

# Child, Early and Forced Marriage

A MALAWIAN PERSPECTIVE

BY

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FIRST DEPUTY SPEAKER OF MALAWI  
PARLIAMENT

# MALAWI: BRIEF PROFILE

Malawi lies in the Southern East of Africa bordering Mozambique, Zambia and Tanzania

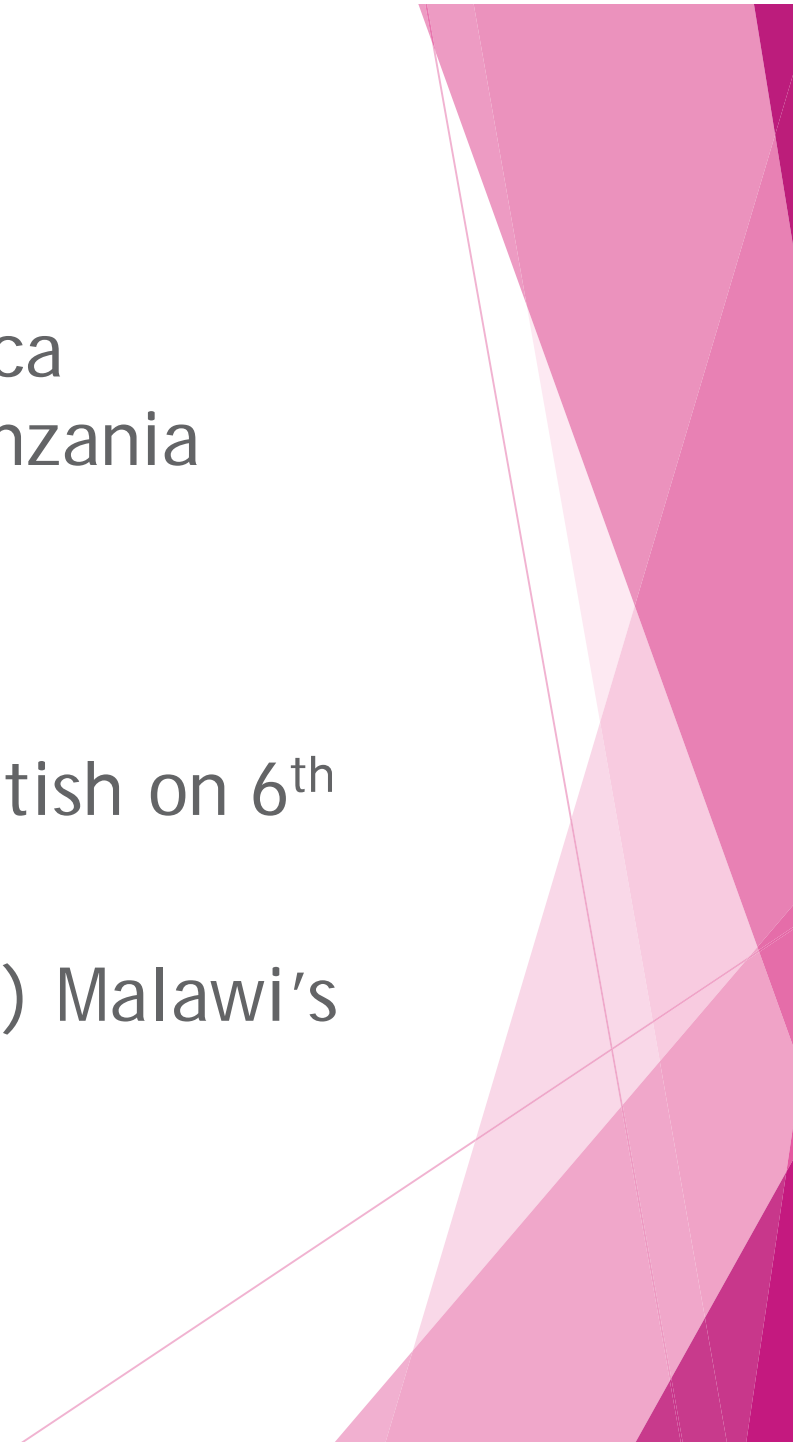
It is within SADC region

Population: 16 Million people

Attained its independence from the British on 6<sup>th</sup> July, 1964

Dr. Hastings Kamuzu Banda (1964- 1994) Malawi's first president

1994 First Democratic Elections



# Child Marriages in Malawi Statistics:

Malawi one of the countries with highest rates of child marriages in the world-UNFPA Report

Malawi ranks 9<sup>th</sup> in Africa, and 10<sup>th</sup> in the world with teenage marriages-UNICEF recent Survey

50% of girl children in Malawi are married before the age of 18

Malawi is number 8 out of 20 of the countries with highest teenage marriages

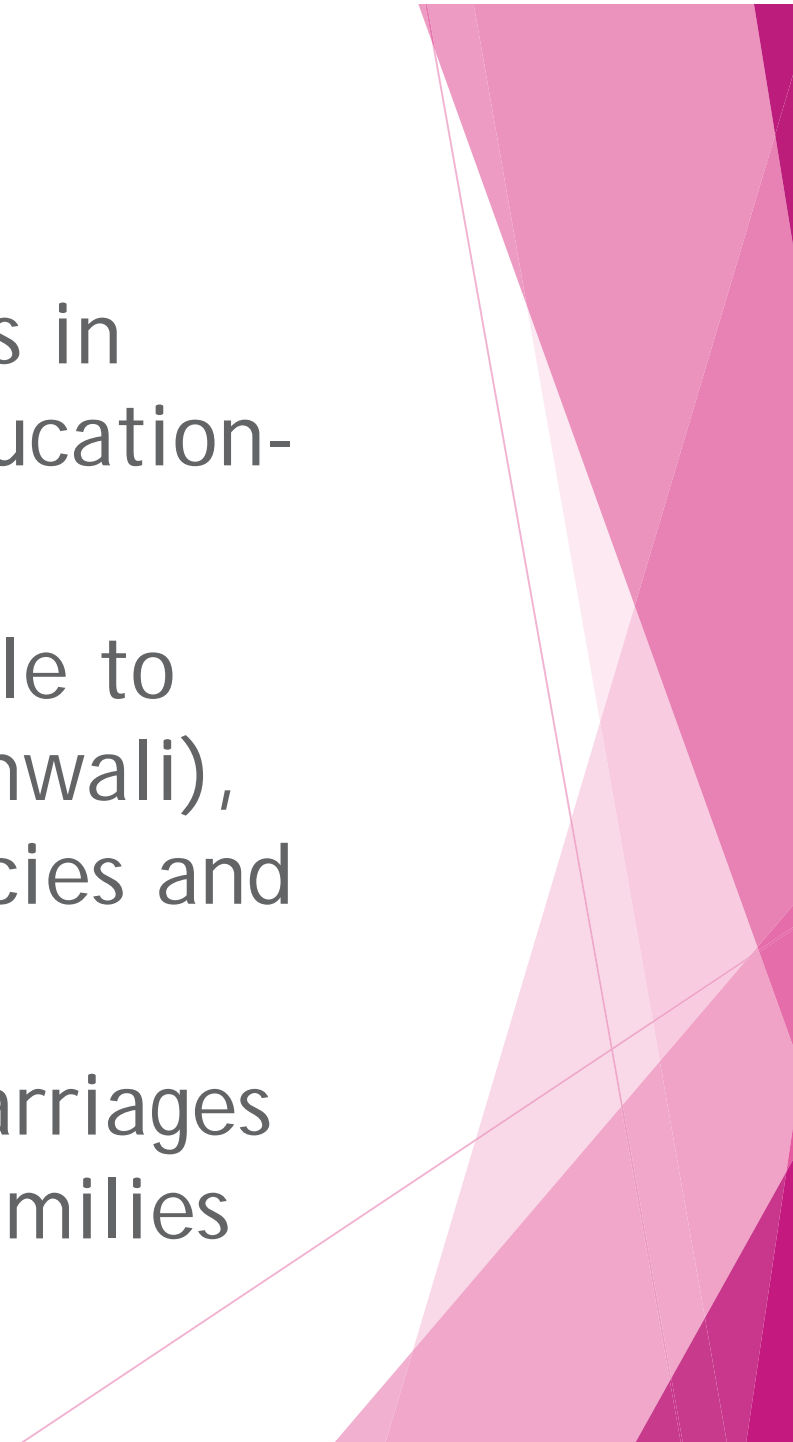
2/3 of the population of Malawi comprises of people of under 25 years

## The Problem

Poverty, social and cultural factors in Malawi hamper girls' access to education-  
Human Rights Watch

Hence our girls are more vulnerable to harmful cultural practices (chinamwali), child marriages, teenage pregnancies and higher risk of mortality

Most girls are forced into early marriages due to pressure from their poor families



## The Problem- Cont

Between 2010 and 2013 nearly 30 000 girls in Primary School, and 4000 in Secondary School dropped out due to early marriages

At same period, 14 000 in primary school and 5000 secondary school girls dropped out due to pregnancy

Dropouts figures contribute to already high illiterate levels

Women at 57%

Men 74%

Harsh reality-early marriages do drain Malawi of its innovation and potential that could enable it to strive

# Harsh Realities of Child Marriage in Malawi

## **Child Marriage:**

Deprives girls of education-  
disempowered and remain dependent  
on their husbands

Undermines girls self-confidence and  
self-identity- prevented from  
participating in all aspects of life

Exposes girls to physical and emotional  
abuses by their husbands

Leads girls to early parentage and  
higher risks of maternal mortality

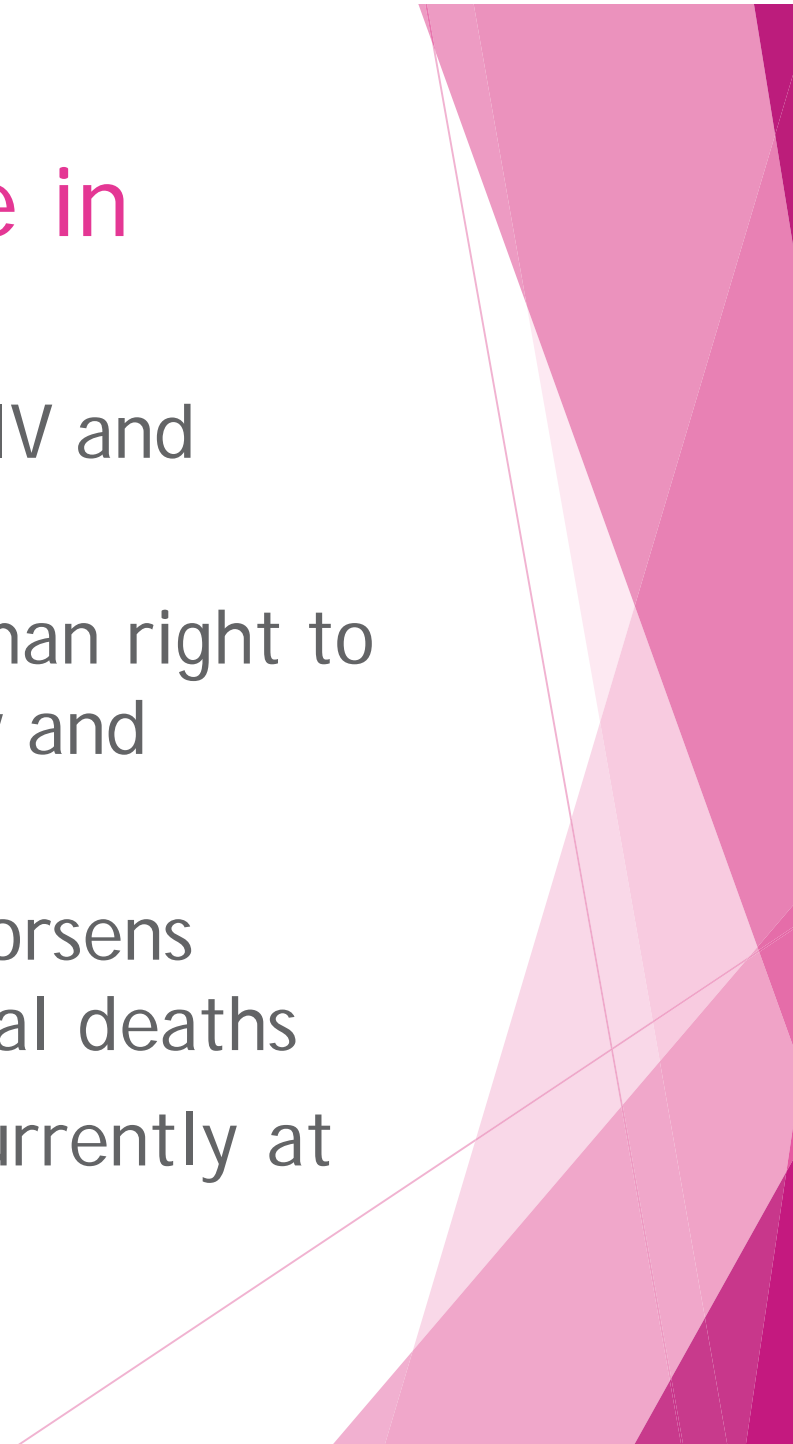
# Harsh Realities of Child Marriage in Malawi- Cont

Is a risk factor in the transmission of HIV and other sexually transmitted diseases

Deprives girls of every conceivable human right to life---health, education, human dignity and development

Is a guarantee to poverty in Malawi—worsens poverty, illiteracy, preventable maternal deaths

Contributes to maternal mortality----currently at 675 deaths per 100 000 live births

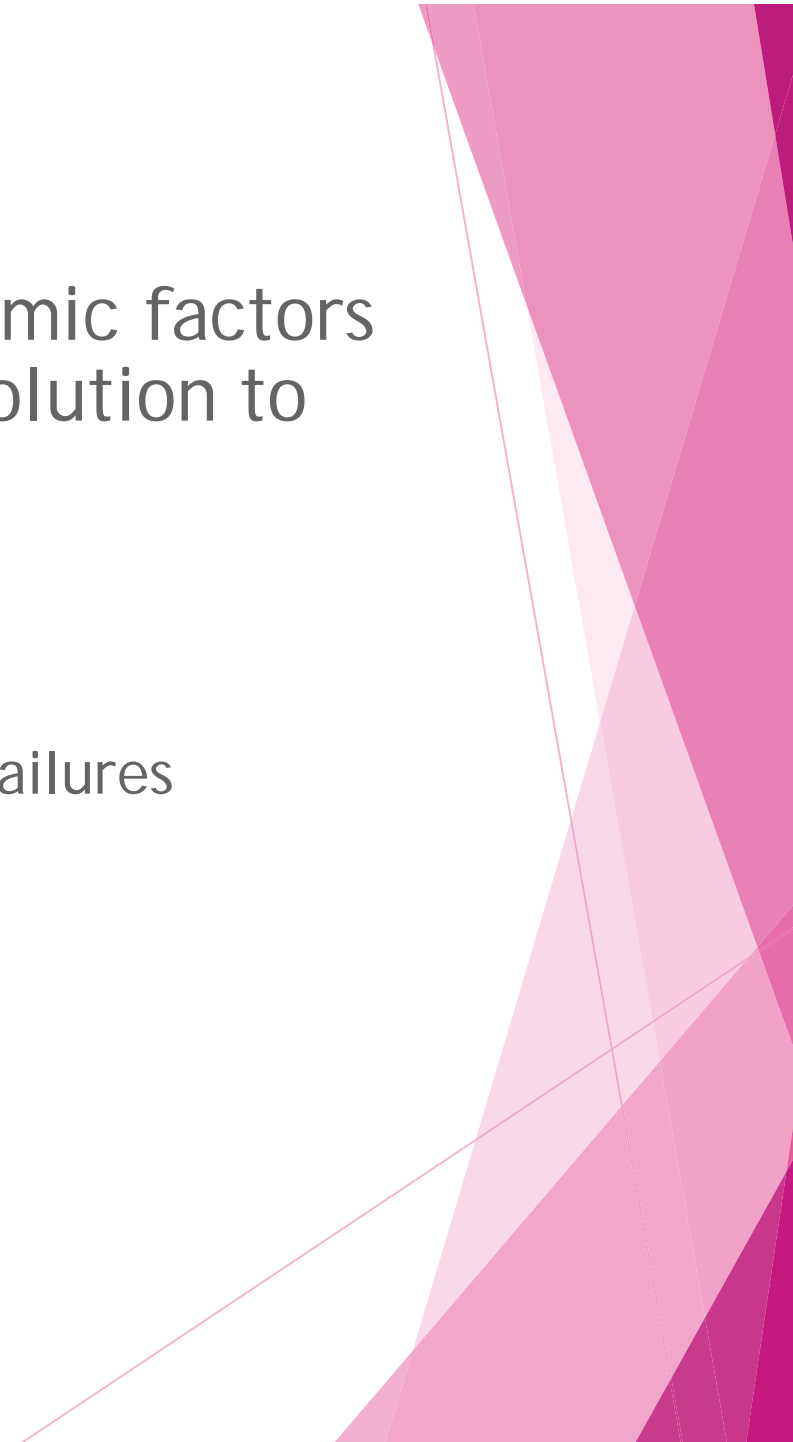


## Progress so far

The complex mix of cultural and economic factors means that there is no single, simple solution to Child Marriage

We can end child marriage through:

- ❑ Long term programming
- ❑ A willingness to learn from our successes and failures
- ❑ Sound partnerships
- ❑ Campaigns
- ❑ Stand by traditional leaders
- ❑ Role played by Churches
- ❑ Law
- ❑ Parliament





# Campaigns

## Key Campaigns in Malawi

Girl Not Bride Campaign-Global will to end Child marriage

Let Girls Lead sponsored by Girls Empowerment Network GENET Malawi

End Child Marriage Campaign

Back to School Campaign

Girls-Child Campaign

He and She Campaign



# Net Girls Lead Campaign-GENET

Founded by Girls Empowerment Network GENET

Empowers girls to fight for their own rights

Trained 200 girls to be advocates in Chiradzulu District- Southern Region of Malawi

These advocates lobbied 60 village chiefs to pass by-laws

Laws that protect adolescent girls from early marriages, and harmful sexual initiations

Penalties:

Man who marries a girl under 21 is summoned:

To give up piece of land

To pay a fee of seven goats to the chief

Parents get social sanctions:

Three months of mandatory janitorial service in the local health clinic

# Traditional Leaders and their role in Eliminating child Marriages in Malawi

Ministry of Gender crafted By-Laws for Chiefs

These by-laws prohibited Child Marriages, teenage pregnancy, school dropouts

Chiefs reinforce these laws by penalizing offenders

By-Laws penalize traditional leaders or parents who authorize marriage of a girl younger than 21 years of age

## **Senior Chief Chitera boats:**

“ The chiefs are penalized by paying seven goats to me, while parents who authorize their children into marriage are fined to pay three chickens to their village heads, and a goat to me, their Traditional Authority”

## chiefs' Success Stories

According to Senior Chief Chitera, there has been no reports of Child Marriages since the adoption of By-Laws in 2012

Senior Chief Kachindamoto of Dedza District (Female) led the crusade against Child Marriages

She annulled 330 teenage marriages in June, 2015

Paramount Chief Kiyungu of karonga and Chitipa in the Northern Malawi put a gallant fight against Child Marriages and dangerous cultural initiations

# Churches and their role

Main churches in Malawi have taken serious measures to end teenage marriages

The clergy and laity have been sensitized about the evils of officiating Child Marriages

Catholics, Presbyterians (CCAP), Seventh Day Adventists and many more took stand:

- ❑ Not to officiate unions involving any under 21 years old
- ❑ Couples' ages to be verified with state machineries before formal blessing

Church's stand reduced the prevalence of Child Marriages and consequently teenage pregnancies

# The Marriage Law in Malawi

This law was passed by Malawi Parliament in February, 2015

Assented to by State President Prof. Peter Mutharika in April, 2015

Law increased marriage age from 15 to 18 years

The enactment is a first real attempt to protecting girl child in Malawi

The law is a serious attempt by government of addressing gender issues deeply rooted in cultural norms and traditions

The law is a result of many stakeholders' efforts

# The impact of Marriage Law

Stakeholders taking lead in disseminating and enforcing the law

Since the enactment of the law, 600 000 girls were rescued-January 2016 Report, Ministry of Gender

The annulment affected 1.2 million

Girls and boys returned to school



# Role of Parliamentarians

Parliamentarians- key players in ending Child Marriage

Three spheres in which MPs can influence the change:

Legislative

Policies that deal with Child Marriage are brought by the executive to parliament for consideration and enactment

Parliamentarians engage stakeholders to have a common understanding of the depth of Child marriages, and other gender related issues

Parliament try to influence policy through proposed bills

As an oversight role, parliament put specific questions to ministers to explain actions which affect the policy on Child Marriage



# Role of Parliamentarians

## Parliamentary committees

- Social and Community Affairs Committee is mandated to oversee government policies that affect children and child marriages in Malawi
- Women Caucus-brings together all female MPs
- All female MPS sit in this caucus and assist scrutinize legislations and their impacts on women and children
- Played a critical role in the enactment of Marriage Bill
- Female MPs in the caucus ensure that resources are allocated to ministries and departments that fight against Child Marriage

# Role of Parliamentarians

International presentation

- ▶ Malawi Parliament- a member of various International Parliamentary organizations-SADC (PF), CPA, IPU, PGA, PAN-AFRICAN etc
- ▶ MPs attend annual conferences, seminars, representing Malawi Parliament
- ▶ Through international forums, MPs share best practices on how to provide leadership and oversight on key social problems such as Child Marriages
- ▶ MPs contribute on how to fight against Child Marriage
- ▶ They also learn from other countries approach and experiences on the issue

## Emerging Challenges

After passing on the Marriage Law and its enforcement many girls are saved from bondages

Some girls with babies want to go back to school but who will mind their children??

Parents are that poor to take care of these babies

Government, through ministry of Gender, are shortlisting such families on Social Cash Transfer program

How about a girl whose parents cannot afford to send her back to school??

Government, NGOs and other bodies are trying to respond to such challenge