and childrearing. The psychological trauma and emotional distress can have detrimental effects throughout their lives.

Family Violence, Failed Escape Attempts

Many of the girls and young women interviewed said that the day they were taken to their husband's home was a jarring and traumatic experience, as they were in shock over their changed circumstance and ill-equipped to navigate the adult responsibilities of marriage. They expressed a mix of sadness, fear, anger, and resentment for their new lives.

Reema M., 14, from Kano state, who was married at 11, said, "I was just a kid then, I didn't know anything about marriage or what to do or what not to do. It's not like a normal life, it's different. You have to just be patient and just try to give in."

Many girls said that they tried to escape, some even on their wedding day. In each instance, the girls were found and returned to their marital homes – often by their own family members. Rema said

that she had run from her 21-year-old husband several times over the last three years.

"I ran away from my marital home at least five times," Reema M. said. "I would run back to my parents' home, to our family house. When I ran away, my mother's co-wife was the one who usually brought me back. [Once], when I was returned, my husband was really angry, but he didn't show it physically for me to see, but I knew that he was angry."

Zeytuna A., 14, from Kano state, who was married at 11, has already had one miscarriage, and carried another pregnancy to term. After her mother died, she dropped out of school, during her first year in junior secondary school. Subsequently, her family proposed that she should get married to have someone to take care of her. She said that on the day she got married, she felt powerless: "I can't actually remember [the day of my wedding] because it wasn't my decision," she said. "It was my family members' decision. I don't actually love him. They just got me married to him without my consent. There was a [traditional] marriage ceremony, but I wasn't involved in it."

Zeytuna ran away during her marriage ceremony: "I ran away because I don't love him. So, I ran away to somewhere else... I ran because I don't know where else to go ... After I ran away, my family members sent some people to go after me." She was eventually discovered at a bus terminal boarding a bus to a neighboring town and was held there until her family arrived to take her back.

"I ran away six times from my marital home and [each time] I was brought back," she said. "[Each time] I ran away, and I was brought back home, I was beaten. I usually used to run back [to my parent's] home. And I was taken back by my relatives. So, it was just a bad experience. And, during the process, I got pregnant and gave birth to my son."

In Imo state, representatives of nongovernmental organizations said that girls who want to escape their marriages often have no legal recourse. "Every one of [the married girls] want[s] to leave, but to what?" Ezihe said. "Imo state lacks the institutional and legal framework to be able to confront this demon as it should."

Worsening Poverty, Limited Opportunities

Even though many poor families perceive marrying their daughters as a viable financial solution for their families, married girls said they went into deeper poverty after marriage. The men who may have had enough to pay their bride price do not necessarily have enough resources to subsequently provide food, education, health care, and other basic needs for their new family. In some cases, the girls' parents and other family members continue to support her financially.

However, girls who move to a different town to live with their husbands and away from their families are cut off from family support and longstanding social networks. In Hafsa N.'s case, her family members routinely send her food to help feed her and her children because she doesn't have any support in her new husband's hometown.

"There's no one here in [my husband's town] that I know," she said. "So, they [my family] come here to check on my well-being and my children's well-being. Sometimes, they used to gift me clothes or money, like ₦150 [\$US0.36], because I'm poor. Sometimes, I used to go through such struggles to cook [my children] one square meal."

Hafsa's husband had recently lost his job as a casual laborer during the pandemic. That and prevailing conditions of economic hardship have created deeper poverty and scarcity in their home: "My husband is currently jobless, but he used to do petty jobs [earning] ₦300 (\$0.73) or ₦400 (\$0.97) [per job]," Hafsa N. said. "Sometimes, we go to bed without food. Sometimes, we get the assistance of food from neighbors."

For impoverished pregnant girls, not being able to get necessary nutrition and adequate health care can also affect their ability to carry the baby to full term. Hafsa said she lost a child to measles because they couldn't pay for medical care.

"Before he died, there was this kind of measles that appeared on his body," she said. "So, we went to the hospital for a checkup. We were told to bring a certain amount of money. We couldn't raise those funds because we are very poor."

No Decision-Making Power and Fear of Reprisal

Many married girls and young women said that they had little decision-making power within their homes. Their husbands or their mothers-in-law often made the decisions about income-generating activities, health care, completing their education, and childbirth. Their husbands had the final say over decisions regarding their lives, including earning and managing an income to feed their children. They said that they and their children faced harsh reprisals, and sometimes violence, for disobeying their husbands, including being denied money or food.

Rachel said that her husband would deny her and their children access to necessities for not heeding his demands. "If I don't accept what my husband is saying, he will withdraw from whatever he is doing for me or the children," she said.

Many said that their husbands force them to stay home and take care of their children and the home, because their husbands feared that too much public exposure would "spoil" them. These conditions had a psychological toll on some girls who had not been used to these restrictions prior to getting married.

Rachel said that that before she got married, "I had liberty. I could go where I wanted to go, I could do whatever that could fetch me money. But now, I have to take one month or at least a week in advance to tell [my husband]. If I just wake up in the morning and say I want to go to this place, he will say no. It will just end the discussion."

Denying Girls' Right to Education

Married life also robs girls of their educational opportunities with their husbands often left to decide whether they can continue their education.

"I discussed going back to school with my husband, but the way he is feeling, he is not interested in that," Rachel said. "He says that if I find anything good for me [in the job market], I should go ahead and do it. He thinks that if I am educated or if I have degrees, I will start to insult him. I don't know."

Nigeria has free and compulsory schooling from age 6 to 15. However, many girls from limited income households between ages 16 and 18 drop out because they can't pay school fees. And many others still within the free compulsory education bracket are pulled out of school to work, because they are pregnant, or because they are forced into marriage.

"Education has been made free in Imo state," said Chizoba Prince, coordinator at Communal Care Centre in Imo state. "Most girls go to government schools. Sometimes, we see girls that have high aspirations of going to school eventually changing their minds just because somebody who is old enough to be their father gives them one or two things ... or because of the way they are being treated at home."

ecoi.net summary:



Report on failure to enforce prohibition of child marriages and case studies on situation of married girls in Kano and Imo states

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