



## **The Causes and Consequences of Child Marriage Among Muslim Community: With Special Reference to the Cases Identified in the Eastern Province of Sri Lanka**

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### **Abstract**

The age of marriage for women is influenced by various socio-economic and cultural factors and remains a controversial topic in Sri Lanka. Child marriages are highly destructive, violating the fundamental rights of children protected by multiple global and national laws. The Eastern Province of Sri Lanka is particularly affected by this issue, resulting in children abandoning education and facing sexual, physical, and emotional violence, as well as premature motherhood. This study aims to identify the socio-economic and cultural factors driving child marriage in this region and to assess its impacts on the lives of those affected. Utilising a mixed-method approach, data were collected through questionnaire surveys and semi-structured interviews with young women who experienced early marriage, their parents, community leaders, and other informed individuals. The literature review included research articles, reports, and web publications to construct the theoretical framework. Findings indicate that factors such as parental marriage at a young age, parental death, dowry, poverty, large family sizes, and lack of interest in education significantly contribute to early marriages. Physical and psychological effects were found to be more prevalent than other social and economic impacts. These findings provide a foundation for future research and policy interventions aimed at mitigating child marriage.

**Keywords: Eastern Province, Early Marriage, Women, Children, Impacts of Early Marriage**

## Introduction

Marriage is an institutionalised practice implemented for the betterment of the community and individuals.<sup>1</sup> According to Islamic law, marriage is a tradition established by the Prophet (PBUH) to establish harmony in the family because a harmonious family is the foundation for creating and maintaining social order.<sup>2</sup> The practice of marriage is also interconnected with various socio-economic and cultural factors such as economics, culture, customs, law and legal requirements, and regions and faiths.<sup>3</sup> Throughout human history, marriages have been performed for many reasons, such as formations of family structure, legalising sex relationships, reproduction, and the economic welfare of both parties who entered into a marriage contract.<sup>4</sup> Despite marriage being a natural human emotion, its legal and procedural requirements and implications, community customs, religious beliefs, and social norms have been shaped by cultural and religious diversity. Sri Lanka is also a unitary state with a multicultural, ethnically diverse population.<sup>5</sup> The Sinhalese, Tamil, Muslim (Moor) and Malay kingdoms co-exist in Sri Lanka while adhering to various religions, traditions, conventions, and customs. As a result, their marital practises may be shown to be impacted by religious traditions and rituals. For example, the Sinhalese predominantly practise Buddhism and follow traditional Buddhist wedding ceremonies, while the Tamils often have Hindu weddings with elaborate rituals and customs. Furthermore, the Muslim community in Sri Lanka follows Islamic traditions and conducts its marriages according to Islamic laws and customs. It has been controversial in Sri Lanka to discuss the age at which women can get married.

Early marriage or child marriage defines a boy and girl below 18 years of age living together; they join under a formal or informal marriage contract.<sup>6</sup> Early marriage is a form of marriage contract between a boy and girl of both

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<sup>1</sup>Narayanan. A. S. *timesofindia.indiatimes.com*. Retrieved from “Benefits of Love Marriage.” (2017, December 23). <https://timesofindia.indiatimes.com/astrology/others/benefit>

<sup>2</sup> Salam, Safrin. “Children’s Rights in The Context of Child Marriage in Gorontalo Province.” *SASI* 28 (158): 2022. 234-43.

<sup>3</sup> Scott, E. S. “Social Norms and the Legal Regulation of Marriage.” *Virginia Law Review*, . (2000). 86(8), 1901-1970. <https://doi.org/10.2307/1073833>

<sup>4</sup> ZahidLawAssociates. *zahidlaw.com*. Retrieved from “Purposes of the marriage: Islamic Perspective”: (2019, April 08). <https://zahidlaw.com/purposes-of-the-marriage-islamic-perspective>

<sup>5</sup> Long, A. S., Rrazik, A. S., & Saujan, I. “Islamic Law on Animal Rights and Welfare in the Sri Lankan Context: An Islamic Analysis on the Animal Welfare Bill of 2006.” *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam*, (2023). 7(2), 1194-1218. <https://doi.org/10.22373/sjhk.v7i2.16020>

<sup>6</sup> UNICEF: South Asia. *www.unicef.org*. Retrieved from Child marriage: (2017, October 21). <https://www.unicef.org/rosa/what-we-do/child-protection/child-marriage>

sexes who have not reached the age of wedding (under 18 years of age).<sup>7</sup> The Child Rights Convention (CRC) has clearly defined the age at which children reach puberty. According to CRC Article 01, 'any human being under the age of 18 is called a child'.<sup>8</sup> It should be noted that 194 countries have adopted and signed this convention, and it is still being implemented in various countries worldwide, including Sri Lanka. Child marriage is also prohibited by the Child Rights Convention (CRC), which states that it is an infringement of children's rights that could damage their physical, emotional, and psychological well-being. Globally, campaigns are being organised to raise awareness about the harmful effects of child marriage and to enact laws that prevent this practice. In Sri Lanka, there have been initiatives to address the issue of child marriage and promote education and empowerment for young girls. According to the report of the United Nations International Children's Emergency Fund (UNICEF), every year, approximately 12 million women are married across the world before the age of 18, and an early marriage takes place in the world for 2 seconds.

Moreover, child marriages are also found in other South Asian countries like Bangladesh 68%, Maldives 65.5%, Nepal 56%, and India 50%. Sri Lanka has a low practice of early marriage compared to these countries, and a UNICEF study found that 20,780 marriages took place in 2015 alone.<sup>9</sup> A report by the International Centre for the Study of Women's Issues (ICS) also revealed that 15 million women marry annually in many parts of the world before they reach the age of 18. According to UNICEF, there are five leading causes of child marriage worldwide. Parents feel early marriage will shield their daughters from sexual assault; laws protecting girls are rarely implemented; older women are becoming more prevalent who have never been married; the more significant parents will pay the dowry for marrying their daughters; and there are inequalities between females and boys.<sup>10</sup>

The age of couples who enter a marriage contract occupies a prominent place in determining the legal status of a marriage and its validity.<sup>11</sup> Across the

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<sup>7</sup> Barkah, Q., Huzaimah, A., Rachmiyatun, S., Andriyani, & Ramdani, Z. (2022). Abandonment of Women's Rights in Child Marriage; An Islamic Law Perspective. *Al-Ihkam: Jurnal Hukum Dan Pranata Sosial*, 17(2), 383-411. <https://doi.org/http://doi.org/10.19105/al-lhkam.v17i2.6725>

<sup>8</sup> Tahera Ahmed. Child Marriage: A Discussion Paper. *Bangladesh Journal of Bioethics* 2015; 6(2):8-14, 8-14.

<sup>9</sup> UNICEF: South Asia. [www.unicef.org](http://www.unicef.org). Retrieved from Child marriage (2017, October 21): <https://www.unicef.org/rosa/what-we-do/child-protection/child-marriage>

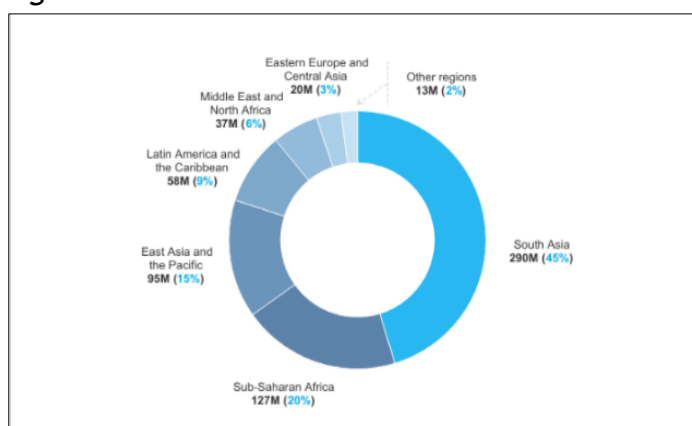
<sup>10</sup> International, P. *plan-international.org*. Retrieved from Child Marriage (2021, February 21): <https://plan-international.org/sexual-health/child-marriage-early-forced?gclid=CjwKCAiAl-6PBhBCEiwAc2GOVKhvcApHiNqXiUJLWdK3w6qvRou9Zi7tM4hm>

<sup>11</sup> Barkah, Q., Huzaimah, A., Rachmiyatun, S., Andriyani, & Ramdani, Z. "Abandonment of Women's Rights in Child Marriage; An Islamic Law Perspective." *Al-Ihkam: Jurnal Hukum Dan Pranata Sosial*, (2022). 17(2), 383-411. <https://doi.org/http://doi.org/10.19105/al-lhkam.v17i2.6725>

countries of the world, the validity of the marriage is as per the age of the couple; however, in some countries like Equatorial Guinea, Gambia, Saudi Arabia, Somalia, South Sudan & Yemen, there is no minimum marriage age,<sup>12</sup> they have determined by the maturity of the couple who enter into the marriage contract. Comparatively like these practices is very rare. The wedding age of a man and woman varies based on the countries laws, customs, and beliefs. In that respect, a woman must be 18 years old, and a male must be 21 years old, according to Indian common law. Apart from this, anyone marrying an underage girl or man there should be considered a punishable offence. In Afghanistan, the man is 18, the girl is 16, the man is 21, and the woman is 18. In Bangladesh, Nepal, and countries such as Bhutan and the Maldives, both men and women must reach the age of 18 years; in Pakistan, a man is 18 years old, and a woman is 16 years old.

Similarly, in Sri Lanka, the General Marriage Ordinance of 1907 established that men and women must be at least 18 years old to marry. Countries need to set a legal age for marriage in order to protect the rights and well-being of individuals involved, especially considering the potential risks associated with early marriages. Although the minimum age for marriage is determined in about 158 countries in the world, including Sri Lanka, UNICEF (2021) reports revealed that where early marriage continues to increase in Asian countries than in countries of Europe. It can be observed via the following figure:

*Figure 1: Source: from the official website of UNICEF, Global distribution of the number of girls and women first married or in union before age 18.*



Furthermore, the report indicates that the reasons for this are the lack of proper compliance by the Member States in the legal age and the personal (Special) laws being implemented in South Asian countries. In this regard,

<sup>12</sup> Sandstrom, A., & Theodorou, A. E. "Many countries allow child marriage." Pew Research Center. (2016). <https://www.pewresearch.org/short-reads/2016/09/12/many-countries-allow-child-marriage/>

member of Parliament Hrunika Premachandra explained the status of Sri Lanka before the MPs, and pointed out that the Muslim Marriage Divorce Act (MMDA) was filed to define the minimum marriage age as a reason for early marriage in Sri Lanka.<sup>13</sup> Child marriage, whether under a formal or informal marriage contract, not only deprives girls of their rights to make decisions about their sexual desire, health, and well-being but also hinders their access to education. This detrimental practice exposes them to a precarious life filled with grave consequences like violence, abuse, physical and psychological disabilities, and premature mortality. It is critical to handle this matter promptly to safeguard these vulnerable children's well-being and prospects. Moreover, Sabra Zahid and Hysima Hamin (2017) claim in their study that "Sri Lankan women below the age of 18 years are not fit for physically and socially marriage and carrying a foetus" based on a 2004 study by Savitri Gunasekara. Moreover, the paper points out that young marriages cannot be supported due to health problems and denies opportunities to pursue higher education, poverty and the risk of sexual dysfunction.

Child marriage has become a significant issue that has captured the attention of governments of countries throughout the world as well as the United Nations. The United Nations estimates that 16 million young women have children each year, the majority of whom die before they reach the age of 19.<sup>14</sup> Around 2015, UNICEF conducted a study in Sri Lanka that found that 50,000 women died during childbirth, most of them from low-income or middle-income families. A 2017 survey by the same organisation found that the South Asian region had the world's highest number of early marriages. According to the statistics, 45 per cent of women marry before the age of 18, and one in five marry before the age of 15. According to a 2013 UNICEF study, Sri Lanka is also experiencing an increase in the number of young marriages. It was noted in this study that the number of marriages in the divisional secretariat divisions of Koralapati and Eravur in the Batticaloa district increased during the civil war between the Sri Lankan government and the LTTE. As far as Sri Lanka is concerned, the districts with the highest number of young marriages are identified as Ampara, Batticaloa, Puttalam, and Colombo. Therefore, this study begins with the observation of the researchers that there is an increased number of early marriages in the eastern province of Sri Lanka, causing various challenges for women.

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<sup>13</sup>BBCNews. [https://www.bbc.com/tamil/sri\\_lanka/2013/09/130908\\_teenmomsinsl](https://www.bbc.com/tamil/sri_lanka/2013/09/130908_teenmomsinsl). Retrieved from, (2013, September 08) இலங்கையில் அதிகரிக்கும் இளவயது திருமணங்கள்: [https://www.bbc.com/tamil/sri\\_lanka/2013/09/130908\\_teenmomsinsl](https://www.bbc.com/tamil/sri_lanka/2013/09/130908_teenmomsinsl)

<sup>14</sup> International, P. *plan-international.org*. Retrieved from Child Marriage (2021, February 21) :<https://plan-international.org/sexual-health/child-marriage-early-forced?gclid=CjwKCAiAl-6PBhBCEiwAc2GOVKhvcApHiNqXiUJLWdK3w6qvRou9Zi7tM4hm>

## Research Problem

Child marriage has a severe negative impact on both genders, families and society due to children being cut short from education and forced into critical life.<sup>15</sup> Girls are affected more when compared to boys, as it prevents their rights to decide on sexual desires and well-being, leading to domestic violence, physical and psychological trauma, and occasionally prematured death.

Various studies and survey reports have revealed the consequences of child marriage among the Muslim community in Sri Lanka. The statistical data of registered marriages in Ampara District between 2011 and 2016 gathered by the All Ceylon Jamiyyathul Ulama (ACJU) proves that child marriage is becoming more common in Sri Lanka, especially in the eastern province. The data lists 870 marriages involving 13-18-year-olds, including eight 13-year-olds and thirty-six 14-year-olds.<sup>16</sup> According to the study conducted by Himani Vithanage (2022), The increasing rates of school dropouts among girls is a sign of child marriage, boosting COVID's repression and the economic crisis in Sri Lanka.<sup>17</sup> According to another investigation from 2019 to 2022, the complaints logged at the women's organisations working at the community level, together with Quazi courts, give one a glimpse of the practice of early marriages forced upon by guardians. Girls aged 14 to 17 were married off without their consent, especially from districts like Puttalam and Batticaloa, as proved by Muslim marriage registration in the Kattankudy Division records in 2021, estimating that 22% of all marriages included a bride below the legal age of 18 years.<sup>18</sup> According to women volunteers who assist affected women in the region, one of the main reasons that husbands seek divorce from child wives is that they are "unfit for sex" and "unable to do housework".

Young girls are rarely allowed to pursue secondary and higher education, hindering their economic prospects. In situations where husbands are either incapable or refuse to pay maintenance, such as the death of the husband, polygamous relationships, divorce or abandonment, it leads to the girls struggling financially. In particular, researchers noted that this practice increased more among Muslims than among other Sri Lankan ethnic groups because their religious law, customary practices, and Muslim Law of Sri Lanka

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<sup>15</sup> International, P. *plan-international.org*. Retrieved from Child Marriage (2021, February 21).  
[:https://plan-international.org/sexual-health/child-marriage-early-forced?gclid=CjwKCAiAl-6PBhBCEiwAc2GOVKhvcApHiNqXiUJLWdK3w6q](https://plan-international.org/sexual-health/child-marriage-early-forced?gclid=CjwKCAiAl-6PBhBCEiwAc2GOVKhvcApHiNqXiUJLWdK3w6q)

<sup>16</sup> ACJU submission to Muslim MP's, reforms-to-the-Muslim-Marriage-and-Divorce-Act-.pdf (colombotelegraph.com)

<sup>17</sup> Himani Vithanage (2022), Rising School Dropouts: The Plight of Estate Children in Sri Lanka. Retrieved from <https://www.ips.lk/talkingeconomics/2022/11/17/rising-school-dropouts-the-plight-of-estate-children-in-sri-lanka/> Accessed 18.06.2024.

<sup>18</sup> ACJU submission to Muslim MP's, reforms-to-the-Muslim-Marriage-and-Divorce-Act-.pdf (colombotelegraph.com)



do not explicitly restrict child marriage. Early-age marriage also takes place due to going against the national law with the registrars' support by marrying early and registering once they have reached legal age. Based on the above facts, This study aims to identify the socio-economic and cultural factors driving child marriage in this region and to assess its impacts on the lives of those affected.

### Research Objectives

1. To identify the socio-economic and cultural factors driving child marriage among the Muslims Community in the Eastern Province of Sri Lanka.
2. To assess the impacts of child marriage on the lives of those affected in the region.

### Methods and Materials

This study is a sociological study using primary and secondary information. The study samples were selected on a random sampling basis, and during the data collection, it was considered whether the study samples were under the age of 18 years at the time of marriage. Accordingly, data were obtained from 240 study samples through questionnaires. The details of the selected study samples can be observed in the following table:

Table 01: *Summary of Selected Study Details*

No	District	Frequency	Percentage
1	Batticaloa	81	34%
2	Ampra	100	42%
3	Trincomalee	59	24%
	<b>Total</b>	<b>240</b>	<b>100</b>

Questionnaires were distributed on a 1:2 (two females per male) basis, taking into account gender equality during data collection. The questionnaire has been used as the primary data collection technique. For this, the researchers used a self-constructed questionnaire. The first part of the questionnaire was the socio-demographic details of the study samples. Meanwhile, the second part was structured to cover questions related to identifying the factors that lead to marrying at a young age and obtaining the consent of couples for marriage. In the third part, the level of satisfaction and personal opinions of the study samples in married life were asked. Thus, the questionnaire was structured to consist of 24 questions. In addition, an open-ended interview was carried out with ten women who were randomly chosen for the purpose of verifying the validity of data that was garnered from the questionnaires. During the sample selection, the priority was given to young women who were married and divorced at a young age. The quantitative data

collected through the questionnaire were analysed descriptively with the help of SPSS (version 26), and the results are presented in the Graphs and Tables. In addition, the data obtained by the interviews were analysed using the thematic content analysis method. The key themes, such as poverty, lack of interest in education, and death of parents, were identified. Furthermore, secondary sources such as research articles, conference papers, proceedings, e-magazines and web publications were widely read to construct the theoretical part of the study and to understand the trend of early marriage practice nationally and globally. This section is mainly divided into two parts. Because the study focuses on a social problem, sociological viewpoints have been examined, and apart from that, this section is structured so that it presents views related to the subject of the study from the point of view of the religious law of the Muslims and the customary law of Sri Lanka.

### **Child Marriage in Islamic Law and Muslim Marriage and Divorce Act**

Child marriage is a topic that is discussed internationally within the context of human rights as well as child rights. Furthermore, several conferences are being held, and agreements have been reached to protect children's rights. Following such agreements and treaties, member states are required to enact domestic legislation and protect children's rights.<sup>19</sup> Similarly, Islamic law is vital in the Sri Lankan Muslim Marriage and Divorce Act. Consequently, it would be appropriate to approach early marriage in light of the study participants' religious beliefs and governing law. The Islamic teachings do not explicitly mention a minimum age limit for marriage. Therefore, maturity issues in marriage fall within the purview of *ijtihad*.<sup>20</sup> From the point of view of Islamic jurisprudence, the pillars of marriage include the terms and conditions under which a marriage should be valid. To establish a valid marriage, five fundamental pillars must be present: the groom, the bride, a guardian, witnesses, and the *shigat* (*ijab qabul* or consent in marriage).<sup>21</sup> The age of maturity for marriage is not encompassed within these conditions. Hence, it can be understood that the age of the married couple does not invalidate the legal legitimacy of the marriage.

Furthermore, among traditional and modern Islamic legal scholars, early marriage is associated with obtaining the consent of the woman for marriage. The argument put forward in traditional Islamic legal frameworks is that the

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<sup>19</sup> Ullah, Nazir, Saidatul Nadia Binti Abd Aziz, and Rao Qasim Idrees. 2021. "Child Marriages: International Laws and Islamic Laws Perspective." *Journal of Educational and Social Research* 11 (3): 60-70. <https://doi.org/10.36941/JESR-2021-0051>.

<sup>20</sup> Amberi, Mariani. 2023. "Efforts to Prevent Child Marriage Based on Philosophy of Islamic Law and Indonesian Positive Law." *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 7 (1): 239-60. <https://doi.org/10.22373/sjhk.v7i1.12404>.

<sup>21</sup> *Ibid.*



Traditional Law undermines the right to alleged marriage that has not been granted to Muslim women. According to Imam Abu Hanifa, a woman can be married off by her father. Islam granted the father this right because he was concerned about his daughter's future.<sup>22</sup> The same was how Abu Bakr (ra) behaved in the case of Aisha (R.A.).

The emergence of the Sri Lankan Muslim Marriage and Divorce Act (MMDA) can be attributed to a code of law on marriage and divorce from Batavia (present-day Indonesia) in 1770 during Dutch rule. The code of law underwent a process of codification, review, and modification between 1806 and 1951, with a few notable legal and religious figures leading the way in each of these instances. The MMDA applies exclusively to those who are Muslim through either birth or conversion. According to Section 17 of the Muslim Marriage and Divorce Act, any Muslim marriage that occurs following the commencement of this Act necessitates immediate registration upon completion of the "Nikah" ceremony. Nikah is an Arabic term denoting the Marriage Act, and the ceremony resembles traditional marriages. The appointment of male registrars for the formalisation of Muslim marriages is highlighted in Section 08 of this Act. MMDA, the minimum age limit for Muslims for marriages is twelve.

Muslim Personal Law (MMDA) has mentioned the twelve years as the age limit for Muslims to get married. As mentioned above, age is constantly being criticised, which has become the biggest issue in the contemporary period. Most social service organisations and women's organisations blame the above age limit. When discussing the reality, this problem is not only for Sri Lankan Muslims but also for the whole community of this world. So, this became an international issue. According to the report of ICRW, fifteen million girls get married every year around the world, and around seven hundred million ladies who got married before eighteen years are also living in this world. Various organisations and individuals have discussed and changed the age limit of Sri Lanka's MMDA. Therefore, for this reform, every Sri Lankan Muslim needs to have a clear idea regarding MMDA and Islamic law on marriage. Hence, researchers would like to express a clear idea regarding the age limit according to Islamic law/sharia law. Islam considers the family unit as the foundation for a healthy society. Therefore, Islam pays attention to the relationship between husband and wife because they are the critical point of the family unit. Because of this particular reason, Sharia states that the persons who are going to get married should acknowledge the following: how each husband and wife choose their spouse when searching for the spouse, what type of mindset they may have, qualities such as kind, responsibility, religious patriotism should take the best place rather than the beauty, finance, social status etc. when

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<sup>22</sup> *Ibid.*

selecting the spouse. Therefore, the well-mature ones can make these decisions, not the children.

Some scholars argue that reforms to the age limit of MMDA are not needed in society. Nevertheless, others who accepted the reforms proved their statements concerning Islamic law (Quran & Hadith). Sheikh Ibnu Usaimin, Abdul Muhsin Al- Abeeihan, Yusuf Al- Qarlawi, DR. Mohamed Thaqeemi and Dr. Naji Al- Arabi are the most critical scholars who are trying to express the view of Islamic law regarding marriage. "The orphans reach the age of marriage and are found to be able to do self-judgment; their property should be handed over to them before they get married".<sup>23</sup> In this verse, the word maturity for marriage expresses that it can be better to fix an age for marriage according to the situation and the period. Similarly, some Thafseer teachers discussed that if a person is going to the marriage, he should have qualities such as religious patriotism, good physical and mental health, responsibility, and maturity.

According to the above verse, until they reach the age of maturity, only the properties can be handed over to orphans, so here, the age of maturity is considered the age for marriage. Therefore, when considering this particular verse according to MMDA, if the age limit is twelve, a twelve-year-old child cannot maintain the properties well. So, it should be over that. "A virgin may not be married without her permission, and it is permission enough for her to remain silent because of her natural shyness."<sup>24</sup> According to this verse of Mohamed (PBUH), scholars argue that this verse expresses the importance of age for marriage and the consent of the period. Here, we can clarify the word consent as, if a bride gives her consent to marriage, she should have the acknowledgement of the particular spouse. For this acknowledgement, maturity and the proper knowledge are needed. When discussing another Hadith, dear youth, those who have enough strength to get married, this marriage will help you control your unwanted behaviours and protect yourself. Those who do not have enough strength use fasting as a solution. Here, Mohamed (PBUH) called out the youths to get married, not the children.<sup>25</sup>

When considering the ancient people, they did not provide freedom of thought to females. They give their girls to get married very early without their consent. This is a rights violation issue. However, Islamic law never agrees with such violations of rights.<sup>26</sup> Therefore, the age limit and the qualities should be measured with the help of Islamic law, based on the needs of the particular era and background of the society. So, the age of twelve cannot be agreed upon now because of the period change.

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<sup>23</sup> Al-Quran 4:6

<sup>24</sup> Buhari: 6268

<sup>25</sup> Buhari: 5015

<sup>26</sup> Musthafa 1999 49-50.

Amir Mazin's dissertation was conducted under Dr. Marwan Ali's supervision, and Zaha Yazin's dissertation was conducted under Ismail Haniyya's supervision, which expressed and proved the above statement well. According to Buhari 4845, Once, Hanza binth Hisham complained to Aysha Rali that his father was trying to marry a cousin's brother for her without her consent. Then Aysha Rali told Mohammed PBUH. Then Hanza binth Hisham narrates that Mohammed (PBUH) asked me whether I could marry him or not. I was ignored. So, Muhammed (PBUH) expressed that this marriage is not valid and you can marry the one you like as you wish. This incident nicely expresses the rights of a lady in her marriage. This incident shows the importance of marriage, how Mohamed (PBUH) dealt with marriage, and the bride's consent. Therefore, if a child or unmarried person is going to get married, it will be impossible to understand the importance of responsibilities in marriage. Moreover, a child or a mature person cannot decide about marriage in the present modern world because the present world is changing swiftly day by day; maturity consent should be meaningful. Mohammed nicely expressed that what is that particular maturity consent is.

Here, it is appropriate to analyse child marriage from Maqasid Shariah's perspective. Maqasid al-shariah' refers to the objectives of Islam. It includes the basic principles of the religion. According to this, the importance of the age limit for marriage is expressed through this concept as follows. The basis of marriage is to obtain peace, known as *Sakeena*. Quranic scholars explain the term *Sakeena* in detail. However, the concise explanation for *Sakeena* is the integrated peace of physical, mental, and human feelings. From this explanation, we can infer that the purpose of marriage from the perspective of the Quran is to obtain complete physical and mental feelings of peace with the mutual consensus of male and female. Another verse of the Quran expresses the same phenomenon: "They are a garment for you, and you are a garment for them".<sup>27</sup> So, it is evident that a male and a female who marry through marriage can obtain the *Sakeena*, the peace mentioned by the Quran, whenever they accept each other with mutual willingness. The same concept can be understood through another verse of the Quran. The verse 04:21 describes marriage as "*Meezaakan Kaleela*"; this term means the inseparable bond. So, as far as Islam is concerned, marriage is a magnificent matter concerned with two hearts. Islam says marriage is a good deed when two hearts get together regardless of factors such as money, power or family status. Marriages based on this good deed will give continuous peace, which is impossible without mutual love and understanding.

Hence, child marriages cannot fulfil the noble objective of Shari'ah. In this backdrop, Riaz, 2013 argues in his research that any forced marriage is

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<sup>27</sup> Al-Quran 01:187

opposed to Sharia. Marriage is an arrangement made by Allah to obtain complete satisfaction regarding the physical, mental, and emotional aspects of men and women. Marriage paves the way for men and women to undertake respectful lives. Moreover, marriage protects men and women from unethical sexual relationships and other problems. These noble objectives set by marriage cannot be attained when women are handed over to men for economic gain or to strengthen family relationships.<sup>28</sup> The holy Quran describes marriage as the fortress against sin. Quran describes married men and women as *Muhsan* and *Muhsanaath* (04:24). These Arabic terms were derived from the term *Hisn*, which gives the meaning of a fort.<sup>29</sup> Marriage protects a respectful life like a fort, protecting its people from outside invasion. This is possible whenever a woman joins a marriage relationship by understanding these facts and having mutual goodwill. Forced marriages or child marriages, where there is no understanding of the marriage, cannot attain these objectives set by Sharia; forced marriage or child marriage, where a woman or girl is handed over to a male as a merely economic good or an enjoyment commodity.

The *Maqashid* perspective of setting the age for marriage can be discussed under *Al-Kaba Aa*. The Arabic term *Al-Kaba Aa* gives the meaning of suitability. This can be explained by the fact that the male and female who join a marriage relationship should be suitable in all aspects, including knowledge, morality, family life, and age. Many Islamic scholars who explain this matching reiterate the importance of knowledge about the religion and following the religious principles. Imams Abu Hanifa and Abu Yousuf do not consider the marriage of a woman born in a modest family to a sinful male as a suitable marriage. Imam Shafiee also has a similar stance. The same opinion is also expressed by the Hanbali school of thought.<sup>30</sup>

Islamic scholars mention religious knowledge, family status, freedom, occupation, ability to pay the Mahar, and physical and mental suitability under *Al-Baka Aa* or suitability. Even though age was not included in this topic, it can be inferred that age can get a place in this list when we consider the objective of the topic and matters discussed under it. To make a basis of marriage under the objectives of Sharia, *Al-Kaba Aa* or the suitability was analysed the needs that existed under the Islamic Caliphate. For example, freedom was considered an essential aspect during the periods of Imams. Making sure whether a male and a female who were about to join a marriage relationship were free from slavery made a valuable contribution to attaining the marriage objectives of Sharia. However, in the present context, the slavery issue does not exist, but setting a minimum age for marriage became a severe issue.

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<sup>28</sup> Riaz 2013

<sup>29</sup> Riaz 2013

<sup>30</sup> Al-Masu Al Fikhiyaa, 2012, 271-272.

Nowadays, cases of sexual abuse and human trafficking business under the name of marriage are frequently reported. Also, it said that some of the parents living below the poverty line sell their female children to wealthy people as a commodity of enjoyment observed in many instances. Considering this inhuman situation, setting a minimum age for marriage can be discussed under the topic of *Al-Kaba Aa* or suitability. Based on the above observation, it is clear that setting a minimum age for marriage is not against religion. On this basis, the present Muslim Marriage and Divorces Act (MMDA) prescribes the minimum marriage age for women as twelve, and it can be even as low as nine years through the approval of a Qadi. However, these age limits were not based on Quran or Sunnah. On the other hand, this age limit must be set based on where the law was written, the period, and the culture that prevailed at that time.

According to the above ideas regarding marriage, Islamic law mentions the conditions of marriage and the actual maturity through the Quran and Sunnah. Islamic law did not fix any particular age for marriage because maturity can be reached at different ages according to different periods. So, when discussing the MMDA, the age limit for marriage in 1951 was twelve. It should need another age limit according to the present period. It should change in the future according to the modern world era, with the guidelines of the Quran, the Sunnah, and the term of maturity. These are the contradictions between society, MMDA and Sharia law; these concepts prove that Islamic law suits all eras, periods, and situations.<sup>31</sup>

### **Child Marriage from a Sociological Perspective**

Sociologists have identified various sociological reasons for why early marriage occurs globally. Let us look at some of them. A study conducted by Jack Goody (1990) points out that the most preferred reasons for young brides to marry are the need for a more extended period to have a first fetus, more obedient and submissiveness to the husband, and the lack of time to adapt and get used to the new family environment.<sup>32</sup> Moreover, Dixon (1971) Adolescent marriage in countries such as China, India, Japan, and Africa is instrumental in strengthening the spread of ancestry and heredity by providing economic and social support to newly married couples and shaping the production of children.<sup>33</sup> Moghadam (2004), in his study, points out that men are more inclined to marry young women because they protect their femininity, virginity, and the dignity of the family to which they belong.

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<sup>31</sup> Izmah Ramzi Naleemi, *Islamic thought*, 2017. pp. 54.

<sup>32</sup> Goody, J. 1990. *The Oriental, the Ancient and the Primitive: Systems of Marriage and the Family in the Pre-Industrial Societies of Eurasia*. Cambridge University Press

<sup>33</sup> Dixon, R. 1971. "Cross-Cultural Variations in Age at Marriage and Proportions Never Marrying", *Population Studies*, Vol. 25(2), pp. 215

Kandiyoti (1988) notes that early marriage is an expression of traditional patriarchy or of a family in which the father is the head of the household. That is to say, a woman is represented in society by arranging a married life in accordance with the husband's responsibility or by the attitude of her co-conspirators. Thus, although traditional researchers have cited several reasons for early marriage, the results of many studies that have changed this in the modern world have been obtained.

Cristina Bicchieri, Ting Jiang Jan & Willem Lindemans (2014) Such researchers cite the various reasons for early marriage. Conciliation: Bringing together the sling and the wife's family and making peace. Why-Educate: Parents do not have enough income to raise their children and see marriage as a way to reduce women's costs. Moreover, the absence of schools near the home and the lack of opportunities for women in the field of education are the reasons for the lack of involvement in spending on the education of females. Dowry: The woman's family gives a large sum of money to the husband's family to get the young girl married, and the woman's family receives a small amount as a mental gift from the husband.

On the contrary, when a young woman is married off, a small amount is received from the family, and a large sum of money is paid as a marriage gift for the completion of the marriage. That is why parents marry off their children at an early age. Safeguard: As a good son-in-law is seen in society, the women get married when a man who takes good care of the woman is found. Chastity: Parents prefer their child to be chaste. As they grow older, women are married off because of the fear that they may lose their chastity outside of formal marriage due to love and interaction with other men, Conformity: The impression that women in the society get married at an early age and therefore parents want their child to be married off at a young age, Tradition: Early marriage is a part of people's customs, traditions and cultural practices, Housewife: Women are expected to be good wife and good mother, but their well-being and personal development are not given priority, Ignorance-about-Harm: Public indifference to the impact of early marriage on children, Docility: In general, children are less likely to try to protect their own interests, Law: Laws preventing child marriage have not been enacted or have not been implemented in a functional manner, even though there are various laws enforces in the glob and Juliet: The fact that children are interested in love and marriage on their own and get involved in it is the reason for early marriage. These reasons are such that Jain & Kurz (2007), Loaiza & Wong (2012), UNICEF (2001), and Verma, Sinha & Khanna (2013) have accepted the factors mentioned above and emphasised them in their research. Based on this theory, the researchers developed the following research hypotheses.



**H1:** The reasons for early marriage among Muslims in the study area include war environments, gender differences, school dropouts, the death of parents, an increase in older women in the community, and the fact that parents were already married at an early age.

**H0:** There are various physical, psychological, and socio-economic impacts on women in the study area as a result of early marriage.

## Findings and Discussion

The findings and Discussion of the Study are presented under three main headings. Accordingly, in the first section, the details of the research sample (Socio-demographic details) are given, and in the second section, the social, economic and cultural factors for child marriage are discussed. Lastly, the consequences of child marriage have been presented and explained.

## Socio-Demographic Details

In this section on profiles of the study samples, the main features of the study samples are presented, such as gender, age at the time of marriage, educational status, social status and income status. These can be observed in the following summarised table.

Table 02: Summary of socio-demographic details of Study samples

Details	Frequency	Percentage
<b>Age when getting into marriage</b>		
▪ 10-15	68	28.1%
▪ 16-20	110	45.5%
▪ 21-25	52	21.5%
▪ 26-30	9	3.7%
<b>Total</b>	<b>240</b>	<b>99.2%</b>
<b>Gander</b>		
▪ Male	44	18.2%
▪ Female	196	81%
<b>Total</b>	<b>240</b>	<b>99.2%</b>
<b>Civil Status</b>		
▪ Husband and wife living together	77	31.8%
▪ Divorced;	114	46.8%
▪ Those who live separately	49	20.6%
<b>Total</b>	<b>240</b>	<b>99.2%</b>
<b>Educational Level</b>		
▪ Uneducated	40	16.5%
▪ Primary and Junior Secondary	63	26%
▪ Senior Secondary	39	16.1%
▪ General Certificate of Education Advanced Level	50	20.7%
▪ Vocational Diploma	36	14.9%
▪ Graduate level	12	5%
<b>Total</b>	<b>240</b>	<b>99.2%</b>

## **Gender**

When the gender of the study samples was examined, it was found that 18.2% of the participants were male, and 81% were female. Notably, females are relatively more likely to marry at a younger age than males.

## **Age Getting into the Marriage.**

When the age of the study samples was examined at the time of getting into the marital life, the majority of participants (45.5%) were found to be between the ages of 16 and 20, and those between the ages of 10 and 15 in the following (28.1%) stage. It may be noted here that this is inversely proportional to the age defined in the General Marriage Ordinance of Sri Lanka and the age of marriage defined by the world's countries. This indicates that most of the samples were married before 18.

## **Educational Level**

When the educational level of the study samples was examined, it was noted that the majority of the recipients (26%) had completed the primary level (classes 1-5), followed by those who had completed their education up to G.C.E. (20.7%) and those who were illiterate (16.5%). Notably, only a tiny proportion of young married people have received education up to vocational education (14.9%) and graduation (5%).

## **Civil Status**

When the social status of the study samples was examined, 46.8% of the samples were divorced, while 31.8% lived together as husband and wife. Furthermore, 20.6% of the participants are found to be living separately from their husbands. Generally speaking, more people are living separately (67.4%) than those living together as husband and wife. Only a relatively small number of participants (31.8%) live together as husbands and wives.

## **Income level**

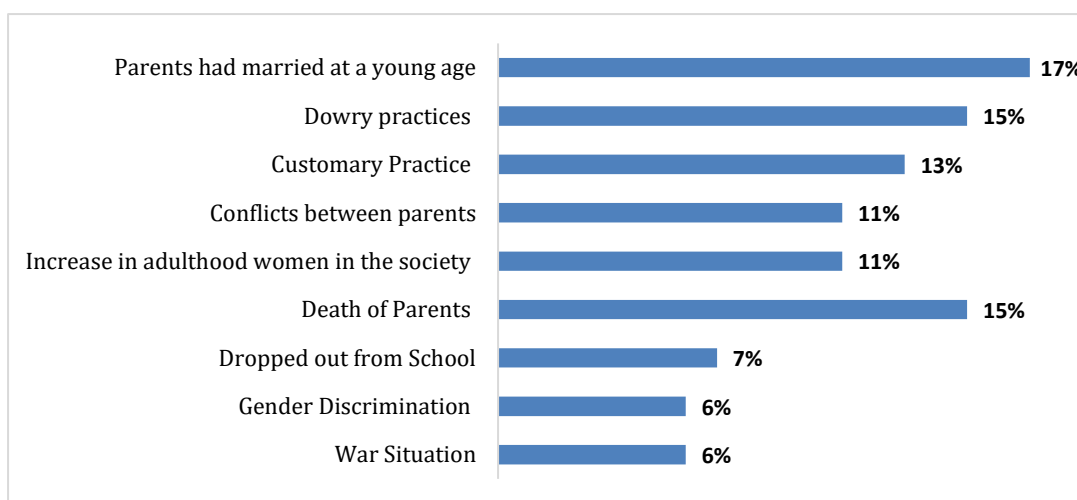
When the income status of the study samples was examined, the majority (45.5%) were from low-income families. It was found that 38% of the households were middle-income households, and 12.8% were somewhat better-income households.

## **Causes For Child Marriage**

When examining the reasons for early marriages in the study area, it was found that the causes in the table below were responsible for early marriage. It would be appropriate to look at these factors separately in some detail.



### Social Factors



The results obtained by analysing the questionnaires given to men and women with experience of early marriage can be observed in the graph above. Accordingly, it was possible to identify that more than the economic and cultural factors influencing early marriage in the study area were social factors. The majority of marriages take place due to social factors, particularly parents marrying at an early age (17%), death of parents (15%) and dowry (15%) are highly contributed.

Interviews with the selected parents revealed that the experience of parents getting married at a young age was in the perception that it would not be detrimental to their children's lives. The reason for this mindset is a lack of awareness of the adverse effects of early marriage. Notably, most of those who mentioned this reason are illiterate. This practice was sufficiently and widely followed in the 1950s in East Sri Lanka in general. Later, the idea that women should be educated was strengthened by the emergence of an educated society with modernist thinking, and the practice of early marriage disappeared into society. However, during the civil war between the Government of Sri Lanka and the Liberation Tigers of Tamil Eelam (LTTE), the parents from the North

and East of Sri Lanka marry their children at an early age, especially the girl child, in order to avoid them being forced joint to in the LTTE, this practice was again increased in the society.<sup>34</sup> The findings of this study confirm that in the post-Civil War period in Sri Lanka, women were drawn back to traditional life and shortened to family life.

The next level factor in the social factors for early marriage is the death of parents. In particular, the separation of parents affects girls more than boys. Especially in a family where either the mother or the father dies, the girl child is the first to be affected. The reason is that the girl child cannot meet their needs for protection. The gap between the mother and father is not filled even by the near and dear ones. As an alternative to this, the girl child's age, education, etc., are not taken into account, and they marry off their children. It is noteworthy that most of the women who mentioned the death of their parents as the reason for marriage were educated only up to the General Certificate of Education Advanced Level (G.C.E. A/L). Moreover, women are more likely to get married for this particular reason. It was also possible to understand that most of those who were thus married were divorced in the marriage and had joined a remarriage.

The third significant reason is the practice of dowry. According to women's rights activists, women are most affected by dowry practice in the northern and eastern regions of Sri Lanka, where the Tamil-speaking population is concentrated.<sup>35</sup> In Tamil areas, purchasing dowry through specific customary laws is being carried out with legal sanction. In this regard, there are demands that changes be made to the relevant law. It has been an unwritten rule in the minds of the parents of the study area that the child should be married off by giving him a dowry. People at the highest levels of the social strata are draining their economies and getting their children married off.

On the other hand, early marriage is an alternative method used by parents who want to get their child married amid many economic burdens in society. Dowry is one of the reasons for child marriage identified by the United Nations International Children's Emergency Fund. Notably, this particular sociological reason also goes hand in hand with that reason. It is to be noted that most of those who got married for dowry are from families below the poverty line or middle-income. It is followed by the custom (13%). In 2013, UNICEF conducted a study in 10 selected districts of Sri Lanka, confirming that

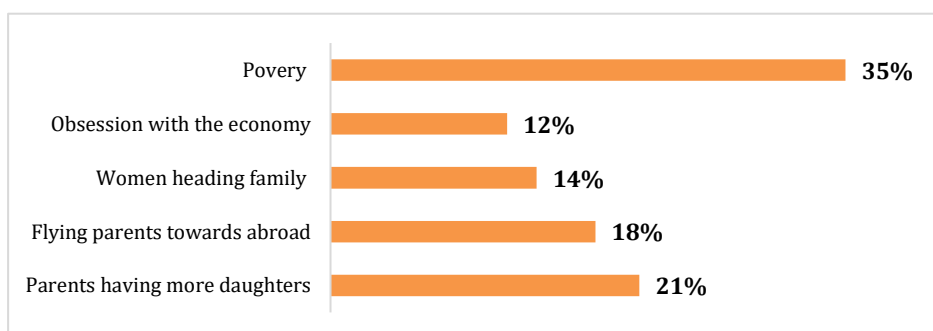
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<sup>34</sup> Wijeyesekera, R. 2011. Assessing the validity of child marriages contracted during the war: a challenge in post-war sri lanka.

<sup>35</sup> Saadiya Fowzer, M. &. 2013. Dowry System and Its Practice Among the Sri Lankan Muslim Community: With Special Reference to the Ampara District. *Kalam, Research Journal of Faculty of Arts and Culture*, 6: 216-224., 216-224.

early marriage practice is not customary.<sup>36</sup> However, some women in the study area are under the impression that it is a customary practice and, therefore, nothing is wrong with doing so. It is to be noted that the parents of most of the women who have mentioned litigation as a reason were married at a young age. This was followed by inter-parent divorce (11%) and an increase in the number of adult virgins in the community (11%). Notably, most of those who mentioned such reasons live in backward rural areas and are less educated. They also belong to economically middle and low-income families.

### Economic Factors



Poverty occupies a prominent place in economic factors. Most of the sample (35%) were married off their daughters because of poverty. It was also found that most of those married belonged to low- and middle-income families. A study by Haryana Sethi (2021) notes that poverty and illiteracy are the leading causes of early marriage in Sri Lanka.<sup>37</sup> It was also revealed during the interview conducted by the parents who had chosen to be different in this regard that the groom's family expects a house, land and vehicle as dowry when a woman is married at the age of 20 or 25 years, and when a woman is married below the age of 20 years, it has been found that dowry is not given importance and marriage is not registered correctly for avoiding legal consequences. Parents living in poverty consider early marriage as an alternative way to reduce their burden. It was also found that in some regions of the study area, well-to-do individuals were marrying young women at their own expense. At a time when the poverty level in society is eliminated, there is a possibility of bringing the practice of early marriage to zero.

This particular marriage occurs when there are more women in the family (21%). This practice is also observed in girls born within short age

<sup>36</sup> Amarasuriya, S. G. 2013. *Emerging Concerns and Case Studies on Child Marriage in Sri Lanka*. Sri Lanka: UNICEF or the Government of Sri Lanka.

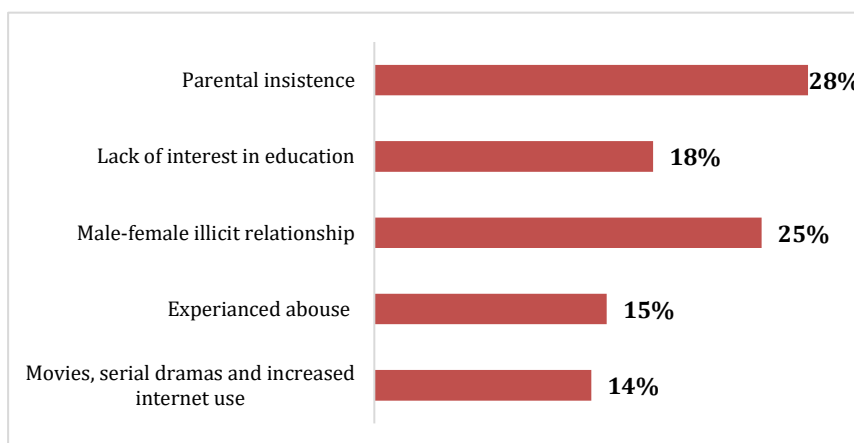
<sup>37</sup> Sethi, H. *borgenproject.org*. Retrieved from Reforms Regarding Child Marriage in Sri Lanka, (2021, October 22): <https://borgenproject.org/child-marriage-in-sri-lanka/#:-:text=In%20Sri%20Lanka%2C%20poverty%20and,mostly%20within%20some%20Muslim%20communities.>

intervals or in families with more than 3 girls. During the interview, it was found that in such families, girls are suspended from school and married off without their age. In the following stages (18%), the parents go abroad to meet the family's financial needs. This is also a reason associated with poverty due to the family background of those who go abroad for work. In some families, when the mother and father go abroad, they get married before reaching the age of marriage to protect their child. Moreover, in the families of some of the study samples, after marrying the girl child, there is no shelter for the groom's pressure to travel abroad. However, it can be noted that this is not a direct cause of early marriage but also has an impact on the family's income level.

This was followed by the woman's ability to lead the family (14%) and excessive attachment to the economy (12%). This condition is more common in families who have lost their husbands due to the death of their husbands and divorce. Generally, in families headed by women, it is a common practice for children to drop out without receiving proper education and then get married before reaching the appropriate age. This situation is also freely practised in the study area. In society, a woman cannot live without a male partner or raise her daughters. This is because it is customary for society to look at such women with an alien eye and to suspect the woman's behaviour. Fearing this, many mothers thus marry off their children at a young age for the sake of their child's future and for a man (son-in-law) to lead the family.

Further, interviews revealed that in a few families, girls are abused by relatives and are thus married off their children to protect their future. When a wealthy man asks the child to marry her, the parents suspend the child from school and marry him, hoping that if he marries in a wealthy family, the child will live comfortably. It is noteworthy that the majority of the women who have mentioned such reasons are divorced in the particular marriage and are living with their parents or remarried.

### Cultural Factors





The factors shown in the above map were identified when examining the cultural factors influencing early marriage. The majority (28%) of marriages that took place were due to parental insistence. When the girls pursuing their schooling do not have thorough knowledge or involvement in marriage, the children refuse when they are asked for permission to marry the girl child. As a result, the parents scold and abuse the child with harsh words and sometimes beat the child beyond the limits of words to the point of causing injuries to the body. This condition generally occurs in families with social status and economically high incomes. It is also noteworthy that most of those mentioned such reasons live in urban areas. In addition, most of the marriages that usually take place in the study area are due to parental insistence. In addition to bullying, children were also found to have experienced various forms of violence such as scolding, beating and heating. Article 16 of the Universal Declaration of Human Rights, which deals with the right to marriage, states that “the marriage shall be accompanied by the full consent of the couple joining the marriage.”<sup>38</sup> If consent is not obtained or consent is obtained by force, it is counted as a violation of human rights.

This is followed by male-female illicit contact (25%). Due to the influence of social media and male-female friendships on social media, marriages have taken place among young people. Some of these marriages take place without the consent of parents. Thus, there are relatively more men among those who are married. After marriage, they had to work for the family, and education dropped between them. It was found that the boys were engaged in daily wage work. Moreover, there is an increase in the number of early marriages in love in the future. It is to be noted that most of those who got married in this way are residents of rural areas. This was followed by a lack of interest in learning (18%).

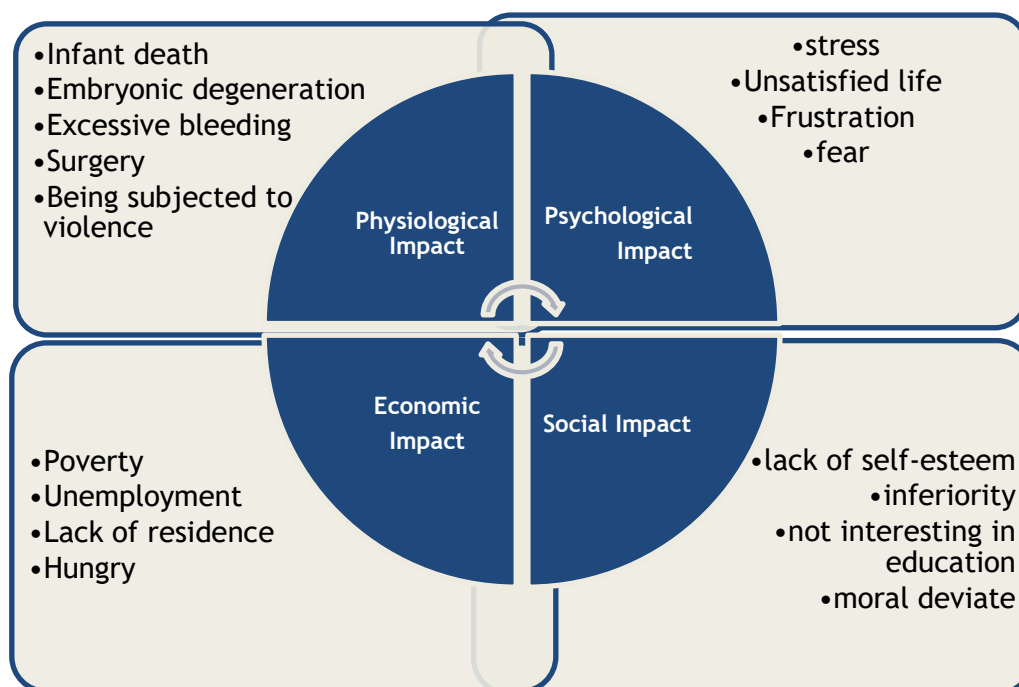
When girls are identified by their parents as slightly disadvantaged in learning, they are immediately married off. On the one hand, this is a barrier to the education of women; this is considered as an act against the right to education of the girl child. On the other hand, there has been an increase in the practice of early marriage in areas where dropouts have increased. In the next stage (15%), there is an experienced abuse. Family relatives have abused some of the study samples, and some have been forcibly married in private classes and in schools where parents suspect contact with the teacher. Parents need to be made aware of this. While the government and non-governmental organisations are taking several steps to prevent sexual violence against children today, the fact remains that parents have paved the way for statutory rape without being aware of it.

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<sup>38</sup> Nations, U. (2022, February 4). [www.un.org](https://www.un.org). Retrieved from Universal Declaration of Human Rights: <https://www.un.org/en/about-us/universal-declaration-of-human-rights>

## Consequences of Child Marriage

Child marriage has many negative consequences. The impacts identified in the study area are presented in the figure below. The marriage has many physiological, psychological, social and economic implications. Let us look at this in some detail.



The above graph indicates that it includes the impacts gained through the experience of the study samples during interviews and questionnaires given to individuals who married at a young age, as well as the impacts identified in the questionnaire presented to randomly selected individuals. The above graph indicates that it includes the impacts gained through the experience of the study samples during interviews and questionnaires given to individuals who married at a young age, as well as the impacts identified in the questionnaire presented to randomly selected individuals.

The first problem faced by women marrying at a young age is infant death and foetal degeneration. According to the United Nations Population Determination for Sri Lanka (UNDP) report, there has been a 10.2% increase in early pregnancies in the Eastern Province of Sri Lanka, which is 4.1% lower compared to the Western Province of Sri Lanka.<sup>39</sup> In addition to these, there have been abortions that are contrary to the law, following the advice of the husband. When the woman refuses to comply, she is subjected to violence by her husband (interview). The American Pregnancy Association has identified the

<sup>39</sup> Rajeevan, G. S. *atlas Corps.org*. Retrieved from Child Marriages in Srilanka. (2018, May30). :<https://atlas Corps.org/childmarriagesrilanka/#:-:text=Impacts%20of%20Child%20>

challenges a woman faces when she becomes pregnant before the age of 15. These include preterm birth or low birth weight, anaemia (low iron), high blood pressure, Child death, and feeling more pain during delivery because the baby's head is more significant than the woman's pelvic area. Most of the women who became pregnant at a young age have a child through surgery as an alternative to the natural system of childbirth; this is because the pelvic mouth of the woman is short, and the baby's head and body parts are large. Sometimes, it is also the cause of the death of the mother. According to a United Nations report, 16 million young women give birth to children annually, and the majority of deaths occur during this period between the ages of 15 and 19, according to the study.<sup>40</sup> A study conducted by UNICEF (2015) found that 50,000 women die during childbirth, most of whom are low- and middle-income female children.

Thus, married women are subjected to sexual abuse, vulnerable to domestic violence, and harassment by the husband's mother.<sup>41</sup> More than 50% of women in the world have experienced physical or sexual abuse. According to World Vision, more people get married at the age of 15 than those who get married at the age of 18<sup>42</sup> The particular agency also notes that early marriage was seen as a means of covering up violence against children.

Stress caused by events such as early marriage, pregnancy at a young age, and miscarriage has resulted in psychological disorders such as hatred for marital life and her spouse, frustration, fear, and forceful rape by her husband. Moreover, they are prone to psychological problems such as stress, unnecessary thinking, improper sexual desire, fear, separation from their husband, conflicting moods, stress, etc.

When examining the social challenges faced by women from marrying at an early age, it has had impacts on most women, such as low social status, inferiority complex, lack of education, and interest in illicit relationships with abusive men. During interviews with the public, it was found that it has become a major social problem for the husband to go abroad for the family's financial needs. Women interact with foreign men to satisfy their sexual needs, and the husband leaves the children behind and marries other men. It was also pointed out that children who grow up in such a family environment also develop into children with deviant behaviour and children who are not interested in education (interview).

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<sup>40</sup> Montazeri, 2016

<sup>41</sup> Sethi, H. (2021, October 22). *borgenproject.org*. Retrieved from Reforms Regarding Child Marriage in Sri Lanka: <https://borgenproject.org/child-marriage-in-sri-lanka/#:-:text=In%20Sri%20Lanka%2C%20poverty%20and,mostly%20within%20some%20Muslim%20communities.>

<sup>42</sup> Sethi, H. *borgenproject.org*. Retrieved from Reforms Regarding Child Marriage in Sri Lanka, (2021, October 22): <https://borgenproject.org/child-marriage-in-sri-lanka/#:-:text=In%20Sri%20Lanka%2C%20poverty%20and,mostly%20within%20some%20Muslim%20communities.>

Most young married women live separately from their husbands, which has led to social problems such as lack of adequate income and travelling abroad for employment. In particular, poverty, hunger and unemployment are the main issues. It was found that families with a certain income received the help of relatives. In families living in poverty and in middle-income families, after divorce, women are forced to go to work for a day-to-day job and take care of the family. There is also a tendency to be abused by employers in the workplace (interview). A 2004 study by Savithri Gunasekera notes that “Sri Lankan women under the age of 18 are physically and socially fit for marriage and carrying the fetus”<sup>43</sup> Moreover, early marriage leads to health issues and is denied opportunities to pursue higher education. The study pointed out that it is not possible to support early marriages due to poverty and sexual immorality.

## Conclusion

Although early marriages are less prevalent in Sri Lanka compared to the countries of the world, there is a trend of increasing early marriage among Muslims in Sri Lanka. In this context, the study is entitled “the causes and consequences of child marriage among muslim community: with special reference to the cases identified in the eastern province of sri lanka” and it is try to identify the socio-economic and cultural factors driving child marriage and to assess its impacts on the lives of those affected. The study has been carried out in a sociological manner based on primary and secondary data. According to the findings, socio-economic and cultural factors significantly influenced child marriage practice among the muslim community in the eastern province of Sri Lanka. In particular, parents getting married at an early age, poverty, the high number of female members in the family, customary practices, parental coercion and lack of interest in learning were prime factors that influenced the practice of early-age marriage. These factors align with the findings of Jain & Kurz, 2007 Loaiza & Wong, 2012; UNICEF, 2001; Verma, Sinha, & Khanna, 2013. Additionally, in the Sri Lankan Muslim community, dowry and marriage gifts, the lack of interest in education, safety, chastity, and customs were also influenced. The factors as mentioned above also need to be added to improve the already discussed conceptual study of this research, and this finding is also new knowledge in the research world. It is also worth mentioning here that the Muslim Marriage and Divorce Act and the Islamic shari'ah law in force in Sri Lanka do not have any legal provisions that prohibit or abolish early marriage, which is especially conducive to the practice of child marriage among Muslims. Further, it comes to awareness that the girls in the study area are subjected to various physical, psychological and socio-economic impacts due to

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<sup>43</sup> Islamic Thought, 2017

the said child marriage. In particular, it has led to depression, frustration in life, infant death, miscarriage, poverty, difficulty in getting job opportunities, low self-esteem, illegal affairs and involvement in immoral activities. It has also increased the number of divorced and abandoned women in the society. Moreover, both hypotheses developed by the researchers conformed to the study's findings. It was also found that physical and psychological influences were the most common effects of early marriage. In addition, awareness of early marriage was not found in the study samples, nor were the parents of the study samples. Thus, the study concludes that by creating awareness about early marriage among Muslim women in the study area, the physiological, psychological, social and economic challenges faced by women can be debunked by such marriage. Further, there is a timely need to amend the Muslim Marriage and Divorce Act to prevent child marriage and protect child's rights in the Muslim community in the future and to find a separate Ijtihadana solution to the Sri Lankan context regarding early marriage. Therefore, it is the high expectation of the researchers that the results of this study will help provide clarity and understanding to scholars and policymakers in this regard.

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