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COLLEGE: LAW

COURSE: GST 122

MATRIC NO: 19/LAW01/035

ASSIGNMENT:

CHILD MARRIAGE IN NIGERIA

Child Marriage is defined as a marriage of a girl or boy before the age of 18 and refers to both formal marriages and informal unions in which children under the age of 18 live with a partner as if married. Child marriage affects both girls and boys, but it affects girls disproportionately, especially in South Asia.

Child marriage is often deployed as a response to crisis, considered by families and communities to be the best possible means of protecting children. Fear of rape and sexual violence, of unwanted pregnancies outside marriage, of family shame and dishonour, of homelessness and hunger or starvation were all reported by parents and children as legitimate reasons for child marriage in some localities. 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. However this researchers finds in addition to the above mentioned that lack of political will coupled with multiplicities of laws accounts for non-apprehension and prosecution of offenders thereby allowing them to hide under religion and continue to perpetrate crime against humanity. This study is an attempt to fill the void and chart the way out into a brighter and not bleak future for the girl child using data in our content analysis. We hope that stakeholders most especially government and the National Assembly can rise to the challenge and harmonise all laws necessary to deter child marriage in Nigeria.

There are several different laws related to the minimum legal age of marriage in Nigeria.

Under the Marriage Act 1990 the minimum legal age of marriage 21 years for girls and boys, although they are able to marry before this with written consent from a parent or guardian.

Under the Child Rights Act 2003, the minimum legal age of marriage is 18 years. However as of May 2017 there were still 12 Nigerian States (11 of which are located in the north of the country) that did not include the Child’s Rights Act 2003 in their internal legislation. It follows that in those States local laws are applied, most of which are Islamic Law provisions, and the minimum age of marriage in some of those States is as low as 12 years. In 2013, the government stated that efforts have been made to [sensitise states about the Child Rights Act](https://www.ohchr.org/EN/HRBodies/UPR/Pages/NGindex.aspx) in order to improve enforcement.

There is also a lack of harmonisation between the Child Rights Act 2003 which sets 18 years as the minimum age of marriage and the Sexual Offences Bill 2015 which sets the minimum age of sexual consent at 11 years.

Responsibility has to be shouldered at a very young age. One has to take on household responsibilities, child rearing responsibility etc. There is no adult to guide or help out in case the couple are living alone. There is a minimum age for driver’s license, voting, joining army, certain jobs and even joining Facebook then why there cannot be a minimum age for marriage so that the couple could fulfil their responsibilities responsibly. Teenage Life: missing out on the fun of teenage life and being young. The drudgeries of married life can get on to the unmatured minds. This affects the overall growth of individuals and in most of cases they do not turn up to be a responsible citizens. This might be attributed to the early tensions and stress the couple has to go through when their minds are not capable to taking them up. Divorce: breakdown of marriage is possible. Often the young couples are immature to shoulder major responsibilities of life and end up fighting with each other. Adjustment problems may arise primarily after childbirth which could be either financial or responsibility. All these could lead to breakup of the couple which could leave them devastated and it becomes very difficult for them to come back fully to normal life. Career: Work opportunities are limited for the youngsters. Since their education levels are low, they cannot get highly paid jobs. In addition since most are not able to complete even their high school education, they have to settle with menial jobs which are often not well paid. Children Upbringing: bringing up children may be difficult. Their knowledge of child care may be limited and parental guidance is also not there. They may not be able to provide the appropriate care for their child. Children Life: According to CDC, children born out of teenage mothers tend to drop out of high school, get lower scores at school, suffer from health issues, unemployment and they themselves are prone to be married early. Health: Health also can get affected as early pregnancy can have a negative impact on overall health primarily for women.

Marrying early may seem very romantic and convenient, but it has its problems. Couples need to get to know each other better and this takes time. Rushing into a marriage, which may not last long does not appear the right thing to do. In some countries, where child marriage is prevalent, efforts are on by respective Governments to dissuade such a practice.

Nigeria has committed to eliminate child, early and forced marriage by 2030 in line with [target 5.3](https://sustainabledevelopment.un.org/sdg5) of the Sustainable Development Goals. During its [Voluntary National Review at the 2017 High Level Political Forum](https://sustainabledevelopment.un.org/content/documents/16029Nigeria.pdf), the government noted that most states in the North of the country manage a cash transfer programme aimed at reducing girls’ school dropout rates due to early marriage.

Nigeria signed a [joint statement](http://fngeneve.um.dk/en/aboutus/statements/newsdisplaypage/?newsid=6371ad93-8fb0-4c35-b186-820fa996d379) at the 2014 Human Rights Council calling for a resolution on child marriage.

Nigeria ratified the [Convention on the Rights of the Child](https://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx) in 1991, which sets a minimum age of marriage of 18, and the[Convention on the Elimination of All Forms of Discrimination Against Women](http://www.un.org/womenwatch/daw/cedaw/) (CEDAW) in 1985, which obligates states to ensure free and full consent to marriage.

In 2016, Nigeria launched the[African Union Campaign to End Child Marriage in Africa](https://au.int/sites/default/files/pages/32905-file-campaign_to_end_child_marriage_in_africa_call_for_action-_english.pdf).

In 2001 Nigeria ratified the African Charter on the Rights and Welfare of the Child, including [Article 21](https://www.dropbox.com/referrer_cleansing_redirect?hmac=HfKgqz9ECywxBImOsUbJeE8YO6i%2BV1EPVyN5f3A%2Bu8o%3D&url=http%3A%2F%2Fwww.achpr.org%2Finstruments%2Fchild%2F) regarding the prohibition of child marriage.

In 2004 Nigeria ratified the African Charter on Human and People’s Rights on the Rights of Women in Africa, including [Article 6](http://www.achpr.org/instruments/women-protocol/ratification/) which sets the minimum age for marriage as 18.

As a member of the Economic Community of West African States (ECOWAS), Nigeria has adopted the [Strategic Framework for Strengthening National Child Protection Systems](https://www.dropbox.com/referrer_cleansing_redirect?hmac=b4hDvHFRhK5UB6hwk1e%2FvRYdXe3YCCeqFgjnRlL8Bos%3D&url=https%3A%2F%2Fwww.girlsnotbrides.org%2Fecowas-adopts-framework-strengthen-child-protection-west-africa%2F) under which protecting children from marriage is a priority. During its 2013 [Universal Periodic Review](https://www.ohchr.org/EN/HRBodies/UPR/Pages/NGindex.aspx), Nigeria supported recommendations to address child marriage by putting in place legislation clarifying the legal age for marriage.

In 2013, the UN Child Rights Committee expressed [concern](https://www.ohchr.org/EN/HRBodies/UPR/Pages/NGindex.aspx) about the extremely high rate of child marriage among girls in Northern states. It urged the government to undertake awareness-raising programmes on the negative implications of child marriage among parents, state parliamentarians and traditional and religious leaders.

In my opinion, child marriage should be abolished completely now because if we wait for the 2030 Sustainable Development Goals, the lives of most young girls would have already been destroyed. They wont be able to enjoy their teenage years like the rest of their peers around the world and that’s not a good growing experience for them. As for the parents who willingly give their children up to older men because of they are rich and will give them money to help sustain themselves and their families they should be prosecuted by the law because bringing in innocent children into the world should not be for economic gain. Parents are supposed to prepare for each child they bring into the world and if they do not have enough facilities to cater for the child there are numerous ways legal ways of birth control.