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Irem A. Ebeturk   Date

Constructing Global Social Problems: The Case of Child, Early, and Forced Marriage

By

Irem A. Ebeturk
Doctor of Philosophy

Sociology

_____
John Boli, PhD
Advisor

_____
Frank Lechner, PhD
Co-advisor

_____
Irene Browne, PhD
Committee Member

_____
Wesley Longhofer, PhD
Committee Member

Accepted:

_____
Lisa A. Tedesco, PhD
Dean of the James T. Laney School of Graduate Studies

_____
Date

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By

Irem A. Ebeturk
BA, Middle East Technical University, 2005
MA, Middle East Technical University, 2008

Advisor: John Boli, PhD

An abstract of
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Abstract

Constructing Global Social Problems:
The Case of Child, Early, and Forced Marriage

By Irem A. Ebeturk

Child marriage, commonly defined as the marriage of children under the age 18, became an issue of concern over the past several decades. Today, the majority of countries have laws setting the minimum age of marriage at 18 years old. What explains this global legislative shift that started haltingly in the 1960s and 1970s and intensified greatly in the 1990s? This is one of the major research questions addressed in this dissertation. In addition to this global legislative trend, starting in the late 1990s, child marriage became a focus of concern for many international non-governmental organizations (INGOs) and multilateral organizations. How did child marriage come to be defined as a major global problem? This is the second major question examined in the dissertation. I address these questions through a mixed methods study. In the first section, I utilize qualitative methods such as interviews and document analysis to examine global cultural scripts that constitute the discourse against child marriage. Second, I conduct quantitative analyses of factors influencing legislation setting the minimum age of marriage at 18. I analyze time-series data for 167 countries from 1965 to 2015. By means of survival analysis techniques, I examine factors that help explain which countries were early adopters of legislation. By using logistic regression, I analyze factors that help explain whether or not a country ever adopted a minimum-18 marriage law in the 50 years of my analysis. Both qualitative and quantitative findings indicate that world cultural scripts are crucial for understanding the global fight against child marriage, in terms of both legislative reforms and the international movement. Country characteristics matter comparatively little; it is largely the global system that has shaped the process.

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CHAPTER ONE

INTRODUCTION

1. Main Questions

The marriage of people younger than 18 years of age, especially women, has been

a common practice for most of human history. Think of Juliet, the tragic heroine, who

married her beloved Romeo when she was only thirteen years old. Historical research

shows that the marriage of minors was not seen as problematic until the 19th century, in

Europe and the U.S. (Syrett, 2016). And although the practice of child marriage has

decreased since then, it persists not only in the developing world but also to some extent

in the developed world. It was not until the 1960s that states started to pass marriage laws

setting the minimum age at 18, the presumed age of adulthood. A sustained global

movement to fight child marriage did not emerge until the late 1990s.

As of 1965, only 19 countries had passed minimum age of marriage laws that set

the age at 18; by 2015, 110 countries had passed such legislation. In addition to this

global legislative trend, starting in the late 1990s, child marriage became a focus of

concern for many international non-governmental organizations (INGOs) and multilateral

organizations. The movement against child marriage received a great deal of global

attention particularly after about 2005.

As a response to the movement, legislation against child marriage continues to

feature on the agenda of governments around the world. Just recently, in June 2017, two

countries passed laws regarding child marriage: Germany passed a new law that makes

the marriage age strictly 18, without exceptions (The Local 2017) while the Dominican Republic voted for a similar law (Plan International 2017). Malawi is another country that raised the minimum age of marriage to 18 very recently, in April 2017 (Girls Not Brides 2017c). A *New York Times* article published in May 2017 addressed the issue of child brides and the need for a similar legislative reform in the U.S. (Kristof, 2017). Despite their differences, these four countries are taking or discussing legislative steps in the same direction, to reduce child marriage.

Between 1965 and 1990, 18 countries passed minimum-18 marriage age laws, less than one per year. At that point such legislation exploded: between 1990 and 2013, 65 countries passed legislation setting the marriage age at 18. What explains this global legislative shift that started haltingly in the 1960s and 1970s and intensified greatly in the 1990s? This is one of the major research questions addressed in this dissertation.

A second question addresses the global civil society mobilization against child marriage which got underway in the late 1990s and gained momentum a few years after the turn of the century. Although laws were being passed earlier, the global movement against child marriage did not emerge until recently. As a result of this mobilization, between 2013 and 2017, the UN passed four resolutions devoted exclusively to child marriage. In the "2030 Agenda for Sustainable Development (SDGs)," which is considered to the bible of global development, child marriage is now defined as one of the major social and development issues of our times. How did child marriage come to be defined as a major global problem? What are the global cultural scripts that constitute the discourse against child marriage? These are the other major questions this dissertation seeks to answer.

Although a number of studies discuss the effects of legislative reforms concerning the minimum age of marriage, the great majority of them are case studies focusing on one or a few countries (Momeni 1972, Cammack et al. 1996, Toyo 2006, Desai and Andrist 2010, Lee-Rife et al. 2012, Backlund and Blomqvist 2014, Scolaro et al. 2015). The existing literature does not directly address the issue of the spread of laws against child marriage in the world as a whole.

Descriptive data on legislation about the legal marriage age demonstrates that most of the laws appeared after 1990. This is hardly an accident. In late 1989, an event took place that, I will show, was crucial for the widespread adoption of such legislation: the Convention on the Rights of the Child (CRC) was opened for signature and ratification (United Nations 1989). The CRC was the first international convention explicitly devoted to childhood and the rights of children. Among other things, it established a new global norm concerning the proper marriage age while also helping to bring issues related to children to a higher position on the agenda of world society.

2. Theory and Methods

Existing accounts of the legislation against child marriage focus on country-specific factors in explaining the legislative reforms, or lack thereof, as well as the success or failure of such legislative reforms in actually changing marriage-age patterns. By contrast, my research question entails a macro-level comparative approach, both theoretically and methodologically.

Sociological theories of globalization, particularly sociological institutionalism, help us investigate such questions (Steinmetz 1999, Lechner and Boli 2005, Schofer et al 2012). Following the form of global institutionalism known as world polity theory, I

emphasize the importance of world cultural constructs such as modern childhood, love-based marriage, individual consent, and individual agency in understanding both the spread of legislation concerning the marriage age and the growing global concern about child marriage in recent decades. I conceptualize both nation-states and other organizational forms such as INGOs as part of a broad world culture. In this way I show that, to understand what leads states to pass laws against child marriage, we should look beyond national borders and focus on the global scripts that relate to laws about child marriage. Accordingly, this project assesses global patterns of marriage age legislation mainly through the lens of world polity theory. In order to test for factors influencing individual states' legislation, I also utilize theoretical arguments regarding state capacity, religion, economic development, state population policies, and so on. With "legislation that sets the minimum age of marriage at 18" as the dependent variable, I analyze time-series data for 167 countries from 1965 to 2015. My research addresses two aspects of the rising trend in legislation against child marriage. By means of survival analysis techniques, I examine factors that help explain which countries were early adopters of legislation. Second, by using logistic regression, I analyze factors that help explain whether or not a country ever adopted a minimum-18 marriage law in the 50 years of my analysis.

The diffusion of legislation against child marriage is one part of the story that I tell in this dissertation; the other is the formation and development of the global movement against child marriage. The literature about child marriage usually treats the phenomenon as an independent variable, discussing its health, human rights, and development effects. The core matter is always child marriage itself, not the movement

against it. Some work has been done on the discourse related to child marriage within the international community and the international feminist movement (Bunting 2005, Moschetti 2005), but these are quite limited. Existing studies addressing child marriage as a movement are either historical investigations that analyze debates within feminism in the early 20th century (Moschetti 2005) or case studies that present and debate the movement's main principles in specific contexts (Bunting 2005). No studies address what I call the post-2008 period of the movement against child marriage.

I specify 2008 as a crucial year for the global movement because the Nike Foundation launched its famous Girl-Effect campaign in that year. That campaign marked the beginning of ever-growing concern for adolescent girls in international development circles. In October 2012, the United Nations declared the International Day of the Girl Child, and in 2014, Malala Yousafzai, the young Pakistani activist who survived a Taliban assassination attempt and became a global symbol of the movement to reduce violence against girls and women, was awarded the Nobel Peace Prize. During these years the fight against child marriage emerged as a comprehensive movement anchored in international organization networks and generating rationalized descriptions of the causes and consequences of child marriage as well as offering prescriptions for preventing it. This dissertation fills this gap in the literature by covering the recent history of the movement, offering a detailed narrative, an analysis of the discursive patterns of the movement, and theoretical arguments to help better understand why certain ways of framing the child marriage issue gained prominence.

To analyze the fight against child marriage as a movement, I employed two data collection methods. The first was semi-structured interviews with key figures of the

movement, while the second was an analysis of documents produced by INGOs, governments, activists, and IGOs. I used interviews to gather knowledge about the history of the movement, with a particular focus on the paths and ideas which were selected or not selected in the framing of the problem.

3. Overview of the Dissertation

The dissertation is structured as follows. Chapter 2 provides historical background and describes the advocacy landscape of the global movement against child marriage. After summarizing the current state of affairs with respect to international instruments, the chapter reviews the history of the issue by examining INGO documents, government publications, declarations, conventions, factsheets, and policy recommendations. This chapter emphasizes differences in issue framing for two periods of the movement. The early movement, in the 1990s, focused on human rights framing, while the period after 2008 turned primarily to framing that depicts child marriage as problematic for development. What most crucially differentiates these two periods is the emergence of what Hayhurst calls the "girling of development" (2011: 532). Although the human rights aspect is embedded in development discourse, there was a clear discursive shift regarding what makes child marriage an important issue.

The focus of Chapter 3 is my findings related to globalized conceptions of adolescent girls and child marriage, based on my interviews and analysis of documents. I present three themes representing how girls have been framed in recent international development discourse: "girls as saviors of humanity," "girls as vulnerable," and "girls as capable." These themes rely on two different bases for opposing child marriage: the moral and the instrumental. The moral framing of child marriage, on the one hand,

conceptualizes girls as "sacred children" who are vulnerable and thus in need of protection from marriage, particularly with older men; they should have the rights to enjoy childhood, obtain education, and realize their inherent potential. The instrumental basis for opposing child marriage, on the other hand, conceptualizes it as a problem mainly because it hinders economic development. It arose in an atmosphere in which investing in girls is increasingly seen as "smart economics" in that girls are believed to yield higher returns on development investments. As marriage leads to dropping out of school, raises barriers to participation in the labor market, and so on, child marriage was reconceptualized as an obstacle to development. Thus, Chapter 3 tells the story of how moral dimension was complemented by, and to some extent subordinated to, instrumentalist conceptions of the problems with child marriage.

Chapter 4 discusses how the dual framing structure of human rights and development has been central to the rapid growth of the anti-child marriage movement after 2008. The chapter begins with a review of the literature on the instrumentalization of gender in development, followed by a discussion of two core causes of this instrumentalization: neoliberal economic ideology and securitization. It then discusses the moral and instrumental framings of child marriage with respect to world-cultural processes, showing how institutionalized models of childhood, marriage, and the individual are keys to the growing problematization of child marriage.

Chapter 5 presents a review of previous studies of legislation against child marriage and identifies important lacunae in the literature. The chapter uses world polity theory as the main framework for analyzing the global spread of minimum-18 marriage legislation. It also brings in other theoretical frameworks to develop alternative

hypotheses explaining individual countries' decisions regarding laws against child marriage. The chapter closes with a summary of hypotheses.

In Chapter 6 I provide a methodological overview of the quantitative part of the project, which is designed to answer the theoretical questions specified in Chapter 5. It describes the data and data sources, with detailed explanations of how the theoretical constructs were operationalized. Descriptive statistics for all of the variables appear at the end of the chapter.

Chapter 7 presents the quantitative findings from the survival analysis and logistic regression. The former analyses show that the ratification of treaties concerning women and children is the most important factor affecting the pace at which countries have passed minimum-18 marriage laws. The Convention on the Rights of the Child is particularly significant in explaining the sharp increase in the trend towards legislation against child marriage since 1990. In addition to treaty ratifications, some country characteristics also matter in estimating which countries have been early adopters of the legislation, particularly government effectiveness, or the bureaucratic capacity of the state. Finally, the results indicate that having a Muslim majority population has a negative effect on how early a country passes legislation against child marriage.

The logistic regression analyses investigate the overall likelihood of ever passing a minimum-18marriage law. Variables derived from world polity theory are consistently significant in the logistic regression models, indicating that global norms against child marriage are by far the most important factor explaining marriage-at-age-18 legislation. Although some country level factors, such as the political empowerment of women, are

significant in some models, their effects are not as consistent as the effect of global processes.

In the concluding Chapter 8, I summarize the main arguments and findings of the dissertation, addresses limitations of the work, and outline areas for further research.

CHAPTER TWO

EMERGENCE OF CHILD MARRIAGE AS A GLOBAL ISSUE

2.1. Main Questions

In September 2013, the United Nations Human Rights Council and General Assembly adopted a resolution dedicated to child, early, and forced marriage. This is the first resolution to explicitly and exclusively address the issue. The resolution recognizes child, early and forced marriage as a human rights and development issue and declares that "it constitutes a violation, abuse or impairment of human rights, that it prevents individuals from living their lives free from all forms of violence and that it has adverse consequences on the enjoyment of human rights, such as the right to education, the right to the highest attainable standard of health, including sexual and reproductive health" (UNHRC, 2013). It also states that "child, early and forced marriage is itself a barrier to development and helps to perpetuate the cycle of poverty." As of 2016, the resolution has been signed by 109 countries and it is reported that many African countries with high rates of child marriage supported it. However, the resolution failed to gain support from South Asian countries with high rates, such as India, Bangladesh, Afghanistan and Pakistan.

In November 2014, the UN General Assembly adopted the second resolution on the issue. This resolution expressed the need to recognize the child marriage problem in the post-2015 development agenda. Having received wider support, this latter resolution reiterates that child marriage is a human rights issue. With the second resolution UN

member states agreed upon certain recommendations to end child marriage. Among these recommendations, passing laws to ban or prevent child marriage is the most critical one. Although a majority of countries have minimum age requirements for marriage, very few of them criminalize child marriage. Thus, with the second resolution legislation against child marriage came to the fore (General Assembly resolution 68/148).

In September 2015, the United Nations formally adopted the Sustainable Development Goals (SDGs, also known as the post-2015 Millennium Development Goals) which specify international development priorities for the next 15 years. The SDG framework includes a target to end child, early, and forced marriage under the goal of "eliminating all harmful practices."

The UN resolutions and the SDGs are outcomes of a series of international campaigns and civil society networking. The processes through which child marriage became an object of interest for major multilateral and international non-governmental organizations raise empirical questions that I will address in this dissertation. What are the global cultural scripts that constitute the discourse against child marriage? How did child marriage come to be defined as a major global problem, after being a minor issue that only a few "activists" cared about? Specifying the principles and ideas that define child marriage as a problem is a key issue. To do that, I first trace the history of the global movement against child marriage. I focus on how and why child marriage came to be framed as a problem, identifying the stages of the movement. My study reveals the stages of the movement, the relevant actors, the strategies employed, and the predominant discourses. I also identify key discursive shifts and possible causes of such shifts.

2.2. Data Gathering Methods

To trace the history of the global movement against child marriage and the discourses the movement invokes, I employed two data collection methods. The first is semi-structured interviews; the second is analysis of documents produced by INGOs, governments, activists, and IGOs. I used interviews to gather knowledge about the history of the movement, with a particular focus on the paths and ideas which were selected or not selected in the framing of the problem.

In order to recruit respondents, I first identified the key organizations working on child marriage and key figures within those organizations. I used documents produced by major INGOs, existing treaties, news articles, and government reports to identify main organizations and key figures. I started with two pilot interviews at CARE in Atlanta, as it is one of the leading INGOs working on child marriage. These interviews were helpful for two reasons: first, they provided me with an entry point to the field and opened up access to the main players in Washington, D.C. As the movement against child marriage is relatively new and ongoing, it was not difficult to find people to interview. Also, despite the great variety of organizations (from government agencies to private consultation firms), the movement consists of a dense network of people. In the early interviews, the same names kept coming up as key figures to add to my interview list.

The majority of the interviews took place in Washington, D.C., between November 4 and November 19, 2015. In addition to the interviews, I participated in two key events regarding child marriage: the Girl Summit 2015 and the Panel on the Economic and Social Impacts of Child Marriage. The theme for the Girl Summit 2015 was "A Focus on Solutions to End Child Marriage Globally," a one-day event that

brought together hundreds of people working against child marriage. It was a follow up

to the first-ever Girl Summit in 2014, held in London, and it was global in scope. I did

not conduct any structured interviews at this event but I had the chance to meet several

key figures for brief conversations. I also took notes during the panel discussions. Since

the Girl Summit took place on the first day of my fieldwork, I was able to refer to

Summit activities and discourse during my interviews. The scope of the interviews and

events in which I participated is reflective of the variety of organizations contributing to

the global movement of child marriage (see Table 1 for details of the interviews and

events).

-- Table 1 about here --

The interviews were open-ended and semi-structured. I started with general

questions and then asked the respondent to relate the history of child marriage from her

own and her organization's perspective. To capture variation in different organizations'

understandings of child marriage as a problem, I started with a question about the history

of the movement and the place of the organization within the movement (see Appendix 1:

Interview Guide). The interviews were cumulative in the sense that, as a new issue or

pattern arose, I added a new question to the interview guide and asked it following the

interviews. In some cases, I sent follow-up emails to ask follow-up questions of earlier

respondents. Three of the interviews involved both face-to-face meetings and follow-up

telephone conversations. Most of the interviews lasted between 40 minutes and a hour

and took place in the respondent's office or a nearby café. I voice-recorded all of the

interviews, including the phone conversations.[1]. In both cases, I obtained the consent of

the respondent about recording her/his voice before starting the interview.

In addition to the interviews, I analyzed and coded documents and publications

produced by INGOs, government agencies and ministries, and regional or global

organizations. I coded 97 documents dealing with child marriage or adolescent girls. The

documents examined include reports, declarations, conventions, factsheets, and policy

recommendation publications produced by funds, programs and agencies within the UN

system. I also regularly checked the Girls not Brides webpage, as it is the most relevant

source of current information about global advocacy against child marriage. Among the

central documents analyzed are *Early Marriage: Child Spouses* (UNICEF 2001),

Harmful Traditional Practices Affecting the Health of Women and Children (United

Nations 1995), *Too Young to Wed: The Lives, Rights, and Health of Young Married Girls*

(ICRW 2003), *Early Marriage: A Harmful Cultural Practice* (UNICEF 2005), *Child,*

Early and Forced Marriage Resource Guide (USAID 2015) (For a complete list of

documents see Appendix 2).

2.2.1. Data Analysis

I coded the interviews and documents thematically. I produced a tentative coding

scheme before conducting the interviews to use as a guide for questions to ask during the

interviews. After conducting and transcribing the interviews, I updated the coding

scheme, integrating new data gathered from the interviews and events in which I had

participated. I used an open-coding strategy for each interview and then compared the

patterns that emerged across interviews. As I proceeded, I generated new codes and then

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[1] I used an application called NoNotes to record the phone interviews.

re-analyzed earlier interviews. I then did a final comprehensive analysis of all interviews and documents.

While reading the documents, my main goal was to identify the primary frameworks underlying them (for instance health, education or economic development) and the reasons that child marriage was seen as a global problem. Table 2 demonstrates the note-taking process in the initial analysis of the existing documents.

-- Table 2 about here --

I employed a similar strategy for analyzing the interviews. I first read the transcriptions and took notes about major themes and patterns. Once they were identified, I created a coding table in which I included quotes from the interviews for the relevant codes. Table 3 provides the full coding scheme and gives examples of items and how they were coded. As I read through my transcripts of the interviews and other documents, I first searched for sections emphasizing why child marriage is an issue ("why does it matter" in the coding scheme). Then I created new codes from the answers provided to that question. Recurring answers tuned out to be codes example of which includes, "child marriage as a health issue," "child marriage as a development issue," "child marriage as a multi-sectoral issue." Although largely inductive, this process also relied on my knowledge of the literature about the construction of global social movements (Boyle 2005, Bieri 2010) For instance, while reading I searched for the tensions within the movement or stages of the movement. Some of these codes, such as tensions within the movement, turned out to be not particularly relevant for my research and excluded from the analysis.

-- Table 3 about here --

2.3. Historical Background and the Advocacy Landscape

A brief review of international legal documents produced by major international organizations is helpful to show the discourses about the establishment of child marriage as a global problem. Below, I will first talk about how and when child marriage found a place in major international treaties and major INGO publications. Then I will refer to recent global campaigns and actors that deal with the issue. In the next chapter I will analyze the relevant publications to answer the question of why child marriage is defined as a social problem.

2.3.1. Child marriage in international treaties

In the international arena, marriage is mentioned for the first-time in 1948 with the Universal Declaration of Human Rights (United Nations 1948). The UDHR defines an ideal marriage with respect to age, presence of full consent, and equality within marriage. In international law the issue of child marriage was first addressed in the 1962 Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages (hereafter: 1962 Convention). The 1962 Convention appeals to all member states to take measures to abolish "certain" customs regarding marriage, to open the way for "complete freedom in the choice of a spouse" and "eliminating completely child marriages and the betrothal of young girls before the age of puberty" (United Nations 1962). The 1965 Recommendation on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages, which was a non-binding recommendation that accompanied the 1962 Convention, specified the minimum age recommendation and declared that the "age of marriage should be no less than 15 years unless a competent authority agrees that there are serious reasons to provide otherwise." Although the 1962

Convention was an important treaty, as it is the first that addresses the issue, it was signed by only 16 countries, most of which expressed reservations (United Nations 1962).

The second crucial international treaty concerning child marriage was the 1979 Convention for the Elimination of All Forms of Discrimination against Women (CEDAW). With CEDAW, child marriage started to be defined as a human rights and gender equality problem. CEDAW provides that the "betrothal and the marriage of a child shall have no legal effect, and all necessary action, including legislation, shall be taken to specify a minimum age for marriage and to make the registration of marriages in an official registry compulsory" (United Nations 1979). With CEDAW, for the first time in an international document the minimum age of marriage was recommended to be 18. Moreover, CEDAW urged states to legislate against child marriage by prohibiting it. Although in some contexts the minimum age requirement may mean the same thing as prohibiting child marriage, specifying the prohibition element is important since it is a step toward criminalizing the practice.

The children's rights approach which defines children as entities in need of protection is another perspective from which the international community has considered the problem of child marriage. Even though the 1989 United Nations Convention on the Rights of the Child (hereafter CRC) does not have any explicit references to the issue of child marriage, the CRC is frequently referred to in campaigns against child marriage, notably its articles on abolishing sexual abuse and sexual exploitation (United Nations 1989).

In addition to the international treaties mentioned above, there are regional treaties that explicitly address child marriage. The most important of these is the 1990

African Charter on the Rights and Welfare of the Child (ACWRC). Article 21 of the charter is exclusively about "protection against harmful social and cultural practices" (ACERWC 1999) These practices are defined as harmful with respect to health consequences and by being "discriminatory to the child on the grounds of sex or other status." ACWRC also calls for the prohibition of child marriage with necessary legislative reform by member states. One of the recommendations of ACWRC is setting the minimum age requirement to be 18 years and making the registration of marriages compulsory. Another important regional treaty about the issue is The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, also known as the Maputo Protocol. According to the Maputo Protocol, adopted in 2003, a marriage should involve the free and full consent of both parties, who are at least 18 years old. It also encourages monogamy as the "preferred form of marriage" (ACHPR 2003). In 2001 the Pan-African Forum against Sexual Exploitation of Children identified child marriage as a type of commercial sexual exploitation of children.

The international and regional treaties mentioned above provide a background for the current state of the child marriage issue in the international community. The issue emerged in various human rights instruments and treaties concerning women's and children's rights. However, it was not until the 2013 UN resolution that child marriage was the sole focus of concern. With the 2013 and 2014 UN resolutions and declaration of SDGs in 2015, the issue has been established as a global problem to be solved.

2.4. A brief history of the movement against child marriage: Child/early marriage in major INGO documents

2.4.1. Early years (1995-2008)

In the 1990s, the international community started to use the concept of "harmful traditional practices." Many of these practices were deemed harmful due to their negative effects on women's and children's physical and social well-being (Winter et al. 2002). Early marriage and the dowry were included among the practices considered harmful. One of the most important documents on harmful practices is the *UN Factsheet on Harmful Traditional Practices Affecting the Health of Women and Children*, which was published in 1995 (hereafter 1995 Factsheet). The 1995 Factsheet refers primarily to the negative health consequences of early marriage. Thus, with the introduction of the concept of harmful practice, the issue of child marriage was framed as not only a rights issue but also a health issue. The negative health consequences of early marriage are predominantly linked to the complications of early pregnancy, but psychological consequences resulting from the sudden end of childhood were also cited in the 1995 Factsheet. Moreover, the 1995 Factsheet condemned early marriage together with female genital mutilation (FGM) as "harmful practices benefitting men." This shows that the issue was also problematized in the framework of gender equality.

In the early 1990s, child marriage (or early marriage) was discussed as an element of harmful cultural practices and did not receive exclusive attention as it has more recently. Even as a part of the debate on harmful cultural practices, it did not receive as much attention as other issues such as FGM. When the international community discussed harmful practices, the example was usually FGM or honor-killings, not child

marriage. It was after the Fourth World Conference on Women in 1995 (also known as the Beijing Platform for Action) that mobilization against child marriage gained some momentum, although the intense concern about child marriage did not arise until the 2010s. Below I present brief summaries of the major INGO publications that focus on the issue of child marriage exclusively.

The first major INGO document that specifically focuses on child marriage was produced by the Forum on Marriage and the Rights of Women and Girls in 2000. This forum was established in 1998 and is a network of UK-based NGOs and major international organizations such as UNICEF, the ILO, Human Rights Watch, and Oxfam. The report produced by the Forum, *Early Marriage: Whose Right to Choose?,* frames early marriage as a multi-faceted human rights issue which entails gender discrimination and has negative consequences for the overall well-being and health of women and girls. It also emphasizes how early marriage denies girls' right to be children and forces them to be adults at an early age. The Forum published another report in 2001 calling for the inclusion of child marriage as a specific issue to be covered by the CRC. It emphasized the fact that the CRC does not specifically refer to child marriage but only talks about harmful practices. The 2001 Report (2001: 6) was a call for "greater openness to question local cultural practices." Referring to the local level responses reported by people working for NGOs at the community level, the Report embraced the claim that the concept of "individual rights is alien to women and girls" in development contexts since they are "born into a society which had no recognition of her as an individual, let alone an individual entitled to make decisions or choices or to take control of her own life" (p. 13). The report stated that "however it is culturally packaged, early marriage is socially

licensed sexual abuse and exploitation of a child" (p.18). Emphasizing the negative

health consequences of early marriage for the girl and her future children was suggested

as a way to change communities' perceptions. The report concluded by recognizing that,

despite the existence of the CRC, CEDAW and other international treaties on children's

rights and women's rights, child marriage is an overlooked area for international

advocacy, and addressing it required asking why this is the case.

In 2001, UNICEF's Innocenti Research Centre published the digest, *Early*

Marriage: Child Spouses. Unlike the report of the Forum (2001), the UNICEF report

emphasized the relationship between poverty and child marriage. This report was also a

call for initiating research in this area since data was insufficient about both the causes

and the consequences of child marriage. In addition to the emphasis on the relationship

between child marriage and poverty, the human rights aspect was reiterated and the need

for consensual marriage decisions was stressed.

A final document from the early 2000s summarized the main features of the initial

international advocacy against child marriage in the first statistical UNICEF Report,

Early Marriage: A Harmful Cultural Practice (2005). Using information from the

Demographic and Health Surveys program funded by USAID, this report was the first

global assessment of child marriage rates and the demographic factors that may affect

them. It was framed as the first global attempt to identify ways to change norms about

child marriage by referring to evidence. It used five indicators: Percentage of women first

in union by age 18 by age group (15–19, 20–24 and 45–49), percentage of girls 15–19

years of age currently in union, spousal age difference, percentage of women currently in

a polygynous union by age group, and percentage of ever-married women who were directly involved in the choice of their first husband or partner.

The causes and consequences of child marriage identified by the earlier reports were reiterated with a few additions. One addition concerning what makes child marriage problematic was the emphasis on knowledge and decision-making power regarding sexual and reproductive health. Sexual and reproductive rights were discussed as essential human rights and their absence was identified as a part of what makes child marriage problematic. In addition to the indicators cited above, the report summarized data on the relationship between age of marriage and decision-making within the family. It assumed that final say over household decisions is a proxy for women's empowerment and power. This includes decisions on large household purchases, decisions about visiting family and friends, whether or not women were allowed to work, and contraception.

This review of the early INGO documents on child marriage reveals two things: First, although child marriage was on the agenda of some major INGOs, it received only sporadic attention and the features of a coherent movement were absent. Serious mobilization against child marriage started after 2008, which is the year the Nike Foundation launched the *Girl Effect* campaign. The second characteristic of the pre-2008 period is that child marriage was framed as a human rights issue involving violations of the rights of women and girls with respect to reproductive health, education and decision-making. Choice and consent aspects of marriage were emphasized in the reports prior to 2008. Although poverty was touched upon as an important cause of child marriage, it was not presented as the main reason that child marriage is harmful for societies and the

world. Cultural causes and consequences, rather than economic ones, were the main issues covered by the reports in the pre-2008 period. References to health consequences were more prominent compared to the post-2008 period, and even health issues associated with child marriage were framed within a rights perspective. For instance, in *Early Marriage: A Harmful Cultural Practice* (2005) by UNICEF, identifying negative outcomes of child marriage was discussed as a strategy to change cultural norms at the local level.

Another shift in the post-2008 period is the terminology used by the international community regarding marriage. In the initial stages of the movement the term "early marriage" appeared more frequently in the reports. The shift from "early marriage" to "child marriage" came gradually as the movement gained momentum and legitimacy. Judith Bruce of The Population Council said that the term "child marriage" was discomforting for some people and she had a hard time using the term herself in the early 2000s. She felt that the term "early marriage' has a normalizing tone, indicating that marriage is an inevitable and normal outcome for girls. For Bruce, this way of thinking was particularly strong during the Bush administration and in the development programs (such as PEPFAR) initiated in this period (interview with Judith Bruce, November 2015).

Focusing on girls as a specific category is another aspect of the later movement against child marriage. For reasons I will present below, the post-2008 international development context was dominated by concern for the needs and potential of girls. In the early stages of the movement, girls were not an object of special interest; issues such as child marriage and FGM were discussed as women's issues or children's issues.

Adolescent girls were treated as a subset of women or youth. Next, I examine the emergence and main tenets of the focus on girls in the international development arena.

2.4.2. Post-2008: Discovery of the "Girl" and the Rise of the Movement against Child Marriage: Organizations and Key Events

Analysis of NGO publications and my interviews with key players in the campaign against child marriage reveal that concern about child marriage is closely related to the recent attention given to adolescent girls by the international development community. The organizers of key events and campaigns related to adolescent girls and child marriage are almost invariably the same. In this section I will provide background about these events, campaigns and main actors.

In the international development context, girls are increasingly defined as the "agents of social change" by governments, INGOs, private organizations and the media. Girls in developing countries are constructed almost as heroines, and we seem the same rhetoric in the developed world regarding concepts like "girl power." I will elaborate further on this in the next section; here I want to focus on the history of girls taking a central place on the international development stage.

In 2004, Nike Foundation, in collaboration with the NoVo Foundation and the UN Foundation, initiated the Girl Effect movement under the leadership of Maria Eitel. Although the Girl Effect campaign did not gain momentum until 2008, which is the year it was introduced at the World Economic Forum in Davos with the screening of the film "Girl Effect: The Clock is Ticking," 2004 is an important year for the inclusion of adolescent girls into the development agenda with a new discourse. Following Nike's lead, many INGOs and international organizations started working on problems which

they framed as unique to girls. The formation of the Coalition for Adolescent Girls by Nike Foundation in 2005, as well as the beginning of the "Because I am a Girl" campaign by Plan International in 2007, also highlight the beginnings of a new focus in international development. The Coalition for Adolescent Girls brought a variety of organizations together. Of fifty national and international members of the Coalition, a great majority work on economic empowerment, health and education.

In 2007, Plan International started publishing an annual "State of the Girls Report." These reports provide statistical and qualitative data specifically about girls with reference to such themes as health, education, reproductive rights, and technology. Every year, reports cover the lives of the same 135 girls born in 2006 in nine developing countries. Each year the report covers a different theme: girls and war (2008), girls and the global economy (2009), digital and urban frontiers (2010), what about boys? (2011), learning for life (education) (2012), adolescent girls and disasters (2013), pathways to power (2014) and unfinished business (2015). The final report was published in 2015; it stresses that although girls have become more visible in the global development agenda, the world has a long way to go with regard to the economic empowerment of girls.

Another partnership that was founded to draw attention to girls is the United Nations Interagency Taskforce on Adolescent Girls, in 2007. The members of that partnership are UNICEF, the UN Population Fund, the International Labour Organization, the UN Educational, Scientific and Cultural Organization, the UN Development Fund for Women and the World Health Organization. The UN taskforce prioritized the educational and health needs of adolescent girls in marginalized communities, as well as improving the collection of data on adolescent girls.

In 2008, the World Bank launched a private-public partnership, the Adolescent Girls Initiative. AGI operated until 2015 as part of the World Bank's Gender Action Plan: Gender Equality as Smart Economics. Partnering with the Nike Foundation and the governments of Afghanistan, Australia, Denmark, Jordan, Lao People's Democratic Republic, Liberia, Nepal, Norway, Rwanda, Southern Sudan, Sweden, and the United Kingdom, the program aimed to create interventions that would promote "the transition of adolescent girls from school to productive employment" through "business development skills training, technical and vocational training targeting skills in high demand, as well as life-skills training."

Finally, in 2010 the UN and the UN Foundation launched the Girl Up campaign. The most important element of the Girl Up campaign is "teen advisors," who are female high school and college students from the USA. These girls start "Girl Up Clubs" or "Girl Up Campus Charters" in their communities and organize fundraising events to support girls in developing countries. As of 2016 there were 1330 clubs and 99 campus chapters across the USA. By training "teen advisors" as future leaders, this campaign aims to help girls stand up for girls and create "global girl power."

The years between 2004 and 2010 witnessed the emergence of girls as the new agents and objects of international development (see Table 4). With the launching of the International Day of the Girl in 2012 by the UN, and Malala Yousafzai's selection at the age of 17 as the Nobel Peace Prize winner in 2014, it would not be an exaggeration to say that adolescent girls have become the most important element of international development discourse, among not only INGOs or the UN system but also among nation-states. For instance, in 2015 the US government initiated the Let Girls Learn initiative,

and in 2016 the first "U.S. Global Strategy to Empower Adolescent Girls" was issued by the State Department, USAID, the Peace Corps, and the Millennium Challenge Corporation. Common to both is an emphasis on girls' education as a solution to the problems faced by girls, and the lack of education as a cause of many of those problems. I will elaborate further about the content of the new focus on girls in the next chapter but here I want to mention how this focus affected the child marriage campaign.

From the very beginning, campaigns on behalf of adolescent girls mentioned child marriage as an impediment to development goals. The attention given to adolescent girls is parallel to that given to child marriage (see Table 5). The theme of the 1st International Day of the Girl Child was "ending child marriage." Preventing child marriage is one of the main goals of Nike's Girl Effect campaign. Nevertheless, although child marriage is an important theme for organizations working on behalf of adolescent girls, the real impetus for the movement against child marriage came in 2011, with the launching of Girls Not Brides by The Elders, an organization founded by global leaders such as Nelson Mandela, Kofi Annan, Mary Robinson, Gro Harlem Brundtland, and Desmond Tutu. Girls not Brides, launched at the annual meeting of the Clinton Global Initiative, is a civil society partnership focusing on raising awareness and developing policy to end child marriage. As of June 2017, Girls not Brides had more than 700 civil society organizations as members in 90 countries, compared to 87 organizations in 20 countries in 2011. All regions of the world with high rates of child marriage are represented in the network. Girls not Brides is funded by a variety of donors, among which are the Ford Foundation, the IKEA Foundation, the Department of Foreign Affairs of Britain, Trade and Development of Canada and the Nike Foundation. It provides a

comprehensive web site on the issue of child marriage, including statistics, a pool of reports, and publications on child marriage, as well as personal stories.

Another important development in 2011 was the Commonwealth Heads of Governments Meeting, where child marriage was on the agenda. In this meeting 54 heads of governments of British Commonwealth countries committed themselves to taking action about preventing child marriage in commonwealth countries.

2011 also witnessed the *National Geographic* story and photograph series by Stephanie Sinclair, "Too Young to Wed: The Secret of Child Brides." Sinclair's work was sponsored by leading organizations working on child marriage, such as ICRW and CARE, and she won UNICEF's Photo of the Year award. Sinclair's photographs received much attention in development circles. In 2012, the photo exhibit "Too Young to Wed" appeared at the UN. In fully half of the interviews I conducted, my respondents referred to her photographs when I asked them to depict the dominant image of child marriage in development circles.

Parallel to the international development agenda, the U.S. government also started to respond to the issue of child marriage after 2011. USAID has published comprehensive reports and guidelines on the issue since 2012. Carla Koppell from USAID told me that, although USAID always had "women in development" programs, now they look at issues related to women and girls in a different way. For Koppell, what is new in the post-2012 context is that gender equality and the advancement of women are now seen as a fundamental need in promoting development. The commitment to child marriage was embedded in this broader push.

In 2012, the U.S. Senate passed the International Protecting Girls by Preventing Child Marriage Act. The legislation opened the way for using U.S. foreign assistance funding to prevent child marriage. In 2013, the Council on Foreign Relations published a report called "Ending Child Marriage: How Elevating the Status of Girls Advances U.S. Foreign Policy Objectives." This report frames the issue of child marriage as an impediment to U.S. foreign policy objectives since it is a threat to the "prosperity and stability of the countries" (Vogelstein, 2013: 2). The same year, the U.S. Congress passed the "Violence against Women Reauthorization Act," which includes provisions about child marriage and urges the establishment of a "multi-year, multi-sectoral strategy to prevent child marriage."

Following the campaigns of INGOs, private foundations and governments, in September 2013 the UN Human Rights Council passed resolution A/HRC/24/L.34, "Strengthening efforts to prevent and eliminate child, early and forced marriage: challenges, achievements, best practices and implementation gaps." With this resolution, the HRC requested a report to guide a panel discussion on child marriage. In November 2013, the United Nations General Assembly (UNGA) adopted another resolution calling for a panel discussion on child, early and forced marriage. This resolution (A/RES/68/148) was co-sponsored by 109 states. The request for reports from states, NGOs and other organizations was reiterated. In 2014, two more resolutions were adopted by the UNGA and HRC. Finally, in 2015, post-2015 development goals (known as Sustainable Development Goals) were adopted; as a result of the advocacy in prior years, the SDGs include a target related to child marriage. The SDGs refer to child marriage under goal 5, "achieve gender equality and empower all women and girls," and

declares that harmful practices such as child, early and forced marriage and FGM should be eliminated to reach that goal.

The report of the Office of the High Commissioner for Human Rights (OHCHR) is a good summary of the current state of the child marriage campaign among multilateral organizations. After the UN resolution of 2013, the UN General Assembly decided to convene a panel discussion on child, early and forced marriage. The panel, which was based on the report of the OHCHR, took place in September 2014. Both the panel discussion and the report demonstrate how the issue is currently framed by the UN. The report is based on submissions by member states, non-governmental organizations, academics and individual consultants. Submissions are based on a questionnaire sent by the OHCHR in 2013. The questionnaire consists of eight questions about the prevalence, causes, and consequences of child marriage as well as national-level policies and programs. Submissions cover the basic national-level statistics on marriage age and the latest legal reforms related to child marriage, as well as action plans. In that sense, it shows the current global picture of child marriage.

The OHCHR Report identifies factors contributing to child marriage, the human rights impact of the practice, and the challenges facing the fight against child marriage. It also calls for specific measures, strategies, and action plans that organizations and states should take. The report pinpoints four general factors contributing to child marriage. The first of these is poverty and insecurity. This factor contributes to child marriage because families do not have the means to provide economic support for children, and marrying girls off is often seen as the only solution. The second factor, which is often associated with the first, is the lack of educational opportunities. This results in a lack of options for

girls, so marriage appears to be a natural path. The third factor cited in the report is "accepted cultural beliefs." This refers to established cultural norms that are difficult for families to resist even if they are willing to do so. Underlying the cultural belief that child marriage is desirable is the notion of family honor, which is often defined in terms of a girl's chastity and the family's (men's) control over her body. Finally, conflict situations appear as another factor contributing to child marriage. The report asserts that, in times of war, families may think it is better for girls to be married so they can be protected from violence, especially sexual violence.

The OHCHR report identifies several issues related to the human rights impact of child marriage. The first concerns the lack of agency and autonomy of girls and young women due to age and power differentials between a bride and her spouse. A related impact is violence, which can take the forms of physical, psychological, economic, and sexual violence. The report holds that the conditions of a marriage in which the bride is a child often "meet international legal definitions of slavery and slavery-like practices, which are servile marriage, sexual slavery, child servitude, child trafficking and forced labor" (p. 8). Another impact of child marriage is its health consequences. Negative health consequences of child marriage stem from "early and frequent pregnancy" as well as lack of information about reproductive health, which in turn leads to increasing risk of HIV and sexually transmitted diseases. Early and frequent pregnancy is cited as the most important cause of maternal deaths and infant mortality. Another impact is the decreasing educational and employment opportunities once a girl gets married. This is mainly due to the new social role the girls have. The roles of mother and wife are not seen as compatible with education and employment.

The OHCHR report uses examples from existing legislative measures to make recommendations for future legal strategies to fight child marriage. It reports that the general global trend sets the minimum age requirement at 18 for both boys and girls. Also, more and more countries prohibit child and forced marriage and bring sanctions against perpetrators. According to the report, another measure that more and more countries use is compulsory registration of all marriages and births. The report cites some countries' regulations on "civil and criminal remedies for victims of child marriage" as good examples. The provisions of the United Kingdom Forced Marriage Act are cited as an example of best practice. The countries[2] that have enacted laws which "impose a criminal penalty for forcing someone to marry or for performing marriages of persons below the age of 18" are also cited, and similar measures are recommended for developing policy in other countries.

The OHCHR report closes with general recommendations for policy and action-plan development in addition to legislative reforms. It repeatedly refers to the need for cooperation among actors at different levels. States, NGOs, women's organizations, religious leaders, and legislators are identified as the most crucial actors for developing action plans against child marriage. It asserts that the plans should be guided by the "best interests of the child," which is defined not only in a "context-appropriate way" but also "in accordance with international human rights standards" (p.11).

This chapter summarizes the history of the movement against child marriage and the major discourses that constitutes the fight against child marriage. The next chapter elaborates further on these discourses by relying on analysis of my interviews.

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[2] The report counts Australia, Azerbaijan and Australia as countries with such laws already enacted and Switzerland and the Netherlands as having similar reforms pending.

Table 1

Interviewees and Events Attended

Interviewees

Name	Organization/Position/Affiliations	Interview Method	Date and Place
Theresa Hwang	CARE (Gender Director)	Face-to-face	October 2015, Atlanta GA
Milkah Kihunah	CARE (Policy Analyst)	Phone	October 2015
Doris Bartel	CARE (Director of Gender and Empowerment)	Phone and Face-to-face	November 2015, Washington D.C.
Suzanne Petroni	International Center for Research on Women (Senior Director for Global Health, Youth and Development)	Face-to-face	November 2015, Washington D.C.
Margaret Greene	Greeneworks (President), Promundo (Chair, Board of Directors), ICRW (Former research director)	Face-to-face	November 2015, Washington D.C.
Judith Registre	Plan International (Program Director, Because I'm a Girl Campaign)	Face-to-face	November 2015, Washington D.C.
Helene Minchew	Internal Women's Health Coalition (Program Officer), co-chair Girls not Brides USA	Phone and Face-to-Face	December 2015
Tanya Khokhar	Ford Foundation (Program Associate, Youth Opportunity and Learning)	Phone	February 2016
Judith Bruce	Population Council (Senior Associate and Policy Analyst in Poverty, Gender and Youth Program)	Phone	February 2016
Jeanne Smoot	Tahirih Justice Center (Senior Counsel for Policy and Strategy)	Phone	January 2016
Carla Koppell	USAID (Chief Strategy Officer and former Senior Coordinator for Gender Equality and Women's Empowerment)	Face-to-face	November 2015, Washington D.C.

Key Events Attended

Event	Date/Place	Key organizations
Girl Summit 2015: A Focus on Solutions to End Child Marriage Globally	November 5, 2015 Washington DC	International Women's Health Coalition, American Jewish World Service, CARE, Center for Global Development, Girls not Brides USA, Human Rights Watch, Promundo, Population Council, ICRW, Peace Corps, Millennium Challenge Corporation, USAID, Council on Foreign Relations
The Economic and Social Impacts of Child Marriage (Panel on findings of the research project)	November 19, 2015 Washington DC	ICRW and World Bank

Table 2:

Excerpt from Table Used for Content Analysis of

INGO Publications, Reports, Flyers

Name of Publication	Year	Organization	Main Focus: Child marriage or Girls?	Global or National Level?	Main framework? What makes child marriage an issue?	Notes/Quotes
Breaking Vows: Early and Forced Marriage and Girls' Education	2011	Plan International	Child Marriage	Global	Negative effect of child marriage on education outcomes (references to Millennium Development Goals)	Combination of rights and development agendas.

Table 3: Interview Coding Scheme and Examples

Code	Example
"Both human rights and development"	"I think there are two pieces and I think it's important we do not give away either one. Because, while there is a lot of international human rights laws that make the case for human rights, that's not going to bring everybody along. So, you really need to have a conversation that brings both pieces [human rights and development] into the dialogue." "When adolescent girls win, everyone wins. The primacy motivation to improve the health of and healthcare for adolescent girls must always be the wellbeing of the girls themselves. But girls are also agents of positive change for their future families and communities."
"Why does it matter?"	"Delaying marriage can improve the health of girls and their future families by delaying sex, pregnancy, and childbearing; boosting girls' chances of staying in school to gain information, skills, and support networks; reducing risks of exposure to violence; and increasing agency and decision-making power. All of these benefits foster more productive, equitable, and just societies."
"Adolescence as a new category of concern" "unique needs of girls"	"We can't wait for girls to become women to deal with issues such as inequality or empowerment," and we should realize that "there is a gap around not recognizing what adolescent girls' specific needs are and how we need to address those gaps"
"Sacred children/child marriage as a non-issue"	"The fact that it is happening to children mobilizes people."
Girls as saviors	"If you want to change the world, invest in an adolescent girl."
Girls as victims/protecting girls	"In many places girls and young women do not enjoy the basic rights of voting, cannot inherit land, are subject to female genital cutting, and do not have the right unwanted sexual advances or gain justice."
Girls as capable/agency of girls	"They're people used to dealing with a crisis, yet somehow managing to still make a difference. We should have absolute confidence in these girls."
Ideal childhood	"… a time that could otherwise be dedicated to growth, learning, identity formation, and experimentation."
Ideal marriage/ideal family	"We must not get married very early. We must study well and then look for a job before marriage…child should come after two years of marriage…gap between two childbirths should be at least three years"
Smart economics/investing in girls	"…when you educate a boy, you educate an individual, whereas when you educate a girl, you educate a family, a community, a nation"
HIV and child marriage	"Child brides have little say in how they practice their sexuality, because of their young age and limited power in the relationship, leaving them unable to negotiate safer sex or refuse sex."
As a health issue	When a girl marries as a child, the health of her children suffers too. The children of child brides are at substantially greater risk of perinatal infant mortality and morbidity, and stillbirths and newborn deaths are 50% higher in mothers under the age of 20 than in women who give birth later.
Child marriage and global security	As such, child marriage undermines U.S. aid investments and foreign policy objectives around the world.
Gender inequality	"Social and gender inequality, a desire to control women's sexuality and protect family honor, economic hardship and lack of awareness of the harmful impact of child marriage are common driving factors."
Girls are altruistic	"Women typically invest a higher proportion of their earnings in their families and communities than men. But they need access to the full range of credit, banking and financial services and facilities essential to more fully develop their assets, their land and their businesses."

Table 4: Key events for adolescent girl movement

Year	Event
2004	Nike Foundation "began investing in girls" (Girl Effect, 2016)
2005	Foundation of the Coalition for Adolescent Girls
2007	PLAN International launches "Because I Am a Girl" campaign" and the *State of the Girls* reports
2007	The UN Interagency Taskforce On Adolescent Girls is launched (UNICEF, UNIFEM and WHO)
2008	Nike launches the Girl Effect campaign
2008	The World Bank launches the Adolescent Girls Initiative
2009	"Girl Effect" panel in World Economic Forum in Davos
2010	Girl Hub launched by Nike Foundation and DFID (Department for International Development – UK)
2010	The UN Foundation launches Girl-Up campaign
2012	First International Day of the Girl Child
2014	Malala Yousafzai wins Nobel Peace Prize
2014	London Girl Summit
2016	U.S. Global Strategy to Empower Adolescent Girls launched

Table 5: Key events for movement against child marriage

Year	Event
1998	Forum on Marriage and the Rights of Women and Girls is established
2001	UNICEF publishes "Early Marriage: Child Spouses"
2005	UNICEF – "Early Marriage: A Harmful Traditional Practice" The Population Council – "Child Marriage in the Context of the HIV Epidemic"
2006	IPPF and the Forum on Marriage publish "Ending Child Marriage: A Guide for Global Policy Action"
2011	The Elders launch Girls not Brides at the Clinton Global Initiative annual meeting
2011	Commonwealth Heads of Government commit to ending child marriage
2011	National Geographic publishes "Too Young to Wed" photo series
2012	The U.S. passes the International Protecting Girls by Preventing Child Marriage Act
2013	First United Nations Human Rights Council resolution on child, early and forced marriage
2013	First United Nations General Assembly resolution on child, early and forced marriage
2014	Second United Nations Human Rights Council resolution on child, early and forced marriage
	Second United Nations General Assembly resolution on child, early and forced marriage
2015	UN Sustainable Development Goals include a provision regarding child, early and forced marriage

CHAPTER THREE

GLOBALIZED CONCEPTIONS OF ADOLESCENT GIRLS

AND CHILD MARRIAGE

In this chapter I discuss how child marriage is framed as a global problem. I analyze the interviews I have conducted with the key players of the movement against child marriage and examine the publications of INGOs such as annual reports, briefs, specific reports on child marriage, press releases, and video recordings of major events such as the Girl Summit.

The emergence of child marriage as an important issue after 2008 is closely tied to the emergence of adolescent girls as the most important subjects and objects of international development in the same period. To understand how child marriage is framed, we should first spell out the specific reasons why adolescent girls became the focus of the international development community. Situating child marriage within this broader focus is important as it is the context within which the movement against child marriage has emerged. Thus, I start with an analysis of how adolescent girls are framed in the period starting with the "Girl Effect" and then continue with the construction of child brides and child marriage in the same period.

3.1. Framing the girl-child

The "girl-child" has been an important figure for the international development community since the second half of the 1990s, especially starting with the Fourth World Conference on Women convened by the UN in 1995 in Beijing, China. The Beijing Declaration and Platform for Action develops specific strategic objectives for the girl-

child in addition to and independently of the objectives concerning women. For the Beijing Platform, the needs and the status of the girl-child should be highlighted since gender discrimination is "so routine as to be both pandemic and virtually invisible in many societies" (Croll 2006: 1285). Section L of the Beijing Platform for Action identifies gender discrimination as the main source of vulnerabilities of the girl-child. Unlike the period starting with the Girl Effect campaign of the Nike Foundation, the girl-child's vulnerabilities are emphasized as factors impeding her potential for development. The focus was still on what international development could do for girls, not on what the latter could do for development.

The Platform specifies nine strategic objectives for the girl-child: elimination of all forms of discrimination against the girl-child; elimination of negative cultural attitudes and practices against girls; promotion and protection of the rights of the girl-child and increasing awareness of her needs and potential; elimination of discrimination against girls in education, skills development, and training; elimination of discrimination against girls in health and nutrition; elimination of the economic exploitation of child labor and protection of young girls at work; eradication of violence against the girl-child; promotion of the girl-child's awareness and participation in social, economic, and political life; and strengthening the role of the family in improving the status of the girl-child (Beijing Declaration and Platform of Action, 1995).

In the 1990s, the "girl-child" was recognized but not integrated into the programs of major INGOs. With the Beijing Platform, girls were considered a distinct social group at a major global conference. The focus was on the vulnerability and accompanying invisibility of girls, while gender discrimination was identified as the main cause of their

vulnerable position. Nonetheless, the literature on the girl-child suggests that the girl-child received limited attention in the 1990s despite being recognized by the Beijing Platform. Croll (2006), for one, points out this limitation in her paper that reviews major INGO documents from the 1990s. She shows that, in the documents and statistics of major international organizations such as UNICEF, either there was no separate category of "girls," or the girl-child was discussed as a part of child-related data without gender disaggregation. Issues concerning the girl-child were subsumed under the categories of "women and children" and "women and girls," while there was no data collected on girls separately. The former category, she argues, "masked the generational and gender disparities or inequalities experienced by girls in relation to both 'women' and 'children'," while the latter almost always focused exclusively on women, not girls (Croll 2006: 1287).

The recent emphasis on girls, what Hayhurst (2011: 532) calls the "girling of development," started in the late 2000s. Unlike the 1990s, this time the focus was exclusively on girls. Nike's Girl Effect campaign carried both symbolic and financial significance for the mainstreaming of adolescent girls in the international development agenda. Unlike the previous period, where the girl's human rights were emphasized by pointing out her vulnerabilities, the period following the Girl Effect campaign highlighted both the vulnerability and the capacity or potential of the adolescent girl simultaneously. The campaign was introduced at the 2008 World Economic Forum in Davos with a short film titled the "Girl Effect." The film fashions an image of the girl as the potential "savior" of our times. It starts with a depiction of a girl who lives in poverty, marries early, has children, and suffers from poor health. Then we are told to imagine an

alternative scenario in which this same girl is given a chance to get an education or a microloan. The alternative scenario suggests that if she was granted a loan, she would buy a cow to help her family. Her cow would grow into a herd, making her a business owner, and she could help the community by, for instance, bringing clean water to the village. In turn she would be respected and invited to join the village council. This would give her political influence so she could convince others that all girls matter and are capable of advancement. As more girls were given the chance to help their families and community, the village would thrive. In consequence, the economy of the country would thrive. Ultimately, the entire world would be better off. The central message here is that making the world a better place must start with the girl; she is the savior of us all. Boys disappear from the discourse since they do not have the characteristics, such as altruism, ascribed to girls. I will elaborate further on the preference for girls over boys by the international community in the next chapter.

In the post-2008 period, this is the main story line that the international community has told over and over again with slight variations. Other films of the Girl Effect campaign revolve around the same theme. A girl is given the opportunity to make something of herself and consequently the world becomes a better place. *The Clock is Ticking*, the second film of the series, highlights the ripple effect of investing in girls. Empowered girls are framed as future mothers who are healthy and educated and thus have healthier, better educated, and economically more successful children. Indeed, this generational ripple effect is the referent of the name of the campaign, the Girl Effect.

In 2014, Nike Foundation announced the "Girl Effect Accelerator," which supports "entrepreneurs leading wildly innovative startups that are positioned to benefit

millions of girls in poverty" (Girl Effect Accelerator, 2014). The companies supported by the program are based in Africa or India and their "missions support adolescent girls earning $2 or less per day." The companies emphasize what the original Girl Effect film tells us: "investing in this demographic in particular can yield astounding returns on investment" (The Girl Effect Accelerator Launches, 2014). Shaifali Puri, the former executive director of the Nike Foundation, states that investing in girls is good business because it expands the reach of the company:

> We're unleashing huge, hardest-to-reach markets. We think of this market as something that is necessary to address, not just nice to address. It's not, 'That's just about girls.' It's about transforming the way businesses operate. (*ibid*.)

Puri's words demonstrate that the "girling of development" is not just about integrating girls' needs into the development agenda or emphasizing their specific needs, but also about the so-called economic potential which the girls can generate, both as producers and consumers.

The Girl Effect campaign is typical of the discourse about girls in the international development context in the 2000s. With the Girl Effect, it became clear that the international development community understood gender equality and women's and girls' empowerment predominantly as a means to economic development. Girls are seen as crucial to economic growth. In this emerging girlhood paradigm, girls are increasingly acknowledged for their capacity as economic agents and as catalysts of larger-scale economic development; they are not simply beneficiaries of development aid or programs targeting them. In this new development discourse, girls appear as subjects of development more than objects of it.

As regards the most recent international development discourse, I identify three interrelated framings of the girl-child as a result of my interviews with key figures of the global movement against child marriage and my analysis of various INGO reports and publications. Since the focus of my study is child marriage, I take into account documents which either specifically address child marriage or devote at least one chapter or section to it. Similarly, the main focus of my interviews is the movement against child marriage. Accordingly, my construal of the discourse on girls rests by and large on research whose main focus is child marriage. This could have been a weakness if my study ignored other areas of concern related to girls. However, as I will show in the next section, child marriage is itself an issue in which various development sectors, such as health, education, and poverty reduction, work together. A great majority of reports on child marriage insist on this multi-sectoral aspect of the issue. Many of my interviewees also framed child marriage as an issue with strong connections to other issues, ranging from economic development to health. Accordingly, I take into consideration key documents that focus solely on adolescent girls in addition to child marriage documents. Among those are key reports from the Coalition for Adolescent Girls, the Girls Count series by the Center for Global Development, and the *State of the World's Girls* reports by Plan International. I also analyze several video recordings of events, summits, and conferences focusing on girls, among which the special session, "Girl Effect on Development" at the World Economic Forum in 2009 takes a major place. Finally, I examine "Girl Rising" (2013), the feature film used by the global campaign of the same name for advocacy purposes, which is supported by such key players as Plan International, CARE, Girl Up

(the UN Foundation), and World Vision. I also refer to the emerging critical literature on the recent interest on girls in development contexts.

I identify three prevalent themes regarding how girls are framed in recent international development discourse. The first theme represents girls as "saviors of humanity." The second theme construes girls "as vulnerable children." According to the third theme, girls are the "carriers of endless potential." Most of the time, these themes appear together. Below I will talk about these themes in detail before I discuss how they fashion the context for the movement against child marriage.

3.1.1. Theme 1: Girls as saviors of humanity

On the webpage of the Coalition for Adolescent Girls, the slogan just below the header reads: "Poverty Ends with Her." This illustrates the main message that the Coalition desires to spread: adolescent girls do need support, but if supported, they can change the world. The task then is to unleash girls' potential and turn them into changemakers by "empowering" them. In various documents and advocacy tools such as films and short video clips, we hear that changing girls' lives is not just about making their lives better; it is also about making better the lives of all. In the film *Girl Rising,* girls are depicted as "holding our future in their hands." They are holding the future because they will contribute to economic growth globally through various mechanisms that I will specify below. In addition to growth, girls are considered the future because if they are empowered, the world will be a safe and more secure place. At the 2009 World Economic Forum's special session[3] on "The Girl Effect on Development," Mark Parker (CEO of Nike) stated that, in addition to stimulating economic development, girls "have

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[3] This special session can be found online at https://www.youtube.com/watch?v=CQc7NZPjqBA.

the potential to affect social stability." In the same session, Ngozi Okonjo Iweala (Managing Director of the World Bank) explained how investing in girls would solve many global problems, among which she counted "the population problem, family welfare problem, climate change problem, and poverty." Iweala stated that the World Bank had been investing in women for two decades, since it was well known that "investing in women is smart economics." Now, she went on to argue, it was time to realize that "investing in girls is smarter economics."

Indeed, investing in girls as smart (or smarter) economics is a recurring theme in most INGO documents as well as films about girls. However, what makes girls worth investing in is almost never thoroughly explained in these documents.[4] Often, the ripple effect of investing in girls is mentioned, as girls are considered to be future mothers and it is assumed (with relevant data, in some cases) that the mother's empowerment— measured as her educational attainment, income or health status—is directly correlated with her children's education, health, and income. Thus, investing in girls is assumed to have an intergenerational effect. Reducing poverty is particularly emphasized when it comes to generational effects. Levine et al (2009: 17) state, ". . . because they grow to be mothers, girls play a key role in the intergenerational transmission of poverty." Some accounts compare educating boys and girls and claim that, when you educate a boy, you educate an individual, whereas when you educate a girl, you educate a family, a community, a nation.

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[4] The only exception to this is a recent study by the World Bank and International Center for Research on Women (Wodon et al. 2014) In this project the economic costs of child marriage are calculated and explained in detail.

Although girls are constructed as future mothers, it is also assumed that if they are supported and get a good education, they will delay marriage and, in turn, motherhood. This will lead to a global decline in population growth. Lowering the relatively high fertility rates in the developing world is considered good for shared prosperity, not least because it would help with such diffuse issues as climate change. Remarkably, *Start with a Girl: A New Agenda for Global Health* by Temine and Levine (2009: 12), a part of the Girls Count Report on Adolescent Girls by the Center for Global Development, states that "declines in fertility through investments in girls' education and family planning lowers carbon emissions at a level comparable to other means of reducing emissions."

Girls are also framed as a special focus of concern for global health, as "the health of girls drives the health of others" and "when girls win, everyone wins" (Temin and Levine, 2009: 14). The first to be positively affected by healthy girls are their babies, as they will be healthier when born to a healthy mother. But it is not only they who will benefit from healthy mothers. Since the majority of HIV-positive people are married adolescent girls, especially in Sub-Saharan Africa, it is claimed that investing in girls is an essential tool to decrease the rates of HIV and other sexually transmitted diseases.

Although investing in girls almost always means investing in their education, the development community highlights other methods as well, Muhammed Yunus's microcredit programs, giving small loans to women to start small businesses, is one of the most championed methods of investment in women and girls. In the "Girl Effect on Development" panel at the 2009 World Economic Forum, Yunus spoke about why he prefers investing in women and girls as opposed to men. His justification is illuminating. Yunus asserts that "they [poor women] pay more attention, prepare their children to live

better lives, and are more consistent in their performance than men" (Yunus, 1997: 72).

In his book, *Banker to the Poor*, he also emphasized women's role as mothers and self-sacrificing domestic figures:

> When a destitute woman starts earning an income, her dreams of success invariably center around her children. A woman's second priority is the household. She wants to buy utensils, build a stronger roof, or find a bed for herself and her family. A man has an entirely different set of priorities. When a destitute father earns extra income, he focuses more attention on himself. Thus, money entering a household through a woman brings more benefits to the family as a whole. (*ibid*: 72)

In the documents of INGOs and private funders such as the Nike Foundation, the motivations about investing in girls, such as yielding high returns, are explicit, whereas the assumptions about what produces higher returns from girls are not. In that sense, Muhammed Yunus's explanation about the superiority of investing in women and girls cited is an exception. Although the development community seems to shape its assumptions based on internalized gender roles, those assumptions are not expressed, probably for fear of sounding politically incorrect. When the key figures who invest in girls are asked about their motivations, they almost always refer to both moral and instrumental reasons. Investing in girls is repeatedly framed as "not only the right but also the smart thing to do." The girling of development is celebrated not only because it is considered a key to solving global problems, but also because "with adolescent girls the case is perfectly clear that the economic and human rights agendas are perfectly aligned" (Levine et al, 2008: 1) In other words, it brings together the two realms that are conventionally considered to be at odds with one another: the realm of the moral and the realm of the instrumental. I will elaborate further on the concurrence of these realms in

the next chapter, while in the next section I will discuss how investing in girls is seen as morally good, or right, for the development sector.

3.1.2. Theme 2: Girls as vulnerable

"There is nobody more vulnerable than a girl. And in far too much of the world, girls still suffer unspeakable things," says the narrator (actor Liam Neeson) in the film *Girl Rising*. Girls are considered vulnerable because they experience multiple vulnerabilities, ranging from violence to oppression to disease. It is important to note that in development contexts the adolescent girls' vulnerabilities are recognized as distinct from those of women or children. The international development community prefers to frame and highlight girls' vulnerabilities in distinct terms. In this section, I will first talk about what makes the adolescent girl more vulnerable in the eyes of the development community. Then, in the next chapter I will discuss why the adolescent girl's needs are deemed distinct from those of women.

Adolescence is conceived as the transitional period when much is decided for the future of the girl. Per Judith Registre (Plan International), "the women's movement dealt with either women or children but failed to recognize the period in between." Registre states, "We can't wait for girls to become women to deal with issues such as inequality or empowerment," and we should realize that "there is a gap around not recognizing what adolescent girls' specific needs are and how we need to address those gaps" (Registre interview, November 2015).

The gap that Registre speaks about emerged as a recurring theme in both my interviews and INGO documents. Many of the key players of the movement against child marriage argue that adolescent girls need to be recognized as distinct; otherwise they remain invisible, since they are neither women nor children (Catherine Russell, Ambassador-at-Large for Global Women's Issues, U.S. Department of State from the talk in Girl Summit 2015 Meeting, November 2015, Washington D.C.).

But what is distinctive about the adolescent girls' vulnerabilities? They experience "a double layer of discrimination: they're girls and they're young" (Riseboro, Women Deliver Conference, 2016). In that sense, they experience the vulnerabilities of women and children at the same time. Gender inequality and gendered social norms are cited as important causes of their vulnerability. For some, one of the main sources of their insecure position is being forced to marry at a young age, which causes adolescent girls to become "vulnerable to HIV, sexual violence, and physical exploitation" (Girls Count, A Global Investment Agenda, 2009). But even when they are not forced to marry, "girls are not seen as worthy of investment or protection by their families" (13). In traditional contexts, girls' sexuality is protected because it represents "family honor," so girls are often socially isolated after they reach puberty. This confines the adolescent girl to the domestic realm where she lacks the resources and networks needed to be healthy and educated. Moreover, domestic or agricultural work takes up most of the adolescent girl's time since her labor is integral to the household economy. Even when girls' legal rights are guaranteed, states are often unable to track them because they are not registered when they are born. In many places, families prefer to register boys but do not feel the need to

do the same for girls. Not being registered can have devastating negative consequences for girls' health, political rights, education, and job opportunities (Girls Count, 2009).

Empowering girls is one the most important policy objectives for global health. This holds particularly true for HIV/AIDS. The Global Coalition on Women and AIDS reports that in 2005, 75 percent of young people (ages 15 to 24) living with AIDS in Africa are females and each year the rate is increasing. Girls are particularly vulnerable to HIV because "of limited knowledge of HIV risk and the means of prevention and treatment, physical vulnerabilities, lack of information about their HIV status, and lack of power to protect themselves within unequal relationships" (Girls Count 2009: 52). Child brides are at a relatively higher risk of HIV for the same reasons (Girls not Brides, Four Facts You Need to Know, 2016). HIV/AIDS is not the only health issue that the development community emphasizes concerning girls. Child marriage and early motherhood have other detrimental effects on girls' health, such as maternal mortality, complications in pregnancy, mental health problems, and sexually transmitted diseases.

Girls are also considered particularly vulnerable because they are systematically exposed to various forms of violence. This includes marital and non-marital rape, domestic violence, and sex trafficking.

3.1.3. Theme 3: Girls as capable

The "untapped potential" of girls is one of the most cited arguments for why investing in girls is smart economics. But what exactly does this potential signify? What is different about girls' capacity compared to that of boys? In the World Economic Forum's plenary session on girls (2009), Cherie Blair, the former first lady of Britain,

answered a question about how the development community affirms commitment to the

girl effect by arguing that girls are the strongest people in their society. She continued:

> They're people used to dealing with a crisis, yet somehow managing to
> still make a difference. We should have absolute confidence in these girls.
> It makes absolute sense to invest in them. They're not asking us for our
> pity. They're just asking for us to enable them to do what they're already
> doing, but they could do so much better with our help (Davos Annual
> Meeting 2009 - The Girl Effect on Development).

Blair's response illustrates the development community's celebration of the

resilience of girls even when they live under the harshest conditions. Girls are

constructed as tough and having "the self-determination required to begin better lives"

(Girls Speak 2010: xvii). Even under harsh conditions, they strive for change. What they

need is some help to overcome obstacles. Girls are vulnerable not because they do not

know what is good for them or because they have "wrong" aspirations but because they

do not have the necessary means to realize their dreams and aspirations. *Girls Speak*

(2009), another publication from the series Girls Count by the Coalition for Adolescent

Girls, reports the findings of a literature review on what girls themselves want.[5] This

report also illustrates the kinds of aspirations of girls that are celebrated by the

development community. Since the report relies not on actual research but on a review

of "all relevant material," academic and non-academic, there is good reason to believe

that it is selective in its reporting of how girls see themselves and envisage their own

future. In this regard, it exemplifies the kinds of propensities of girls that are welcomed

by the development community.

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[5] The sources of the report are summarized in the following way: "This analysis reviews published and
unpublished surveys, interviews, focus group discussions, anthropological studies, peer-reviewed articles,
and programmatic reports on girls ages 10-19 in the developing world." (Girls Speak, 2010: 27)

Girls Speak repeatedly emphasizes that the ideas of girls should be taken into consideration while developing interventions to empower them, because they "are full of ambitious, powerful ideas" about how to change their lives. Asking girls themselves about policies also "adds moral authority" (Girls Speak, 2009: xvii). Accordingly, much of the report is devoted to girls' understandings of themselves and their ideas about how to build better lives. The report constructs girls as craving what every human being wants: progress and self-reliance. In that sense, girls' aspirations are conceptualized as universal.

Girls Speak also identifies a common theme in its analysis of girls' dreams and aspirations: they find "a shared inability to make decisions about their own lives even though they know what they need" (*ibid*: 6). Girls' aspirations are clustered around education, health and economic empowerment; the six most common aspirations are delaying marriage and childbirth so they can continue schooling; access to nutritious food and basic health services; control over sexual health; freedom from sexual violence; being educated about HIV/AIDS; and access to paid work. In the report, stories about how girls want to be educated and earn their own money take up the most space. Teachers and female-planning workers, such as NGO practitioners, are cited as the best role models for girls as they exemplify "female mobility, respected employment, modern dress, fertility control."

Social norms about gender and sexuality, as well as families and communities that enforce those norms, are mentioned as barriers to the realization of girls' dreams. It is frequently emphasized that girls themselves want to be individual actors shaping their own lives, but the social context wherein they are situated is an impediment to that end.

Furthermore, although individualism is a well-received propensity, girls are valuable for development also because of their importance in social contexts: families, communities, countries. Their role as mothers is also a key to positive global social change. Thus, in addition to their dreams as individuals, their aspirations as regards their families and communities are also highlighted. The following paragraph summarizes how the role that is tailored for girls constructs them as having individual objectives in conjunction with aspirations about their families and communities:

> Girls aspire to be productive, financially secure, contributing members of their societies. The reasons girls cite for earning an income include financial independence, the ability to pay school fees, to buy school supplies and other material goods, to own land, to care for their children and parents, to increase their power within marriage and leave bad marriages, and to help others in their community (Girls Speak, 2010: 28).

The construction of adolescent girls as individuals aware of their needs and the bearers of the potential to change their fates, rests on the possibility of framing them as a distinct social group. As suggested by Judith Registre (Plan International), Theresa Hwang (CARE), and Margaret Greene (GreeneWorks) (personal interviews, November 2015), we should distinguish adolescent girls from other categories such as children, women, and youth. This position has some pragmatic motivations, such as stepping away from political controversies associated with women's issues. (I will elaborate on this further in the next chapter.) For the time being, it is worth stressing that, apart from instrumental reasons, adolescent girls are differentiated as a distinct group on account of their potential to change the world. Girls "already know what we [the development community] know" (*Girls Speak*) and are very resilient. In the film *Girl Rising* (2013), we hear the stories of nine girls from Haiti, Nepal, Ethiopia, India, Egypt, Peru,

Cambodia, Sierra Leone, and Afghanistan. Common to all these girls is the experience of poverty, lack of resources, some form of violence, instability (war or natural disaster), and harmful social practices. But what is further shared by all is their "refusing to give up." Each girl knows that "this is her story to write. She is the author" (Girl Rising, 2013). Although there are differences in the ways they want to write their stories, each story is driven by a desire to "realize their human potential." In the film, some of the girls come to appreciate their potential through art (poetry, drawing, and music are some examples in the film), others through persistently seeking better educational opportunities. The film ends with the story of Amina from Afghanistan, who was forced into marriage at the age of eleven. We are told that Amina could not resist marriage but is now getting ready to go back to school. Amina represents vulnerability and strength simultaneously. The final scene of the film citing Amina's words is possibly the best summary of how the development community constructs adolescent girls:

> I have not forgotten my vow. Change is coming. I will read. I will learn. I will study. I will return to school. I dare you to tell me it is waste of time. If you try to stop me, I will just try harder. Put me in the bed, I will climb out. If you kill me, there will be other girls who will rise up and take my place. I will find a way to endure, to prevail, a future of man lies in me and this is the future I see.

In the next section, I will discuss how those three themes connect to the emergence of the global movement against child marriage.

3.2. Framing child marriage

In every campaign about girls' empowerment, the elimination of child marriage is cited as one of the best solutions to the problems faced by girls. The period in which the movement against child marriage gained momentum overlaps fully with the history of the "girling of development." As mentioned in the first chapter, child marriage has been a

focus of international treaties and agreements since well before the movement got

underway. It also gained some recognition in the late 1990s following the Beijing 1995

Fourth World Conference on Women. The differences in the period after 2008 are the

global and unified character of the movement as well as the framing of child marriage.

Similar to the framing of girls as saviors and victims simultaneously, key players of the

movement against child marriage justify their opposition to it on two bases: moral and

instrumental. Moral justifications against child marriage are more characteristic of the

period before 2008, while instrumental justifications are more prominent in post-2008

period. Instrumental justifications are arguably helpful to bring global attention to the

issue due to reasons I will discuss in the next chapter.

As I discussed in the first chapter, in the 1990s, child marriage was mainly framed

as a human's rights issue from within the "harmful cultural practices" perspective. With

reference to the earlier international treaties such as CEDAW and the CRC, the

devastating effects of child marriage on women's and children's rights were highlighted

by the few international organizations working on the issue. Moschetti (2005) discusses

the history of the international feminist movement's involvement with child marriage.

Her study covers the period from the 1920s to 2005 but mainly discusses the interwar

period, when a small number of British and Indian feminists problematized child

marriage as a form of sexual slavery and a form of control of female body. However,

Moschetti argues, those feminists were marginalized; the majority of feminists did not

take up the issue. For Moschetti, the reason for the reluctance to problematize child

marriage was concern over being deemed imperialists who did not respect national self-

determination. In the interwar period, both British state officials and feminists

conceptualized marriage as a private affair and a conjugal right. Moschetti argues that the only feminists problematizing child marriage at the time were a few self-identified lesbian feminists who were marginalized within the feminist movement. The post-1950s period was also not supportive of those concerned about child marriage. This period was marked by the sexual revolution and many international feminists took the sexual libertarian position, conceptualizing child marriage as a matter of choice. Moschetti argues that the dominant ideology of cultural relativism within international feminism is key to understanding the reluctance of Western feminists to recognize child marriage as a harmful practice rather than a matter of personal choice. She argues that the lack of explicit references to child marriage in the CRC and CEDAW can be understood in relation to the ideological hegemony of the cultural relativist position. Even though the UN counted child marriage as a harmful practice in 1995, it did not receive much attention for the same reason. Moschetti says that only with the conceptualization of child marriage as related to high rates of HIV/AIDS infection did it start to become a visible issue.

Moschetti's historical review of the problematization of child marriage provides a good entry point into understanding the current movement against child marriage. Her analysis covers only the period until the early 2000s. I start my story of the international movement against child marriage at her stopping point. Although there are not many documents from that period focusing exclusively on child marriage, an analysis of existing reports by major international organizations such as UNICEF and the Forum on Marriage and the Rights of Women and Girls reveals that some issues through which

child marriage was opposed are reproductive rights, right to education, violence against women, and women's autonomy.

In the period after 2008, some of those issues have lost prominence or even disappeared completely. Sexual and reproductive health is one such issue that is no longer a part of the conversation on child marriage. For Tanya Khokar, the sexual and reproductive health aspect of child marriage is considered "sensitive" and "political" by the governments and local NGOs in some contexts, such as Pakistan and Bangladesh, and that impedes "receiving funding and support" (Tanya Khokar, Ford Foundation, personal interview, November 2015).

Another major shift in the framing of child marriage from the 1990s to the post-2008 period concerns the terminology that the development community uses. Documents from the1990s predominantly prefer "early marriage" over "child marriage." Judith Bruce from the Population Council, who is cited as the person who coined the term "child marriage," states that the shift in terminology was highly controversial (Bruce, phone interview, January 2016). In the early USAID meetings concerning child marriage, people raised objections to using the term "child." Bruce argued that using "early" instead of "child" has a normalizing tone in which marriage is seen as an inevitable outcome and also as a safe space. As I will show below, starting from the mid-2000s child marriage became the preferred term. Finally, the recent movement frames child brides as more than mere victims; their agency is increasingly emphasized. Although this does not mean giving up victimhood framing altogether, it signals a shift in how girls are depicted by the development community.

Below, I will first discuss the moral basis of the movement against child marriage. Then I will discuss how child marriage is problematized with respect to an economic instrumentalist logic. Although, these two justifications exist simultaneously, the former is representative of the pre-2008 period while the latter is the story of post-2008.

3.2.3. Moral Basis for opposing child marriage: The Sacred Child

Although instrumentalist justifications against child marriage gained prominence after 2008, the moral basis has hardly disappeared. Moral justifications against child marriage are derived from a general human rights agenda. The fact that children are involved makes a strong case for the movement, for children are seen as having special moral status. In this regard, the movement emphasizes the fact that marriage happens to *children* and robs them from a *normal* childhood. Another basis of moral justification is the presentation of the issue as an apolitical one. The movement, emphasizing helping children, seeks to present the issue as above and beyond political divides. Below, I first discuss how a specific conception of childhood is the key to moral justifications of the movement. Then I discuss how the movement constructs itself as an apolitical one to gain more moral authority.

The development community frames child marriage as an agency-depriving practice which "robs girls of their ability to reach their full potential" (Mathur et al, 2005: 4). Not only can girls not resist their families' decisions since they are not autonomous, but because they get married when they are children, they experience further difficulties in becoming autonomous individuals. Because of child marriage, girls are "isolated, often with their freedom curtailed, frequently feel disempowered." ("What is the Impact?" 2017). On the other hand, child marriage itself is a problem that originates from

the fact that girls/children are not regarded as autonomous individuals in the first place. Their decisions, dreams, and aspirations are not respected. By contrast, for the development community, girls' dreams and aspirations should be validated. As mentioned above, girls/children are constructed as inherently knowing what is good for them. If left to themselves, they will make the right choices for their lives. Most of the time what they wish to do is to continue their education, be involved in the arts, or just be able to play.

The anti-child marriage movement's representation of ideal childhood most certainly involves being in school. The "girl' in Girls Not Brides almost always refer to a girl with a school uniform. Although education is often seen as a means to an end, i.e., higher earnings, a better job, or being a healthier mother, it also implies a stage in life when one's job is simply "learning." Here learning is construed as valuable for its own sake:

> Child marriage prevents girls from leading healthy and productive lives; it imposes motherhood and domestic roles on girls early in their adolescence, a time that could otherwise be dedicated to growth, learning, identity formation, and experimentation. (Greene et al. 2015: 3)

An ideal childhood is one in which the child is able to develop her full human potential mainly through education. Developing human potential has intrinsic value beyond any instrumental benefits. In the "Girl Effect on Development" panel at the World Economic Forum in 2009, Mark Parker (CEO of Nike) insisted that investing in girls has an "emotional side" in addition to the "practical side."

> We are in the business of unleashing and maximizing human potential. Human potential is, should be, one of our main goals. For everyone in the room. We give the opportunity to the most important agents of change; an opportunity to realize

their potential. We don't create that potential, we see it, we value it, we try to enable it.[6]

Accordingly, one of the reasons child marriage should be eliminated is that it is an impediment to an ideal childhood through which an ideal individual is created. In that sense, child marriage interrupts the ideal life course of the individual. In addition, it hinders the formation of an ideal family. Although the development community avoids explicitly defining an ideal form of family or marriage while discussing child marriage, analysis of the goals of intervention programs or references to desired outcomes reveal idealized depictions of marriage and family. An ICRW report, "More Power to Her: How Empowering Girls Can Help End Child Marriage" (Warner et al., 2014) presents findings from four different case studies of how to prevent child marriage and how girls themselves initiate change. The programs, implemented in four countries by four different organizations, reveal that the "self-transformation of girls" through "enhanced knowledge and skills" is the most important strategy to fight child marriage. The report cites the "enhanced aspirations" of girls and their expectations concerning the kind of family they envision for themselves. The following quote from an interview with a program participant from Egypt is given as an example of how programs promote enhanced aspirations for a "healthy family":

> I want to marry an educated man who has a job and is about the same age as me. I want my husband to be decent and caring. I want to have an independent life and live in our own house, not with his parents, and raise two beautiful children. (Warner et al 2014: 12)

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[6] The panel discussion can be accessed at https://www.youtube.com/watch?v=CQc7NZPjqBA.

Another girl, who is cited as a success with respect to the program's efforts to raise self-awareness, said:

> We must not get married very early. We must study well and then look for a job before marriage…child should come after two years of marriage…gap between two childbirths should be at least three years (Warner et al 2014: 13)

For the movement against child marriage, the ideal family is one in which girls are educated and marry after age 18, the parties have equal decision-making powers over family matters and are close in age, and they postpone having children. Also, an ideal family should protect its members' health and agency.

Because of its negative consequences, child marriage is a practice from which girls need protection. They need to be protected mainly because they have to be old enough to make informed decisions or give meaningful consent before they marry. They cannot be fully autonomous as "complete autonomy is neither feasible nor desirable for most minors, who should be supported and protected by parents or guardians, teachers and other duty bearers in society" (Warner et al, 2014: 8). If parents make those decisions for them, as in child marriage, then girls should be protected from their families. Greene (2015: 3) remarks that child marriage happens where young people have little autonomy, because in those contexts "they are taught from a young age to 'respect their elders'—typically older relatives such as grandparents, aunts and uncles—who make many of life's big decisions." Thus, families of girls are described as the ones who ought to "support and protect" them yet those very families do not recognize their autonomy.

The main message in all of the stories told above is that girls need protection from child marriage to be able to exercise their rights and experience a proper childhood. The ideal notions of childhood contrast with the life of a married child, and this is where the

movement finds its moral authority. In the next chapter, I will discuss the global cultural principles that constitutes the movement's notion of an ideal childhood and grant it moral authority. Here I will discuss another source of moral authority, namely the claim to be an *apolitical* movement.

As discussed above, the movement to reduce child marriage designates a narrow female category, adolescent girls, i.e., those between 10 and 18 years of age. However, this framing has helped separate the movement for adolescent girls from the contested terrain of the broader women's movement. For the movement against child marriage, the use of the term "child" is an intentional, strategic choice. As Judith Registre (Plan International) told me, "I think children's issues cannot be political per se. There is a certain moral imperative that is so obvious. You make it a moral issue. I think that changes everything" (personal interview, November 2015).

Discussing child marriage as a moral issue and emphasizing the fact that the focus of concern is *children* was a crucial means of overcoming the contested character of the issue. As Lakshmi Sundaram (Executive Director of Girls Not Brides) related, until 2011 child marriage was a taboo subject in development circles (Girls Not Brides 2016: 1). It was considered a deep-rooted cultural matter and only some feminists were working on it. When Nike and other private players came in to change this taboo, mainly for instrumental reasons, shifting to the category of "children" was advantageous because of the "obvious" moral character of the problem. This explanation came up in several interviews, including those with Greene, Koppell, Registre, Bartel, and Bruce (see Table 1 for details).

For many feminists, marriage is an institution in need of critical examination. For the movement against child marriage, this is not so much the case; rather, marriage needs to happen under proper conditions. Among those conditions, age is the most crucial element because the basis of a proper marriage is the informed consent of both parties. Almost by definition, a child is not capable of informed consent, and legal systems universally embody this principle (but vary in terms of the age of adulthood). Once a girl becomes an adult, informed consent is assumed to be possible, and marriage becomes a legitimate decision. For the key players of the movement, the goal is not to criticize marriage as an institution but to provide the conditions for girls to be able to delay marriage at least until they are 18 years old, i.e., adults. This is a viewpoint that the early documents on child marriage (such as the publication of the Forum on Marriage and the Rights of Women and Girls, 2001) and the post-2008 documents share. In 2001, the Forum stated that "The Forum does not advocate *against* marriage but *for* the recognition and support of the human rights of girls and their right to full and free consent to any action which impacts on their lives" (The Forum, 2001: 4, emphasis in the original).

According to Registre, "the discourse is delaying marriage to after 18 now. We are trying to create this global generation now. Not delaying marriage forever but up until a certain age" (Registre, personal interview, November 2015). She went on to say that "we have to advance the value of an educated girl but not be against being married." By positioning itself "not against marriage," the movement signals that it is not "oh, those feminists" with "extreme political agendas;" rather, they are concerned people trying to correct a moral violation. The same logic applies to movement members avoiding using terms that are considered "too strong," such as patriarchy.

An anecdote from the Girl Summit 2015: A Focus on Solutions to End Child Marriage Globally,[7] illustrates how "feminist terminology" is generally kept out of such meetings. During her talk, the panelist Sike Bille (Founder of Association for the Struggle Against Violence Against Women - Extreme North, Cameroon) stated that the patriarchal social norms that define marriage as a safe space, and the structural adjustment programs forced upon Africa, are the two root causes of the problem of child marriage. She argued that patriarchy is the main cause because it is a system "that protects the dignity of the male." Structural adjustment is an important factor because it eliminates free education; families cannot send their children to school even if they want to. This forces girls, Bille suggested, into child marriage.

Such rhetoric was noticeable for its rarity at the Summit. The speaker after Bille, Jacqueline Hart (Vice President for Strategic Learning, Research and Evaluation at American Jewish World Service) thanked her by saying that "I was thrilled to hear you use the word patriarchy, thank you," which drew chuckles from the audience. This was an extraordinary moment in which prominent figures in the movement against child marriage demonstrated an awareness of the kinds of framings excluded, intentionally or not, from their discourse. Bille sounded different from other panelists in that she explicitly identified those responsible for the child marriage practice. This is not the usual tone or approach of the movement against child marriage. By drawing boundaries between itself and the broader feminist agenda, the movement has gained legitimacy vis-à-vis groups and forces suspicious of feminism.

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[7] I attended the Summit and had the chance to talk about this moment with other participants after the event. The Summit can be accessed online at http://www.cgdev.org/event/girl-summit.

The same applies for discussing globalization or "neoliberalism," as Bille did. The early movement against child marriage discussed the possible effects of globalization and commercialization on family structures and early marriage. Although the post-2008 movement cites poverty as one of the major causes of child marriage, it does not discuss the causes of poverty. In contrast, the Forum on Marriage and the Rights of Women and Girls (2001: 8) declared the following:

> Increasing urbanisation and globalisation has resulted in the crumbling of family structures and with this family ties and obligations. Poverty and commercialisation expose the most vulnerable individuals to exploitation and abuse whether of their labour or sexuality. There is evidence that in some parts of the world early marriage is on the increase. Parents may be forced by poverty to marry off their daughter in the hope of giving her a better life and of reducing the numbers draining their family's meagre resources.

The choice to avoid targeting major social institutions or norms[8] such as globalization, marriage, or patriarchy is also evident in the preferred term that the movement uses: child marriage. As stated above, "child" is a sacred category whose special and vulnerable status is almost universally recognized. Note that visuals used in documents about child marriage normally depict girls as very young children married to older men. Stephanie Sinclair's Child Brides photograph series featured in National Geographic (June 2011) is illustrative of the images used by the movement: very young girls as vulnerable victims.

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[8] The World Development Report 2015, "Mind, Society, and Behavior," discusses how "processes of the mind" and the "influence of society" (social norms) affect development outcomes. It is a call to take "human factors" into consideration when designing development policy. The turn to social norms is celebrated as a novel approach in development circles, which are conventionally dominated by assumptions of rational-actor models. During my fieldwork, the social norms perspective was rarely to be seen, although Margaret Greene argued that this perspective would determine the future of the child marriage movement and interventions developed to reduce child marriage. Women's organizations have been employing the language of economists but now they may start using sociological concepts like "social norms" because (behavioral) economists think they are relevant.

Another term excluded by the movement is "forced marriage," which "is a sensitive issue to deal with" (Koppell, personal interview, November 2015). "In case of forced marriage, you may have to intervene in the name of adults," and "because of the authority that comes from 'child' and the cleanness of the issue, the movement against child marriage wants to distinguish itself [from the forced marriage movement that exists in Europe]" (Margaret Greene, personal interview, November 2015). Recognition of the moral authority that "child" brings to the issue was there from the very beginning of the movement. Suzanne Petroni (Senior Director for Global Health, Youth and Development in ICRW) told me that in the late 1990s, while she was working at the U.S. State Department, child marriage was a way to address other issues. She described the child marriage effort as a non-political movement from the very beginning, sometimes with the intention of concealing political concerns:

> Part of the genesis for raising awareness about the issue frankly comes from the fact that in the late 1990s, the conservatives in our U.S. Congress clamping down on adolescent reproductive health programs and there are a lot of concerns about that and so the late 90s to the Bush administration, talking about child marriage and the fact that girls are having sex within marriage and the by the way girls are being married at the age of 14-15 years old, was a way to address these issues. (Petroni, personal interview, November 2015).

To conclude, moral justifications against child marriage rely on a human rights perspective with a particular focus on women's and children's rights. From this perspective, marriage deprives girls from variety of rights, from reproductive to political to social. While emphasizing the negative consequences of child marriage in terms of human rights, the movement prefers to build an apolitical language. Since marriage is a controversial political subject, the movement highlights the fact that it is bad *because* it

happens to children. In that way, it can present its cause as a moral one as opposed to a political one. I will discuss possible reasons for this in the next chapter.

3.2.1. Instrumental basis for opposing child marriage: post-2008

As mentioned before, the launch of the Girl Effect campaign is one of the pivotal moments for the movement against child marriage. With this campaign, the issue was framed as one of the most important problems of our times: child marriage limits girls' potential but they are now celebrated as the saviors of humanity. With the declaration of Child Marriage as the theme of the International Day of the Girl in 2012, it became clear that the issue is now on the table for all players in the development sector. The previous year, in 2011, the Elders had launched Girls Not Brides, which made the issue very visible. As Theresa Hwang argues, 2011 was the year the global movement against child marriage gained international recognition (Hwang, personal interview, October 2015).

In the report, "It Takes a Movement: Reflecting on Five Years of Progress towards Ending Child Marriage" by Girls Not Brides (2016: 3), Lakshmi Sundaram, the executive director of Girls Not Brides, states that "back in 2011, child marriage was still very much a taboo subject." Although she does not spell out what made it a taboo subject, other sections of the report, as well as many of my interviews, reveal two main reasons. Earlier, child marriage was seen as a cultural practice and the people working on the issue were predominantly feminists or activists. Together with the new era of the movement against child marriage, both of these features have changed. Now, although the conventions heavily emphasize its human rights aspect, for the majority of the key players the problem is framed not as merely a human rights but as an economic development issue. As Judith Registre states, once it entered into the economic

development agenda, "it became acceptable" (Judith Registre, Plan International, personal interview, November 2015). Registre's answer to my question about the shift from an emphasis on women's rights to an emphasis on adolescent girls illustrates the shift perfectly:

> We had the UN Resolutions, the CEDAW, CRC but they kept the conversation to those who already believe in it. It [the Girl Effect campaign] takes the conversation around the mainstream, making it a political, social, economic issue in a way that [it's not just like] "oh those activists." So, the activist discourse is quite fundamentally different than the mainstream discourse that [the latter] is this is good for economic development. (Registre, interview, November 2015)

Both the interviews I conducted and my analysis of INGO documents confirm Registre's observations. In the documents, regardless of the main focus of the organization, child marriage is treated as an economic development issue. My interviewees represent a wide array of players working on child marriage, from feminist research organizations to private donors. They also include state agencies, private consultants, and major multilateral organizations such as UNICEF. Despite this diversity, in all of the interviews, the economic development implications of child marriage were either explicitly cited as the main issue regarding child marriage or economic issues related to child marriage dominated the entire interview, mostly in connection with the issue of lower educational attainment. Finally, economic development framing is accompanied by a reference to the human rights aspect. In all of the interviews, the notion that ending child marriage is "not just the right but the smart thing to do" appeared, not in exactly the same words but in very similar forms. Some people, such as Judith Bruce, were quite self-reflective about the need to make the economic case

stronger. She argued that "we must frame child marriage as more than a cultural practice and underscore its economic determinants and consequences" (Bruce and Erulkar: 319).

The following quotations from different organizations illustrate this central theme. Ending the tradition [child marriage] is more than a moral imperative; research shows that early marriage results in reduced schooling, limiting girls' economic potential (Tzemach and ElHareke, 2014).

o The practice of child marriage has long been considered a violation of human rights. The moral case against this practice—which robs young girls of their education and economic potential, exposes them to sexual violence and abuse, increases their likelihood of early childbearing and contraction of HIV, and prematurely ends their childhood—is powerful. However, in addition to the human rights implications of early and forced marriage, this tradition traps girls and their children in a cycle of poor health, illiteracy, poverty, and violence that has consequences for development, prosperity, and stability. As such, child marriage undermines U.S. aid investments and foreign policy objectives around the world (Vogelstein, 2013: 13).

o Child, Early and Forced Marriage is a violation of human rights, as well as an impediment to social and economic development (Glinski et al, 2015: 4).

o Child marriage is both a human rights violation and a barrier to development. (Mathur et al, 2013: 1)

o Child marriage is a violation of human rights and a deterrent to development (UNFPA 2012: 8).

The main link between child marriage and its economic consequences is education, a subject that is universally championed by the international development community. Education, particularly of girls, is hardly a new topic for international development, but child marriage is especially important for education since girls drop out

of school to be married or they never enroll because of gender norms that envision them as mothers and wives only.

However, there is no agreement in the development community about the direction of the causal relationship between education and child marriage. Some INGO publications cite research findings which claim child marriage is one the main causes of school drop-outs (Myers and Rowan, 2011), while others regard this claim as a myth and argue instead that "early marriages are more likely to be consequences rather than causes of girls leaving school early" (Lloyd and Young, 2009: 27). Nevertheless, there is a consensus about the close relationship between child marriage and education. In that regard, the movement against child marriage is instrumental for realizing the global goal of increasing girls' education, which in turn is seen as instrumental for economic growth.

Declining child marriage rates are assumed to be positive for economic growth mainly because of the link between child marriage and education. However, education is not the only domain that is associated with "the economic costs of child marriage." The joint research project by ICRW[9] and the World Bank, named "Costs of Child Marriage," focuses on other aspects of the relationship between child marriage and economic development.[10] In November 2015, the World Bank and ICRW organized "The Economic and Social Impacts of Child Marriage Conference" in Washington, D.C, to discuss the initial findings of the project.[11] In his opening speech, Keith Hansen, the

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[9] This partnership and the focus of the project is especially significant in that the ICRW was one of the first organizations working on child marriage from a feminist/human rights perspective in 1990s.

[10] The project has a regularly updated website which includes recent findings and next steps: http://www.costsofchildmarriage.org/

[11] The video recording of the conference can be found online: http://live.worldbank.org/economic-social-impacts-child-marriage

World Bank Vice President for Human Development, framed child marriage as an

economic problem:

> These issues may strike us as issues of morality or human rights but ultimately in
> development one of us will have an economic argument to get a seat at the table.
> That's why we are here today.

He finished the same speech by mentioning how investing in girls and fighting

child marriage is about "shared growth and prosperity for everybody, not just girls

affected."

The Costs of Child Marriage project investigates the economic impacts in five

different areas: fertility/population growth, health/nutrition/violence, education

attainment/learning, participation in the labor force/type of work, and

participation/decision-making/investments. These are hypothesized to affect three

economic domains: earnings/productivity/consumption per capita, private/public

expenditures, and non-monetary/social costs. The project first explores the effects of

ending child marriage globally by 2030. Then it calculates the effects on economic

domains with reference to data mainly from Niger.[12] Initial findings suggest that ending

child marriage would have a very strong effect (between 5 to 16 percent) on decreasing

population growth and increasing educational attainment globally. Ending child marriage

has a "somewhat strong" connection to earnings, and a "strong but partial" effect on the

health and nutrition of women. The findings about economic impacts suggest that ending

child marriage is linked to earnings, productivity and welfare mainly because "slower

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[12] The Costs of Child Marriage Project collects data on 20 countries but as of May 2017, only findings
from Niger are reported. In a preliminary findings report, the authors indicate that other countries show
similar effects but do not share specific findings (Wodon et al, 2015).

economic population growth will generate welfare gains for the population" and "smaller

cohorts of young children will generate budget savings for education and health." Ending

child marriage should generate higher earnings mostly via education: better educated

women earn higher wages. Finally, countries are expected to benefit from lower

population growth with the elimination of child marriage. The total calculated effect of

"lowering population growth alone could reach PPP US $ 1 Trillion per year 2030"

(Wodon et al, 2015).

The partnership between ICRW and the World Bank epitomizes how the

movement against child marriage has made a case for itself. Rationalization of the

movement with respect to instrumental causes is explicit. This has implications for the

moral dimension and Petroni claims "it carries a huge advocacy potential" (Petroni,

personal interview, November 2015). Informing the world about the economic costs of

child marriage is in itself good for the moral cause. It is the only way to make an impact.

Once governments realize that preventing child marriage is good for them economically,

they will be more willing to develop policies to prevent it. Besides, it is not only

governments who will be impressed by evidence showing a clear connection between

child marriage and economic costs; the families of the girls will also see the benefits of

sending their girls to school. The implicit assumption here is a that of a rational actor

calculating costs and benefits. For the development community that kind of instrumental

rationality is universal.

The Costs of Child Marriage project demonstrates the economic rationale behind

the global motivation to end child marriage, but it omits another instrumentalist

motivation: global security. Although not expressed as explicitly or frequently as the

economic-costs argument, child marriage is cited as a global security issue as well as a

foreign policy issue, particularly by the U.S. In an infographic video prepared by the

Council on Foreign Relations (Child Marriage Infographic, 2014), Donald Steinberg, the

CEO of World Learning and Former Deputy Administrator of USAID, said:

> Issues related to human security, issues like child marriage are simply not soft
> issues. They are issues that can affect the stability of countries; they are issues
> that can affect the economic development of these countries. They are every bit as
> dangerous as wars over natural resources, or wars that result from cultural
> differences. We as a global community not only have a moral interest in
> protecting young girls, but we have our own security interests at heart.

The Council on Foreign Relations frames child marriage as a major issue for U.S.

foreign policy interests. A report by the Council states that "U.S. interests in stability and

security are undermined by the practice of child marriage" (Vogelstein, 2013: 18). The

correlation between child marriage and domestic violence is one of the mechanisms

through which child marriage undermines stability. The report cites recent research that

shows domestic violence is correlated with "civil strife and conflict" (18), also

mentioning a correlation between high rates of child marriage and state fragility. Finally,

the report frames child marriage as an undermining factor for U.S. development

investments in the areas of health, education, growth, and governance. It claims that

ending child marriage is necessary "to maximize returns on its aid investments and

promote stability in crucial parts of the world" (22).

The economic development argument and the global security argument make an

instrumental case against child marriage. Although the human rights aspect is also

emphasized, it is not seen as strong enough to realize the goal of ending child marriage in

one generation. Even for organizations such as the ICRW, which has historically focused on gender inequality, the economic argument dominates.

What accompanies this instrumentalist economic argument against child marriage is a conception of heroic child brides. As with adolescent girls, child brides are constructed as heroes who are determined to change their lives even under the most disheartening of conditions, but they are also constructed as victims who are deprived of their childhood and in need of protection. I talked about their conceptions as victims in previous section. Below, I will talk about child brides who are heroines.

Although the movement sees child marriage as constraining the agency of child brides and denying them meaningful exit options, stories about successful girls and women who were *once* victims of child marriage fill the pages of INGO documents. In global events about child marriage, such as the Girl Summit, we almost always see a former child bride as one of the speakers. Usually, the profile of the former child bride includes a women who was able to change her life through education and became a devoted activist fighting against the practice. One remarkable example is Sonita Alizadeh, who is among those that Girls Not Brides refers to as "Our Champions" (alongside Archbishop Desmond Tutu and Graça Machel, Nelson Mandela's widow). Sonita is an 18-year-old Afghan rap-singer who wrote the song "Daughters for Sale" (also known as" Brides for Sale")[13] when her family wanted to marry her off at age 16. The song became a YouTube hit and has been viewed over half a million times. She then received a scholarship from an organization in the U.S. and is now a "student at Wasatch Academy and international spokesperson for the rights of girls to choose their own

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[13] The original video clip is available at https://www.youtube.com/watch?v=n65w1DU8cGU&t=1s.

destiny" (Our Champions, 2016). Girls Not Brides reports that "Sonita was named one of *Foreign Policy* magazine's Global Thinkers of 2015, one of BBC's 100 Women of 2015, and has been featured by CNN, NPR, BBC, Buzzfeed News."

It is important to note that the only girl who is considered a "champion" is one who successfully opposed child marriage and managed to continue her education with the help of her musical talents. The movement against child marriage does not only emphasize victimhood or make victims the public face of their campaigns. On the contrary, the message is that there is another path for these girls and they should be able to follow it. Under the "News and Stories" section of the Girls Not Brides webpage, there is a subsection called "Girls Voices." Between July 2012 and November 2016, 77 stories were featured in this section – girls who are child brides, were once child brides, or were forced into marriage by their families. Of the 77 stories, 48 are success stories in which the girls managed to escape from the marriage arranged by the family, with the help of an international organization or a local leader, or married early but then got divorced or managed to continue her education while still being married, eventually becoming an activist fighting against child marriage. The rest of the stories are about girls who suffer because they married early or could not manage to find the means to fight the marriage decisions of their families. This brief analysis shows that the movement against child marriage prefers stories about the strength of child brides rather than their suffering Similar to the ways adolescent girls are constructed, child brides are constructed as heroines more than victims, though the latter image is certainly present.

Recognition of the "agency" of child brides is not limited to such success stories. In almost all of my interviews, the interviewees mentioned that it was not fair to

conceptualize all marriages under 18 as forced marriages. They felt that "girls have the right to choose if and when to marry" (Theresa Hwang, CARE, personal interview, October 2015) and sometimes this may allow a certain girl to "choose to marry when she is 17." Both Hwang and Doris Bartel (CARE, phone interview, November 2015) mentioned that CARE, along with other organizations, pushes for more comprehensive indicators of child marriage since age is not a very suitable one. Hwang explained that CARE "has some feminist theory behind their thinking about the problem of child marriage" but "when the UN gets involved, it all boils down to age" because "the UN works with governments, not feminists." Here, the emphasis on "feminist" implies being respectful of the choices or agency of girls regardless of their age. Similarly, Helena Minchew (International Women's Health Coalition, phone interview, December 2015) argues that we should not just focus on cases of 12-year-olds but should be able to talk about girls of 17 who wish to marry. Although such references are not very common in published INGO documents, it can be argued that the movement against child marriage is eager to recognize any agency that girls exercise and in some cases even the marriage decision itself is seen as exercising autonomy.

3.3. Conclusion

My examination of the campaigns to empower adolescent girls and the movement against child marriage reveals that in both cases girls are simultaneously constructed as saviors due to their endless potential and unique characteristics, and as vulnerable victims of poverty and gender discrimination. Both movements currently invoke mainly instrumentalist concerns; child marriage is predominantly constructed as an economic problem, as is the invisibility of adolescent girls. In both cases, there was a shift in the

late 2000s from an emphasis on human rights and gender discrimination to an emphasis on economic development and girls' potential. The obvious question arises: what explains this shift? Why did the development community start using mainly economic discourse? Why did the "human rights agenda" become more effective when it was found to be in harmony with the economic development agenda? Is this a normative shift, or is it a result of the impact of global economic processes on the development sector in general and INGOs in particular? If normative, what kinds of global norms are we talking about? If economic, what are some structural reasons that led to this shift? These are some of the questions I discuss in the next chapter.

CHAPTER FOUR

CHILD MARRIAGE BETWEEN THE INSTRUMENTAL AND THE MORAL:

INTERPRETATION OF THE FINDINGS

In response to my question, 'What makes child marriage an issue of concern for the international community,' Carla Koppell, a Chief Strategy Officer at USAID, replied:

> The issue of child marriage, whether it's males or females, undermines the developmental potential of significant numbers of people in society. So, I think there are two pieces and I think it's important we do not give away either one. Because, while there is a lot of international human rights laws that make the case for human rights, that's not going to bring everybody along. So, you really need to have a conversation that brings both pieces [human rights and development] into the dialogue. (Koppell, Personal Interview, November 2015).

Koppell is right to say that the human rights agenda and laws were not enough for child marriage to receive global attention. Despite the 1962 Marriage Convention, the Convention on the Elimination of all Forms of Discrimination Against Women, and the Convention on the Rights of the Child, prior to the late 2010s, child marriage was a marginal topic. Even within the international women's movement it was a "taboo subject" (Sundaram, 2015: 3). The current problematization and framing of child marriage as both a human rights and an economic development issue is key to understanding why it received attention rapidly after 2008. The way problems are framed is crucial to their visibility and emergence (Keck and Sikkink 1999). Child marriage is no exception. The conceptualization of child marriage as an economic development issue coincides with the emergence of child marriage as a significant global social problem.

The economic development approach to child marriage is emblematic of the kinds of framings that are more or less acceptable or compelling in the development arena. As shown in the previous chapter, together with the economic development/smart economics approach, child marriage is also conceptualized as a security and health issue. What is common to all those frames is an instrumentalist logic: child marriage is not an issue solely because it is bad for women and girls but also because it has negative effects for individual woman and girls that spill over to affect everyone.

A quick search of the Lexis-Nexis database demonstrates that 2008 was a critical year for interest in child marriage; by 2010 it had become a public issue. Figure 1 shows that the number of newspaper articles containing the term "child marriage" in the headline more than quadrupled between 2009 and 2010. Starting from 2010, the trend is a steady increase in the news coverage of child marriage.

- Figure 1 about here –

Google Trends data (see Figure 2) also reveal a spike in interest worldwide after 2008 (the year Nike Foundation launched Girl Effect campaign). The worldwide interest has been steadily increasing, with some critical peak points. One of these came in September 2013, when the first United Nations Human Rights Council Resolution on child, early and forced marriage was passed. Another peak came in November 2016 when the New Jersey assembly voted a bill that would prohibit marriage under the age 18 in

New Jersey[14]. The peak in in February 2016 corresponds to the release of a so-called

social experiment YouTube video about child marriage.[15]

- Figure 2 about here -

Academic research on child marriage also accelerated in the late 2000s. A search

of Google Scholar revealed that 2011 was an inflection point. Before 2011, the number of

articles which contained the phrase "child marriage" in the title or the abstract was less

than 15 per year. This number more than tripled by 2016 (see Figure 3).

- Figure 3 about here --

The first section of this chapter seeks to understand why INGOs came to frame

their case against child marriage in a predominantly instrumentalist manner. Some of the

questions I will discuss are: What caused INGOs to change their rationale? Why are

instrumental reasons expressed more explicitly? Why did girls' agency and potential to

change the world become more pronounced as framing modes than protecting girls and

their rights?

Nevertheless, the shift towards instrumentalism is just one part of the story. As

shown in the previous chapter, the movement against child marriage argues that child

marriage strips girls of their rights and potential. Girls' potential is still problematized

not solely for economic reasons but also for moral ones. While it is true that economic

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[14] This bill was approved by the state Senate in March 2017. As of April 2017, it had not been signed into law, but it would make New Jersey the first state in the US to remove all exceptions to the minimum marriage age of 18.

[15] This video was posted by a YouTube star, Coby Persin. As of April 11, 2017, the video had 16,264,674 views and 20,721 comments. It shows a 12-year old girl in a wedding dress with a 65-year-old groom, posing for wedding pictures in Times Square. Then we see the reactions of passers-by. The reactions vary from calling the cops to swearing at the older man to holding the girl's hand and asking if she   needs help. The old man is labelled a "sick pervert" and many people express concern about the marriage: it was "not right."

arguments are more pronounced and explicit in discussing why girls should not be brides, the implicit assumptions about childhood and marriage also matter for understanding the moral principles behind the movement against child marriage. The moral case against child marriage is thus another dimension that needs explanation. Why does the international community find child marriage morally unacceptable? Which moral principles are at stake in the conceptualization of child marriage as a problem?

The chapter is organized in the following way. First, I briefly summarize the literature on the instrumentalization of gender in development. Although child marriage is not a major issue in this literature, the section provides a background for understanding the general rise of instrumentalism regarding women's and girls' issues. The literatures on gender and instrumentalism and on the "girling" of development are helpful in pointing out the macro-level causes of the emphasis on economic development. As we shall see, neoliberal globalization is deemed the main cause of the instrumentalization of gender. In the next section, I add securitization as another structural cause for the movement away from a human-rights framework on women's issues. Third, I discuss world-cultural effects on the emergence of child marriage as a global problem. In this section I focus on the moral case against child marriage and demonstrate how institutionalized models of childhood, marriage and the individual are keys to the problematization of child marriage. In the concluding section, I discuss how instrumental and moral justifications coexist and identify some common assumptions of both perspectives.

4.1. From Rights to Smart Economics

The movement against child marriage is not the first to frame its main tenets in terms of economic rationality. In fact, the relationship between gender and economic development has always been a strong, albeit contested, issue for the international women's movement and development organizations. Berkovitch (2002) asserts that women's issues became visible globally only after the "fusion of women with development" in the late 1970s. With this fusion, the international women's movement gained legitimacy and visibility while at the same time women's issues were put on the agenda of nation-states. The UN Decade for Women (1976-1985) was based on the premise of integrating women into development. At that time, unlike today, the main emphasis lay not on how women could contribute to development but what development could do for women. With the Decade for Women, the UN initiated the conceptualization of women as "untapped brains and skills" essential for the wealth of nations (Berkovitch, 2002: 141).

Although development was integral to the international women's movement after the Beijing Fourth World Conference on Women in 1995, it is far from the only concept around which women's issues are framed and advocated. Eyben and Napier-Moore (2010) trace the meaning of women's empowerment for the international women's movement and within development circles. Similar to Berkovitch, they find that the Beijing conference was the first platform that succeeded in making women's empowerment a central element of international development. However, Eyben and Napier-Moore note that the main relationship between women's empowerment and development was not instrumentalist. Rather, the "triumph of the 1990s was that

women's empowerment became a matter of justice rather than something necessary for development" (p. 286). The Beijing Platform for Social Action's opening paragraph refers to empowerment in the context of participation, power, equality, and social justice. Eyben's findings from recent interviews (2008-2009) with the key figures of international development in the UK demonstrates that in the second half of the 2000s, women's empowerment was no longer associated with these concepts. Instead, empowerment connoted "micro-credit, political quotas and girls' education" (p. 287) and choice, decision-making, realizing opportunities and potential (p. 291). Eyben and Napier-Moore argue that the perspective of "women's empowerment as economic empowerment" was becoming increasingly popular. Another major shift since Beijing is that the empowerment of women is seen not as an end itself but as a means to other goals such as growth, poverty reduction and security.

Berkovitch and Kemp (2010) discuss the global proliferation of projects targeting women's "empowerment." Like Eyben and Napier-Moore (2009), they argue that women's empowerment had come to refer predominantly to economic empowerment, transforming women into self-reliant economic actors. Their focus is the institutionalization of microfinance as a "global project," as microfinance programs were glorified as the means to achieve women's empowerment by different segments of the development community. Along with Rankin (2001) and Roy (2010), they argue that the glorification of microfinance is representative of the current development ideology which emphasizes neoliberal notions of self-reliance. Similar to the movement against child marriage, the microfinance movement frames women as the panacea for the world's problems.

Chant and Sweetman (2012) argue that the first rudiments of conceptualizing women's issues as smart economics can be found in the 1980s, a period in which structural adjustment programs (SAPs) led to a decline in formal sector jobs (dominated by men), countered by a rise in informal jobs in which high rates of women were employed. But the association of gender with smart economics did not gain full acceptance until the World Bank's Gender Action Plan (2007-2010), which was entitled "Gender Equality as Smart Economics" (Chant and Sweetman, 2012: 3). In this document, the World Bank declared that the goal of the plan was advancing women's empowerment and thus "promoting shared growth and accelerating implementation of millennium development goal 3 (MDG 3)" (Chant and Sweetman, 2012: 4). Chant argues that the World Bank Plan's interpretation of MDG 3, which calls for promoting gender equality in all levels of education and women's empowerment, saw girls and women not only as valuable in themselves but also as important means to ends such as economic development. Correspondingly, the development sector heavily emphasized anti-poverty programs and, by making women the main focus of concern, feminized anti-poverty initiatives (Chant, 2016: 61.) For Chant, a scholar who also works with international development organizations, many other organizations, not least NGOs, followed the Bank's lead by adopting the smart economics approach, not so much because these organizations believed in smart economics but because they were compelled to do so. In Chant's words: "Whether or not this is due to belief in the intrinsic good sense of 'smart economics' is conceivably a moot point given the financial and institutional pressure on smaller players in the international development field to stay friendly with big donors" (Chant, 2012: 4).

Even though some NGOs were not enamored of the smart economics approach (but still complied with it), the UN system – particularly UN Women, which was founded in 2010 – embraced neoliberal notions of smart economics approach, such as equating women's empowerment with economic empowerment, from the very beginning (Chant, 2016: 4). UN Women built strong ties with business and emphasized an efficiency approach to gender equality. Chant explains this as a result of the increasing dominance of the World Bank in shaping policy and controlling the distribution of funds. In that sense, the World Bank has been a norm-setter in the area of gender and development.

Chant (2016b) argues further that recognition of the "feminization of poverty" by the international women's movement and development circles is contentious. For Chant, the increasing visibility of women and girls within development circles, starting with the Fourth World Conference at Beijing and later gender mainstreaming as a part of anti-poverty initiatives, is problematic because it puts too great a burden on the shoulders of women. She describes the gender-specific poverty elimination programs as the "feminization of responsibility and/or obligation"[16] (Chant, 2016b: 3) and argues that, in a world in which neoliberalism has stripped down social protection systems, female labor's centrality is not accidental.

Chant (2016a) traces the increasing visibility of women and girls, focusing on the latter, in the context of smart economics. She argues that girls have been integrated into the development agenda as the carriers of smarter economics due to their youth, potential,

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[16] Chant refers to Saskia Sassen's theory of the feminization of survival, which describes the influx of female migrants from the Global South to the Global North. For Sassen, these women's labor is crucial for the survival of the economies of global cities in the North, mainly due to the need for home care (domestic labor), and for Global South countries which rely on the remittances that these women send home (Sassen, 2000).

and arguably altruistic characteristics. She notes that the transition from investing in women as "smart economics" to investing in girls as "smarter economics" has emerged in a context in which corporations, such as Nike, Coca Cola, Goldman Sachs and ExxonMobile are increasingly involved in gender inequality programs. The changing actors of development and the structure of development aid are central elements underlying the shift. Chant (2016b: 5) argues that "corporate interests have now insinuated themselves in producing knowledge about, and solutions to, gender disparities, particularly by integrating young women into markets." She compares the historically slow progression of women's rights and interest in them in the Global North to the sudden interest in girls in the Global South and calls for an explanation of this trend. Recognizing the possible effect of the CRC on bringing adolescents' issues to the forefront, she claims that the primary motivation is "capitalizing" on women and girls because they represent "value-for-money" (p. 10). Chant recognizes that this explanation may not apply to NGOs or other non-corporate development organizations that do not benefit directly from their embrace of the economic development approach, but she insists that they have had little choice but to go along with the World Bank and other key financers of development aid.

The question of how the neoliberal version of development architecture has affected NGOs, particularly those working on women's issues, is hotly debated in feminist literature. The majority of scholarly work on this issue concerns Latin American women NGOs and their professionalization. Murdock (2003), studying NGOs in Colombia, suggests that in a world where development funds are limited and competition for available funds is stiff, women's organizations have developed strategies to

demonstrate that their work is important. NGOs in Colombia did this by framing their issues "with knowledge of the theory of gender minus the feminist critique of gendered power relations" (Murdock, 2003: 129). Murdock argues that the Colombian case is illustrative of how NGOs, once sites of opposition to state agencies, have been tamed by financial constraints to shift to a rather conciliatory discourse. Gender and development discourse ironically prepared the ground for "retrenchment from radical feminist politics" (Murdock, 2003: 146). Markowitz and Tice (2002), examining US and Latin American women's organizations, claim that as women's social movements and organizations expanded their scope, they faced pressures such as "accountability and institutional sustainability." In turn, those organizations professionalized their organizations, which led to a change in their agendas and strategies. Faced with donor pressures, these organizations had to comply with monitoring and evaluation schemes which required revision of data collection norms, expertise in proposal development, new computer technologies and regular reporting. As a result, these organizations started to hire professionals, not activists as they used to do previously. Organizational structures became much more hierarchical. Their agendas also changed in accordance with the political agendas of the donors. Markowitz and Tice note that, although it is not a rejection of advocacy altogether, it is "an adaptation to the realpolitik of funding possibilities" (949). That professionalization brings about a change in perspective is an argument supported by scholars examining other countries and regions such as India, Eastern Europe, and Brazil (Roy 2011, Guenther 2011, Lebon 2013). Although none of these studies examined international women's INGOs and the consequences of their professionalization, Chant's remarks in the previous paragraph indicate similar trends.

The feminist literature also argues that the main motive for the rising interest in girls is their transformation "into neoliberal subjects" (Switzer, 2013: 357). Turning girls into neoliberal subjects – mainly through education – works by integrating them into markets, as consumers and producers. Cobbett (2014) adds that increasing awareness of the high rates of HIV/AIDS among adolescent girls is a significant cause of the emergence of girls as an important development issue. She argues that recognition of the strong relationships among gender, age and HIV/AIDS leads to a greater focus on girls' sexual relationships. For Cobbett, attention to girls' sexuality does not have instrumentalist causes but is shaped by a rights agenda which focuses on intimate partner violence and reproductive rights. Others argue that the concern for girls' sexuality and reproductive health also carries an instrumentalist logic since high levels of fertility are linked to low economic development (Hartman and Barajas-Roman, 2011).

In summary, the existing literature that examines the causes and consequences of the shift to a smart economics perspective in women's/girls' issues consists mainly of critical feminist scholarship. Their critique of the instrumentalism of gender in development clusters around three topics. First, women are deemed more worthy of investment because they are coded as intrinsically more altruistic. Feminists argue that this assumption is gendered and essentialist, justifying existing stereotypes about gender roles (Cornwall 2014, Geleta 2013, Rankin 2001, Koffman and Gill 2013). Second, interventions targeting women and girls promise to empower them, while in reality this is a very limited type of empowerment – economic only – and we still do not know if this type of empowerment effort actually works. Some scholars examining the long-term effects of microfinance programs, which almost exclusively target women, find that the

result is not empowerment but the disempowerment of women through the "feminization of debt" (Berkovitch 2010, Rankin 2001, Roy 2010). Third, feminist scholarship conceptualizes the sudden interest in women and girls as a new form of colonialism in which, hiding behind the mask of good intentions (empowering women), powerful actors of the Global North (corporations) are looking for ways to make greater profits by turning girls into consumers and opening new markets. The emergence of corporations as prominent players in interventions targeting women and girls in the developing world is criticized by some scholars based on the claim that the corporations themselves generated the social ills of the Global South in the first place (Chant 2012, Cornwall 2014, Elias 2013). Some point out, for example, that Nike Foundation's so-called dedication to girls in development contexts was sparked by heavy criticism of the company's use of sweatshops and exploitation of women workers. By investing in girls, Nike aims to gain moral authority in a post-recession world. In a similar vein, some feminist scholars claim that the heavy emphasis on postponing pregnancy by keeping girls in school longer is not really about protecting the sexual and reproductive rights of girls but about population control, which is a hot topic on the neoliberal agenda. Overall, the shift towards instrumentalism in gender is explained by the existence of powerful actors (corporations) seeking to maximize their profits.

The shift towards instrumentalism in gender is also true for the specific case of adolescent girls and child marriage. Girls are valuable either as a part of corporations' public relations campaigns or as potential customers and producers. The feminist literature does not talk about child marriage in its treatment of the smart economics approach, but I will extend this discussion to the issue of child marriage and explain how

the fight against it is also instrumentalized. Before I turn to that topic, I will mention another macro-level trend accompanying neoliberalization that helps explain the shift towards instrumental justifications.

As mentioned in the previous chapter, child marriage is also defined as a security issue. Recent international relations research notes that in the post 9/11 world, securitization is a general trend which refers to "how fields hitherto unrelated to security concerns become 'securitized' by actors who attach a (typically national) security value to them" (Brown and Grävingholt, 2015: 2). The securitization of foreign aid is discussed within this general trend. This scholarship largely rests on studies of Western donor states, focusing on changes in their discourse in terms of security and humanitarian aid, as well as how aid flows have changed: which countries have received more aid, what are the specified goals of development aid. A secondary concern is the effect of securitization on civil society or INGOs.

Harborne (2012) argues that after the attacks of September, 2001, aid has increased to strategic countries that are affected by conflict. Although conflict areas were always of particular importance for development aid, after 2001 the main focus became "homeland security," with the goal of preventing the spillover of negative consequences such as terrorism. The overall effect of securitization in combination with declining aid budgets has been diminished concern for achieving human development goals (Woods, 2005). With particular reference to gender, Swiss (2012) argues that gender equality has been instrumentalized within the security paradigm in order to generate support for international objectives such as legitimizing military intervention in the name of liberating women from oppression. Swiss claims that securitization has occurred at the

expense of the human rights agenda in development because development funds are increasingly used instrumentally to achieve security objectives.

Macro-level trends such as neoliberalism and securitization provide the basis for understanding the shift towards framing women's issues in an instrumental manner. Two implicit assumptions are evident. The first is that powerful actors have the capacity and will to change how social problems are framed. They mainly do this through financial discipline, as they support only those projects that conform to their ideology and interests. Thus, the interests of powerful actors are central to understanding the shift in INGO discourse. The second assumption is that INGOs, transnational advocacy groups and global social movements operate in a very different world and their discourse and principles differ greatly from those of power actors. The realm of economic/rational action (that of corporations and their representatives) and the realm of the moral (that of INGOs and women's organizations) do not share a common worldview. I will discuss problematic features of this dichotomy after first explaining what the realm of the moral means in the context of the movement against child marriage.

4.2. Moral Grounds for Opposing Child Marriage: Institutionalized Notions of Childhood and Marriage

As shown in the previous chapter, the international community frequently refers to the morally sacred status of children when framing opposition to child marriage. In this section, I will trace the notions of ideal childhood and marriage and argue that world cultural scripts about the ideal life-course constitute the moral basis of the movement against child marriage.

In the previous chapter, I mentioned how the international community depicts idealized notions of marriage through accounts of girls who have participated in intervention programs (CGAP 2012). These accounts include the association of marriage with love, and having a partner of similar age and social status. The ideal family is defined as a nuclear family with not "too many" children. Today the ideal of the nuclear family, although not universally embraced, is a legitimate global model. Family historians note that the nuclear family and forms of marriage upon which it is based are fairly new in human history. Coontz's (2006) historical analysis of marriage demonstrates that the idea of marriage as an intimate relationship as opposed to a relationship based on obedience and obligations dates back to the late eighteenth century. Before this time marriage was "too vital an economic and political institution to be left entirely to the free choice of the two individuals involved" (Coontz, 2006: 5). For most of its history, marriage was not about love or individuals' needs or feelings. On the contrary, love was considered incompatible with marriage (Coontz, 2006: 16). With the rise of the market economy, wage labor and individual rights, marriage came to be seen as a relationship in which partners are at least legally equal and should love each other. Successful marriage was no longer about political or economic alliances, or simply establishment of an economically viable household, but about personal fulfillment and the happiness of partners. Marriage was relocated to the private sphere and it became voluntary: if it does not work for one or both parties, it can end (Coontz, 2006: 146).

As Coontz points out, the spread of individualism as a governing principle of society is crucial for understanding the shift towards love marriage. In the West, love marriage became the norm starting in the 18th century due in large part to the emergence

of the individual as the core element of society. However, individualism has spread unevenly. Other forms of marriage, such as arranged marriages, persisted in other parts of the world and remain prevalent, even though they are on the decline.

The international community defined ideal marriage for the first-time in 1948 with the Universal Declaration of Human Rights (UDHR). The UDHR defines an ideal marriage with respect to age ("men and women of full age"), the presence of "full and free consent of the intending spouses," and presence of equal rights "as to marriage, during marriage and at its dissolution" (UDHR, Article 16). Following the UDHR, the 1962 Marriage Convention reiterates that "men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family" and "free and full consent of the intending spouses" should be present (United Nations 1962). In addition to the UDHR, the 1962 Convention urges states to commit themselves to "take legislative action to specify a minimum age for marriage." The Convention says that certain customs, laws and practices are inconsistent with the UDHR and states should abolish them by ensuring "complete freedom in the choice of a spouse, eliminating completely child marriages and the betrothal of young girls before the age of puberty."

The 1962 Convention signifies the characteristics of the normative marriage: free consent of both parties and maturity to make a decision such as marriage. It was a big step toward institutionalizing the notion of the freely-consenting individual, unconstrained by familial or other demands. Although contested, such notions of marriage are now world-cultural: they "present themselves as generally applicable and meaningful throughout the world" (Boli, 2005: 385).

It is not a coincidence that the first time the international community moved toward institutionalization of the ideal marriage came after World War II. Although the international community was certainly operative earlier in the form of international organizations, both IGOs and INGOs, it was not until after the war that they were globally institutionalized. A centralized global governance structure emerged in the form of the United Nations, to which existing global civil society organizations attached themselves (Boli and Thomas, 1999). These organizations, especially INGOs, are the "structural backbone" of world culture through which world cultural ideas, principles and norms are debated and expanded. Even though world cultural ideas about what an ideal marriage is and why other forms may be particularly problematic for women started to spread well before the 1950s, especially within some feminist circles (Moschetti 2005), those ideas did not find fertile ground in which to grow, but eventually they proliferated and were translated into rationalized prescriptions for the conditions of the ideal marriage and arguments about the negative causes and consequences of non-ideal forms. With the increasing institutionalization of the individual at the level of world society, marriages not based on freely given consent by competent adults became problematic and illegitimate. It was not only international civil society that developed a definite position against child marriage: constituted by similar cultural principles, nation-states also started to enact laws against child marriage in this period.

As urged by the 1962 Convention, the establishment of minimum age of marriage laws is based on view that consent is valid only under certain conditions. Age is one of the most important conditions. Thus, children are not eligible for marriage because they are seen as incapable of giving meaningful consent. Child marriage is considered at odds

with the ideal of marriage mainly because it violates the consent principle. Only full

individuals, capable of meaningful consent, can get married. In short, child marriage is

deemed a social problem because it violates the principle of individualism that underlies

the idealized model of marriage.

But what exactly makes child marriage incompatible with the principle of

individualism? This question calls for a deeper understanding of the category of the

individual and its status as the primary actor in the world society. For scholars of world

polity/world culture theory, the individual is part of the sacred core of world culture. The

theory conceives the world as a complex cultural system in which actors at various levels

(nation-states, individuals, international organizations, etc.) are constituted by similar

norms, ideologies, and beliefs. Global cultural norms are exogenous to any society and

influence the behavior of all societies. World society is "greater than the sum of its parts"

and the parts derive meaning and identity from the collective norms of world culture.

Global norms are institutionalized in the form of international conventions, organizations,

treaties, codes of ethics, and so on. Individual rights and their promotion and protection

are essential principles in this context (Boli 2006, Elliott 2007). The individual is seen as

the main element of social organization and action and other identities and collectivities

develop around it. Core institutions of modern society, such as education, health care, the

economy, and leisure activities, are organized to provide for the "needs and choices of the

individuals" (Frank and Meyer, 2002: 88). Anything that does not serve the interests of

individuals is likely to dissolve (such as extended families that restrict individual choices)

or to be disempowered by laws, conventions or movements against them. In this light, the

movement against child marriage is dedicated to promoting individual rights over other corporate identities such as those derived from the family, tribe or community.

What aspects of child marriage are at odds with the principle of individualism? First, child marriage is an impediment for the construction of the normative individual because, in the ideal version, the individual is freed from "communal, religious and familial embeddings" (Frank and McEneaney, 1999: 912). When girls and boys marry as children, the decision is not theirs but that of their parents or extended family members. Resistance can lead to various social sanctions, even including death in so-called "honor" killings. Girls are of particular concern because, once married, they are deprived of the chance to "develop their full human potential," as international development publications repeatedly claim (Girls Speak 2009). Marriage signifies entrance into the adult world no matter how immature the parties are. Thus, girls are treated as women and are expected to adopt the roles of wife and mother. This usually means dropping out of school and losing future job prospects. Marriage is particularly disadvantageous for young girls because they experience a double oppression: they are young and inexperienced and they are female. Most of the time, exit from marriage is not a viable option due to women's economic dependence. For all these reasons, women are not equal partners within the institution of marriage, especially if they are young. The lack of decision-making power both entering marriage, within marriage (such as important household decisions, from financial to reproductive) and exiting from marriage, is at odds with the notion of individual autonomy. Other aspects of child marriage, such as domestic violence and marital rape, are also problematized because they violate the sacrality of the individual. Some accounts (Turner 2013) even define child marriage as a form of slavery, although

organizations such as Girls not Brides are hesitant to use language about slavery in relation to child marriage. Contrasting slavery and marriage, in her report for the organization "Anti-Slavery," Turner (2013: 7) writes that "for many, marriage represents the lifelong union of two spouses, based on love and mutual respect with a fair distribution of power, resources and responsibility, and usually providing the security in which to conceive and raise children. These notions, whether ideal or based on experience, could not appear further removed from slavery."

Nevertheless, when it includes children,[17] marriage is practically equivalent to slavery because when children are married they are enslaved "through the physical, psychological and/or economic powers of 'ownership' and control exercised over them" (Turner 2013: 17). Slavery is the reverse image of the autonomous individual script promoted by world culture.

World cultural models not only grant sacred status to the individual but also define ways to develop individuality. The nation-state is a crucial actor that regulates and in turn constitutes the individual as actor through citizenship and formal institutions, particularly education. Formal schooling is the most important "carrier" of the sacralized individual (Boli, 2005: 389) in that it emphasizes "individual learning, individual achievement, individual capacities, and individual limitations" (389). 'Children as students' is a pervasive global script which is little contested around the world (Boli 2005, Berkovitch and Bradley 1999, Meyer 1986, Meyer et al 1992). The global consensus that considers the school as the natural place for the child is a result of the "creation of childhood" (Meyer 1986: 201). Similar to love marriage, childhood is a

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[17] Turner notes that for some marriages involving 16 to 18 year-olds, slavery may not be a proper definition but below 16 it is almost always like slavery. This is a contested view, as I discuss later.

recent category historically. In his book on the history of childhood, Ariés (1965) argued that childhood is a "cultural construct," not a biological one, and showed how children were depicted as miniature adults in medieval paintings. The emergence of the idea of childhood came together with the emergence of formal education systems through which children are conceptualized as students. One implication of this is an institutionalized notion of the stages of life. In this model, childhood is devoted to education, followed by entry into the "occupational world" (Meyer, 1986: 201) in which other "informal rights and obligations" such as marriage and childbearing come into the picture. Here institutionalization includes both legal elements such as prohibiting child labor or mandatory retirement, and societal expectations such as norms about the age of marriage. In this institutionalized version of life-stages, chronological age matters in that nation-states make laws about the age of consent, based on the assumption of the attainment of sufficient "personhood" and mental capabilities to be able to make important decisions about one's life. Before adulthood, children should be socialized in formal education systems and, as shown in the previous chapter, marriage is highly correlated with school drop-outs. So, the global scripts that constitute girls as students instead of "brides" is not simply about creating a productive workforce or customers, as the feminist/critical theory suggests: it is a part of the institutionalized global script about the stages of life.

Finally, world-cultural models promote the sacred category of the individual through providing various forms of protection (Boli 2005: 394). Elliott's study of international human rights instruments demonstrates that the individual is the most protected category, followed by categorical groups of individuals among which children and women are prominent (Elliott 2007: 359). Although collectivities such as the family,

tribe or nation are also protected by human rights conventions and laws, the protection of individuals is far more pervasive. As Elliott shows, the sacrality of the individual is protected not only as a comprehensive and abstract notion but also through further categorical entities such as women, children, the disabled, workers etc. (Elliot, 2007: 355). Protection of such entities is demanded by human rights instruments and implemented via rationalized means, such as the development of specific intervention programs, as in the case of child marriage. The international community is careful to address the specific needs of adolescent girls so that they do not "fall through the cracks between women and children" (Switzer et al 2016: 34). The international community states that "if we are to serve girls, we must see them, disaggregate their experiences, and craft age- and gender-specific programs" (Bruce and Erulkar 2016: 319). The recent interest in adolescent girls as a specific category is reflective of this ongoing "disaggregation." More categories promote more rationalization as targeted interventions are developed for each group. Categorizing new social groups for the expansion of rights is a typical, an ongoing trend in the world polity (Meyer 2010: 9).

In conclusion, child marriage is deemed a problem globally because it violates the sacrality of the individual from various standpoints. The feminist complaint about turning girls into neoliberal subjects is hardly the main impetus behind the mobilization against child marriage. From a world-cultural perspective, girls are among the subjects of global scripts of individualism so it is not simply the economic considerations expressed by Western development actors that are at issue.

One can ask why the movement against child marriage is relatively new while relevant global cultural norms have been institutionalized at least since the end of World

War II. There are two ways to answer this question. The first involves other elements of the sacred core of the global moral order (Boli, 2006: 103). As seen in Figure 4, the individual is not the only sacred entity, although it is the primary one. Collective entities such as families, primordial groups and nations are also sacralized. Arguably, the principles of sacrality of the family and sacrality of the individual do not always work well together. The family collectivity may seek to protect itself and its reproductive practices at the expense of the individual. This is particularly true for marriage decisions, in which economic or political concerns may be seen as crucial to family status and integrity. Family precedence can imply that the choices of individuals are constrained for the well-being of the family in the long run. But this feature of the primordial or extended family is of decreasing validity in many societies. Cherlin (2012) published a review article for the 50th anniversary of the publication of Goode's *World Revolution and Family Patterns* (1963), a large cross-national study of international family and marriage patterns which predicted that the world's family patterns would converge to the Western conjugal family model. Cherlin's review shows that the convergence hypothesis was incorrect since the Western family model of the1950s itself lost prominence. However, Cherlin found that Goode's predictions were borne out regarding the *ideology* of the Western conjugal family, that is, companionship and romantic love between wife and husband (Cherlin 2012: 579). Referring to the available data from different parts of the world, Cherlin concluded that Goode was correct "in predicting that the control of parents, lineages, and other extended kin over children would diminish as industrialization occurs" (p. 589). Others report similar findings based on country-level or regional survey data in Asia and Africa (Rubio, 2014), Indonesia (Malhotra 1997), Sri

Lanka (Caldwell 1999), Kyrgyzstan (Nedoluzhko and Agadjanian 2015) and India (Allendorf and Pandian 2016).

Although of quite limited scope, qualitative research involving interviews with parents of child brides demonstrates that most of the time they were not willing to marry their girls off but felt compelled to do so for other reasons, usually poverty (Girls Speak 2009). Hence, the global script about love marriage may be even more pervasive than it appears, despite high numbers of child marriages in some countries. There is reason to believe that this is particularly true for the girls themselves, as they frequently show intense interest in continuing their education instead of getting married. Thus, even though the family as an institution enjoys some degree of sacred status, it continues to give way to the demands of individualism. This implies that the movement against child marriage is likely to strengthen further, helping to push arranged and child marriage rates ever lower.

The more important reason for child marriage's failure to receive global attention until recently may be the institutionalization of another world cultural principle: equality regardless of race, ethnicity and so on. This holds particularly true for the post-colonial context in which new nation-states are considered sovereign in their internal affairs. In her historical study of debates about child marriage in the international feminist movement, Moschetti (2005) found that feminists were reluctant to bring up the issue for fear of being labeled as racist or orientalist. Most of these (British) feminists chose to remain silent about the issue, considering that other (Indian) cultural norms and customs were also legitimate. In other words, they did not want to force Western notions of family and marriage onto other societies. As this example shows, world cultural principles

favoring group rights (cultural rights) and individual rights (women or children) are often

at odds with each other. In a similar vein, Boyle (2005) discusses how the movement

against female genital cutting evoked concerns about sovereign autonomy in some states.

The UN itself was reluctant to take up the issue before the late 1970s, arguing that

"culture was local, it was coextensive with national boundaries, and had to be preserved

through the principle of sovereign autonomy" (Boyle and Corl 2010: 197). The history of

the movement against child marriage provided by Moschetti and by my interviewees is

suggestive of a similar conceptualization. For the FGM movement, the global consensus

emerged by framing it as a health issue, as health is considered an objective (medical)

rather than cultural ground for contesting the practice. For the movement against child

marriage, the smart economics approach of the late 2000s became the basis for achieving

a similar consensus.

4.3. Conclusion: Between Moral and the Instrumental

In this chapter, my discussion of why child marriage is increasingly framed as a

problem began with claims about its negative economic consequences and security-

related aspects. Such problematization of child marriage is instrumental in character

rather than moral, and it became more pronounced after 2010. As shown in the previous

chapter, girls emerged as important objects and subjects of development in this period.

Child marriage was no longer a taboo subject; it became an acknowledged global social

issue to be addressed. I also discussed moral principles behind the problematization of

child marriage with respect to world culture, arguing that child marriage violates the

principle of the sacred, autonomous, self-directed individual. Social institutions such as

marriage are shaped by this principle: they should accord with the broadly

institutionalized individualism of world culture. Finally, I argued that the movement

against child marriage is another instance of categorizing and rationalizing human rights

for more specific groups, in this case "adolescent girls."

Thus, I have identified two different conceptualizations of child marriage as a

problem. In Weberian terms, one derives from instrumental rationality while the latter

speaks to value rationality. On the face of it, fighting to end child marriage because it will

end poverty or decrease security threats, and fighting it because it is morally

unacceptable, may seem contradictory. But as seen in the case of child marriage, these

two conceptualizations coexist and have been promoted by the very same groups.

Although some tensions have arisen within the movement, the conceptualization of child

marriage as both a development issue and a human rights issue is not problematic for the

movement. In my interviews, I asked about existing and possible future areas of conflict

within the movement. None of the interviewees mentioned the different

conceptualizations of the problem of child marriage. On the contrary, they referred to

them as a strength, providing motivations for different organizations with different

concerns and allowing them to work together. The movement embraces the coexistence

of human rights and economic development/security agendas. In 2016, Girls not Brides

and the ICRW, two leading global organizations in the movement, published a series of

ten briefs under the rubric, "Taking Action to Address Child Marriage: The Role of

Different Sectors." These briefs target people working in different development sectors.

Sector- specific briefs are provided for those in health, education, democracy/human

rights/governance, economic growth/workforce development, conflict/humanitarian

crisis, food security/nutrition, agriculture/energy/environment, gender-based violence,

and youth. That is to say, regardless of the specific focus of the organization in question, there is conceptual space to bring them into the fight against child marriage.

The multifaceted character of the issue and the lack of tension between instrumental and moral conceptions within the movement can be understood when both realms are viewed as constituted by global culture. Cultural norms are at play not only in the moral dimension but also in the economic realm. The economic realm is not simply an arena of rational actors seeing to maximize their interests. It also has implicit cultural assumptions that derive from world culture. Boli (1995: 96) argues that the economic realm presents itself as autonomous from the moral realm but what he calls "autonomous economic morality" itself is subject to cultural principles such as efficiency and wealth accumulation. What is common to both the economic realm and the realm of the moral are the forces of rationalization and the model of the individual as a sacralized rational actor. Kabeer (1994: 25) discusses the theoretical underpinnings of early (1970s) development programs targeting women. She claims that women in development (WID) approaches were marked by their emphasis on merit rather than need and on efficiency rather than welfare. The main tenets of WID are strikingly similar to the "smart economics" approaches of the 2010s, and both assume one thing in common: the model of the rational individual. Thus, individuals (individual women) are the main actors in their own lives, meaning they can improve their lives when given equal opportunities to participate in the market via education or other means.

To conclude, both the smart economics perspective and the morality-based objections to child marriage have at least one cultural principle in common: the sacrality of the individual. These perspectives do not exclude each other. On the contrary, the

coexistence of these two realms contributes to the rapid success of the movement against

child marriage, if we measure success by how fast a movement gains visibility and

institutionalizes its premises in the form of international conventions. Although the

instrumental perspective is more pronounced, the movement is strong since it can easily

claim moral superiority with respect to the sacrality of the individual in general and

children in particular.

Figure 1

Child Marriage in the Headlines, 2000-2017:

Number of Articles Per Year in International Newspapers
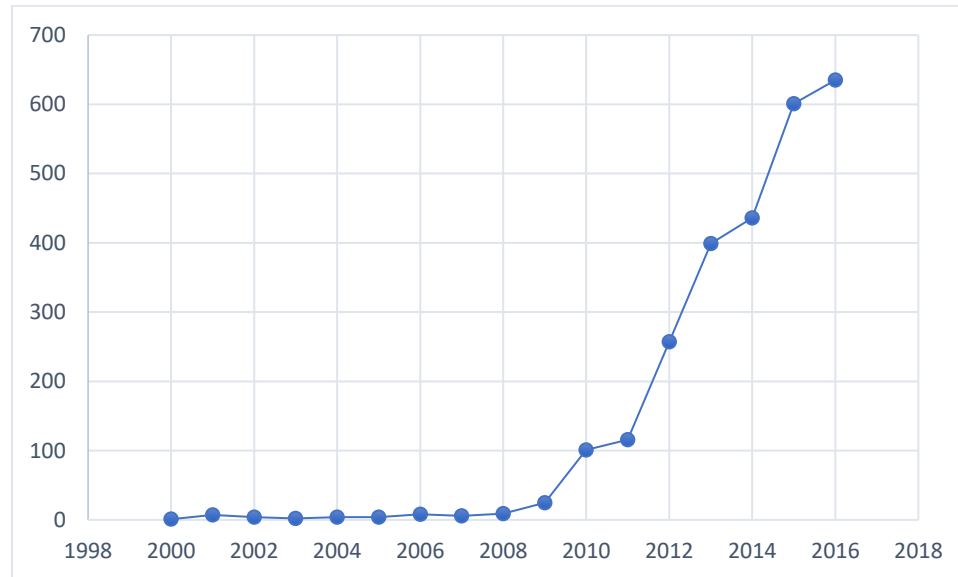
Source: Lexis-Nexis (2017)

Figure 2

"Child Marriage" in Google Searches Worldwide, 2004-2017

(Index of Search Intensity, Maximum=100)
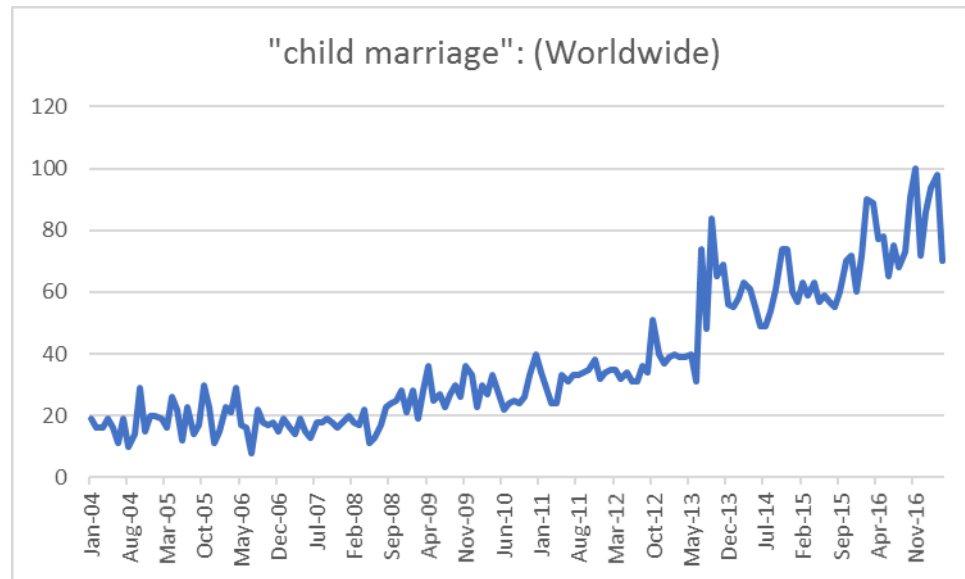
Source: Google Trends (2017)

Figure 3

Child marriage in Google Scholar titles and abstracts: 1990-2016

Occurrence of "child marriage" in Google Scholar abstracts
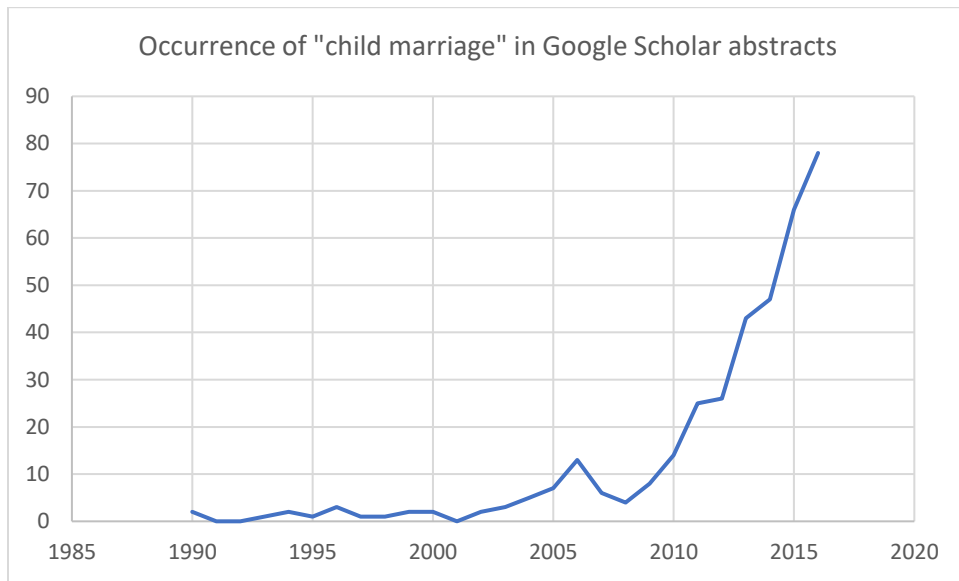
Figure 4

The sacred of the global moral order (Taken from Boli 2006).
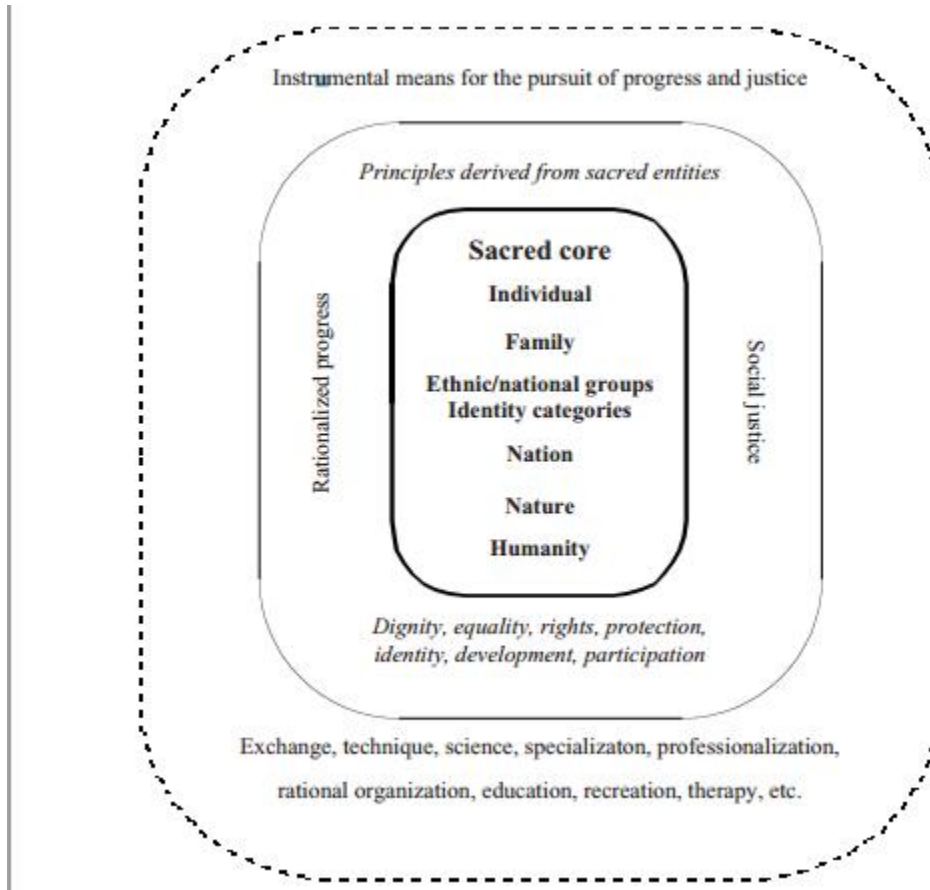
CHAPTER FIVE

CHILD MARRIAGE IN NATIONAL LEGISLATION:

THEORETICAL BACKGROUND AND WORKING HYPOTHESES

5.1. A brief background on legislation against child marriage

In previous chapters, I examined the emergence of the fight against child marriage as a global movement. I argued that child marriage did not become a focus of concern until the second half of the 2000s even though the international community referred to the negative consequences of child marriage as early as the 1960s. Although child marriage as a global civil society movement is relatively new, states have passed legislation against child marriage, mainly in the form of minimum age of marriage laws, since the 19th century. For instance, the French Civil Code (Napoleonic Code) (1800-1820) specified that the minimum age of marriage was 18 for males and 15 for females. Nineteen of the 167 countries in my dataset had passed a law that set the minimum age at 18 for both men and women by 1965. That is to say, for some countries (see Table 8) such legislation existed long before the movement got underway. In accordance with the international norm, between 1965 and 1989, 20 more countries passed minimum age laws that set the age at 18 for both sexes, while from 1990 to 2017, this number rose to 75 additional countries. As of 2015, only 47 of 167 countries either did not have minimum age laws or set the limit below 18 for either males, females or both. Between 2015 and 2017, two more countries (Mexico 2015 and Malawi 2017) set the minimum age at 18 for both sexes (see Figure 5).

Despite this striking trend, legal measures against child, early and forced marriage, and minimum age requirements still vary around the world. At one end of the spectrum we find countries that have criminalized forced and child marriage, and at the other end we find countries with no enforceable laws of minimum age of marriage. Even where laws exist, their enforcement is problematic, for reasons that will be specified below.

A great majority of UN member countries have laws setting a minimum age of marriage. Figure 6 shows a map of the legal age of marriage for girls in 2017. According to the World Policy Analysis Center database (World Policy Center 2017), 88 percent of the countries set the minimum age at 18. It is important to note, however, that many laws allow for exceptions. These exceptions usually take the form of parental consent for a child's marriage. In 2010, 146 countries allowed girls under 18 to marry with parental consent or other types of exceptions, which include court approval, pregnancy, and recognition of customary/religious law. Figure 7 shows a map of minimum age with parental consent, while Figure 8 shows the legal age of marriage when all exceptions are taken into consideration. In 52 countries, girls under 15 can marry with parental consent (UNFPA 2012), while in 57 countries girls can marry at age 16 or 17. These maps show that parental consent is required for under-18 marriage in the majority of countries, and when all exceptions are taken into consideration, 18 as the marriage age is far from being the actual norm. In my dataset, only 24 of 167 countries do not allow for any exceptions to the minimum age of 18.

Exceptions often apply exclusively to women. Minimum age legislation is both a result of gender disparities and a means of reproducing them. According to World Policy

Analysis Centre data, gender disparity is fairly common: in 9 percent of countries the legal marriage age for girls (with parental consent) is 3–4 years younger than for men (Figure 9).

One of the main goals of the current global movement against child marriage is to establish 18 years as the minimum age for marriage for both men and women without any legal exceptions. However, the overall picture of legislation concerning child marriage demonstrates that the minimum age requirement hardly conforms to this standard. That is probably the reason that international organizations working on the issue of child marriage go beyond minimum age requirements when they talk about national legislative reforms to fight child marriage. The Guiding Principles for Developing Legislation (banning all forms of violence against women), which was prepared by UN Women, recommends that child marriage be criminalized by legislation which "should acknowledge that any child marriage is by definition a forced marriage." Other related actions such as criminalizing marital rape and penalizing intimidation or retribution for refusal to marry are also counted among the recommended legislative measures in the same document. If it is not possible to criminalize forced marriage, then legislative drafters "should ensure that perpetrators are prosecuted for such associated crimes as kidnapping, child abduction, false imprisonment, assault, battery, threats of violence or death, breach of the peace or conduct that disrupts the public order, harassment, child abuse, rape, sexual crimes, blackmail, and violations of protection orders." (UN Women 2017).

Apart from criminalization, UN Women also recommends the development of civil laws to fight forced marriages. One particular suggestion is using the law to make

sure that all marriages and births are registered. This is considered essential for enforcement of the minimum age requirement.

Other recommendations from The Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) and the Convention on the Rights of the Child (CRC) are summarized in a document prepared by Equality Now, a human rights INGO dealing particularly with women's problems (Equality Now 2014). In addition to the recommendations cited above, this document introduces the notion of plural legal systems. Since religious or customary laws often allow child marriage, the UN recommendation is to "conform regional, customary and religious law with federal/civil law." It also talks about the negative relationship between the duration of compulsory education and child marriage and suggests making compulsory education longer as a strategy. Finally, this document urges that UN committees "advise governments not to invoke freedom of religion to justify discrimination against girls and practices such as forced and early marriages."

A UNICEF (2008) publication called "Child Marriage and the Law" also offers recommendations for legal reform. In addition to the recommendations cited above, it calls for making child marriage "null and void," and specifies the conditions of annulment. It also claims that child marriage laws should be seen in the context of "domestic violence laws, anti-discrimination laws, equal education laws, equal employment opportunity laws, and anti-sexual harassment laws."

One of the most pronounced issues regarding the efforts to fight child and forced marriage is that laws do not matter in practice. Law enforcement is considered problematic because these practices are culturally legitimated and backed by traditional

laws or customs. Even when the practices are criminalized, victims are not willing to see their parents or family members punished. Different challenges are reported in migrant contexts, such as being undocumented with no access to the law or not reporting for fear of deportation. Another issue about law enforcement is the unwillingness of state officials (especially the police and judges) to penalize offenders or to ignore non-registered marriages or under-age marriages. In the developing world, such attitudes of officials often reflect cultural legitimacy frameworks, while in migrant contexts, the fear of "being seen as racist" or intervening in the cultural matters of minorities may be at work (Chantler, Gangoli and Hester 2009).

Despite the issue of weak enforcement and the many exceptions to the minimum age of 18, and even though some countries such as Egypt and Bangladesh are discussing lowering the marriage age, the long-term global trend in child marriage laws is toward a universal standard of 18 years and a reduction in exceptions.

The World Policy Analysis Center (WPAC) data show that the percentage of countries with laws setting the marriage age at 18 increased from 76 percent to 87 percent between 1995 and 2013. The same trend applies for the restriction of parental consent. The percentage of countries restricting parental consent as an exception to the marriage age law increased from 20 percent to 47 percent. While the WPAC data includes 104 low and middle income countries, another study (Kim et al 2013), which looks at countries that have ratified CEDAW, finds a similar pattern. In the thirty years following the adoption of CEDAW, nearly 50 percent of countries passed laws setting the minimum marriageable age at 18. Before CEDAW, only 10 percent of countries had such laws (Kim et al). The data shows similar patterns about CRC ratification and child marriage

laws. Among 190 UN member countries that have signed the CRC, 12 percent do not have laws setting a minimum age of marriage (UNICEF, 2012).

My dataset shows that before 1965, only 19 countries had passed legislation that set the minimum age of marriage to 18. Between 1967 and 2017, 97 new countries passed the legislation. Among these, 20 passed legislation between 1967 and 1989, 25 more between 1990 and 2000, and 50 more between 2000 and 2017. This descriptive data also imply that international treaties are influential in setting new norms about the marriage age, as may more news were passed after 1989, the year of the CRC.

The global historical trend of raising the marriage age suggests that international treaties are influential in setting up new norms concerning age of marriage. This long-term global trend needs to be explained. Hence my research question, "What explains the global trend of legislation increasing the marriage age?"

5.1.1. Previous research on legislation against child marriage

As shown in the previous chapter, academic research on child marriage has been steadily increasing since the second half of the 2000s. A great majority of studies have been conducted by public health researchers and child marriage is used mainly as an independent variable. These studies examine the effect of child marriage on fertility (Raj et al 2009), women's reproductive health (Nour 2006, Santhya 2011, Godha et al 2013, Kamal and Hassan 2015), infant health (Raj et al 2010), mental health (Le Strat et al 2011, Gage 2013), HIV rates (Bruce 2005, Raj and Boehmer 2013), educational attainment (Nguyen and Wodon 2012, Nguyen et al 2014, Raj et al 2014), rates of violence against women (Speizer and Pearson 2011, Nasrullah et al 2014), and economic development (Parsons et al 2015). Others discuss the best ways to measure child

marriage and assess global trends (Raj et al 2012, Nguyen and Wodon 2012, Nguyen and Wodon 2015), while some examine the causes of child marriage (Sabbe et al 2013). A small number of studies explore the kinds of interventions that work best to prevent child marriage (Malhotra et al 2011, Brown 2012, Lee-Rife et al 2012). Otoo-Oyertey and Pobi's (2003) study investigates the links between poverty and child marriage, concluding that enhancing the capabilities of women is the key to ending child marriage. Warner (2004) conceives of child marriage as a form of trafficking and argues that existing international legislation is far from effective as a prevention measure. One of her suggestions is to introduce more specific articles against trafficking in laws about child marriage. Lee-Rife, Malhotra and Warner's (2012) surveyed twenty-three child marriage prevention programs in various countries and identified five different approaches: "empowering girls with information, skills and support networks;" "educating and mobilizing parents and community members;" "enhancing the accessibility and quality of formal schooling for girls;" "offering economic support and incentives for girls and their families;" and "fostering and enabling a legal and policy framework." The study argues that the first approach has been the most successful in fighting child marriage because these programs are effective in changing norms and attitudes related to child marriage.

Few studies focus exclusively on the movement or campaign against child marriage. These are either historical studies of the movement or ethnographies based on the study of a community. One of these is Bunting's (2005) study that discusses the flaws of the current international movement in terms of the strategies it employs. Bunting's study is based on an ethnography in Nigeria as well as an analysis of documents produced by the UN and other prominent INGOs. Bunting claims that notions of

childhood are culture-specific, and the strategies developed to fight against the practice should take this into consideration. Another study that examines the international campaign against child marriage is Moschetti's (2005) "Conjugal Wrongs Don't Make Rights: International Feminist Activism, Child Marriage and Sexual Relativism." Moshchetti's study is an historical analysis that covers the period from the 19th century to today. Her particular focus is on feminist campaigns before the Second World War. She argues that the recognition of women's rights as human rights is a result of the endeavors of feminists in the interwar period.

Studies focusing on legislation against child marriage or minimum age of marriage laws examine the interplay between international norms and domestic politics. Toyo (2006) discusses this issue with respect to the Nigerian Child Rights Act (CRA) of 2003. The CRA set the minimum age at 18 but the Nigerian Constitution does not establish a minimum age of marriage. Toyo argues that critics framed the CRA as emanating "not from national but from the international arena" and it was an "invasion of what is basically a private sphere" (1302). Both Moschetti (2005) and Desai and Andrist (2010) argue that age of marriage laws are an important arena of collision between colonial ideology and nationalist Indian ideology. Other scholars focus on the effect of minimum age of marriage laws on actual child marriage rates. Cammack et al (1996) found that marriage age laws have had no effect on the actual rates of child marriage in Indonesia. Momeni (1972) reached similar conclusions in his study focusing on Iran. More recently Lee-Rife et al. (2012) also found that the Indonesian Marriage Act of 1974 did not lead to significant changes in the trends of child marriage. One of the most comprehensive descriptive studies of child marriage legislation is that by the World

Health Organization (WHO) and the Inter-Parliamentary Union in 2015. This study reviewed current legislation against child marriage in 37 Asia-Pacific Countries and concluded that child marriage rates remained high even in the presence of strong legislative measures against it (Scolaro et al. 2015).

None of the sources mentioned above examined the legislation against child marriage in a global level or asked how and why the minimum age of marriage is increasing globally. These questions entail a macro-level comparative approach both theoretically and methodologically. In the next section, I explain how sociological theories of globalization helps us to answer these questions.

5.2. Theoretical background and hypotheses

5.2.1. World Polity Theory and hypotheses

The existing literature on child/forced marriage does not address the issue of why raising the legal marriage age has become a global pattern; neither does it deal with variation in existing national legislation. Sociological theories of globalization help us to investigate these issues. The first of these theories to be discussed here is world polity theory (hereafter WPT). WPT stresses the importance of global institutions and world culture in shaping or constituting the decisions and actions of actors at different levels, from nation-states to individuals. Unlike most theories of globalization, WPT seeks to understand the conformity to many global norms that characterizes the period after the Second World War (Matthias 2013, Amahazion 2014, Amahazion 2016). In that sense, it offers an array of answers to my question about the general trend of the increase in marriage age legislation.

WPT assumes that worldwide cultural and associational processes are the main mechanisms that constitute actors and action (Boli and Thomas 1999). In this model, world culture refers to the "culture of world society, comprising norms and knowledge shared across state boundaries, rooted in nineteenth century Western culture but since globalized, promoted by nongovernmental organizations as well as for-profit corporations, intimately tied to the rationalization of institutions, enacted on particular occasions that generate global awareness, carried by the infrastructure of world society, spurred by market forces, riven by tension and contradiction, and expressed in the multiple ways particular groups relate to universal ideas" (Lechner and Boli 2005: 6). WPT assumes the structural dominance of a rationalized, global institutional and cultural order in which all other units, such as nation-states, organizations and individuals, are embedded. In terms of the decision-making processes of nation states, it highlights the world-cultural principles upon which the world cultural order is founded. Nation-states around the world have similar structures and implement similar models of development, health or education because they conform to "dominant, legitimated or taken-for-granted views" resulting from world culture (Schofer et al 2012). WPT scholars count "rationalization, universalism, belief in progress and individualism" as crucial cultural assumptions of the world polity (ibid). These cultural principles are institutionalized as normative rules in the world polity. For WPT, actors do not act so much as enact these cultural models.

Unlike the rational-actor assumptions of the majority of sociological theories of globalization, WPT emphasizes culture and norms as constitutive of action. For WPT, states or individuals do not always make decisions on the basis of what is rational or what

is functional; rather, they conform to dominant frames of reference. One of the most important reasons for this conformity is the concern to be seen as being legitimate in the eyes of others. This applies to actors at various levels and includes individuals as well as nation-states.

Although this process holds for all social levels and generates considerable isomorphism, not all units conform at the same time. That is to say, although world cultural principles are strong in setting up norms and influencing action, variations among units are common. This is what WPT scholars call "loose coupling," which refers to the mismatch between norms and policy implementation. In the case of child marriage it may refer to enactment of the minimum age law without enforcing it. WPT-oriented research shows that decoupling is more pervasive in some contexts than others. A principal basis of variation in decoupling for WPT is integration into the world polity. Ties to the world polity are crucial in that they reinforce world cultural models and lead to less decoupling.

According to WPT, in a world where a global state that would enforce world cultural norms and models does not exist, INGOs play a highly significant role. Indeed, world-cultural models are embodied in and sustained by INGOs. In addition to INGOs, global interstate agreements also embody world cultural principles. Thus, if a country is subject to many global agreements and heavily involved with INGOs, it would be considered relatively highly integrated into the world polity. According to WPT, as a country is more integrated into the world polity, it will enact more world-cultural principles that are typically institutionalized in international non-governmental organizations and IGOs.

Employing a WPT perspective, I see the trend of increasing the minimum age of marriage as a reflection of the principles of the global cultural order. With its emphasis on conformity in global policy-making as a result of being exposed to certain global norms (see Figure 4), the WPT perspective is useful for understanding the global pattern of raising the legal marriage age. For WPT, principles of the global moral order are "taken-for-granted" by societies around the world: they define what is legitimate and act as recipes for policy development. However, the diffusion of these principles is not a process that happens uniformly. On the contrary: for WPT, "variation within diffusion" is a common outcome. In that sense, WPT is helpful for explaining both convergence and variation.

According to WPT, world cultural scripts push for the sacralization of particular social entities. The individual is one of the most important categories in the sacred core of the global moral order. WPT research shows that the sacrality of the individual has been institutionalized globally, especially after the Second World War (Elliott 2007). For WPT, the individual is an essential category for the world cultural order and protecting individual rights is more important than protecting the rights of such collectivities as tribe, family or religious community. This line of thinking has critical implications for the issue of child/forced marriage. Child/forced marriage is usually seen as reflecting the dominant culture and being in accordance with tribal or religious law, which prioritizes the primacy of the family, instead of the girl who is getting married. Thus, where culture is more collectivist it is more likely to practice child/forced marriage. By contrast, in more individualistic cultures marriage decisions will be seen as a matter of free individual choice. This difference may be important in explaining variation concerning

marriage age laws. Nation-states are important actors in this institutionalization process since they enact laws that constitute and strengthen the category of the individual. The global trend of increasing legislation against child marriage can be seen as further strengthening of the individual as a sacred entity. Thus we can expect stricter laws against it in countries where the individual as a category is more institutionalized.

Hypothesis 1: The more institutionalized the individual as a category, the higher the likelihood of passing legislation setting the minimum age of marriage at 18.

Another category that is seen as sacred by the world cultural order is children. Following WPT, Boyle et al. (2007) claim that children came to be socially constructed as individuals very recently, in historical terms. Children have rights and interests that go beyond and sometimes above those of their parents, nations, religion and so on. However, this process is also not uniform. Different societies have different institutionalized conceptions of children and their rights. Following this, I hypothesize that in countries where children are seen as individuals, their rights will be protected more and in turn the legislation against child/forced marriage will be stricter.

Hypothesis 2: The greater the empowerment of children, the higher the likelihood of passing legislation setting the minimum age of marriage at 18.

As stated above, WPT argues that world cultural principles shape policy making at various levels. But how does this happen? For WPT, the main mechanism through which these norms and principles are diffused is INGO involvement. According to WPT, INGOs are crucial institutional forms and carriers of world-cultural principles. The more a society is engaged with INGOs, the greater will be the impact of world cultural

principles. In other words, embeddedness in the world polity through INGO engagement increases exposure to global norms.

In the case of child/forced marriage, the global trend is toward increasing the marriage age, due to global cultural norms of individualism and sacralization of women and children. Following this, I hypothesize that the world-polity embeddedness of a country is predictive of its legislation regarding the minimum marriage age requirement.

Hypothesis 3: The greater the embeddedness in the world polity, the higher the likelihood of passing legislation setting the minimum age of marriage at 18.

In addition to the influence of INGOs in general, membership in women's INGOs that work on the issue of child/forced marriage is particularly important. It is mainly through women's INGOs that societies are exposed to global cultural norms regarding gender equality and violence against women. I hypothesize that women's INGOs' efforts are central for the state's legislative reforms against child/forced marriage.

Hypothesis 4: The greater the involvement with women's INGOs, the higher the likelihood of passing legislation setting the minimum age of marriage at 18.

Finally, the ratification of certain international human rights instruments is an important factor contributing to legislative changes. Following WPT, we can say that human rights instruments such as conventions and resolutions have norm-setting power and should be predictive of legislative reforms. International human rights instruments are important because ratifying them indicates adhesion to global legitimations of the individual and individual rights. For the issue of child marriage. treaties and conventions on women and children are particularly important.   I hypothesize that if a country ratifies

more treaties on children and women then it is more likely to have stricter marriage age laws.

> *Hypothesis 5: The more relevant conventions ratified, the higher the likelihood of passing legislation setting the minimum age of marriage at 18.*

5.2.2. Theories of Marriage Decisions

5.2.2.1. Modernization and Love Marriage

Reasons for marriage vary over time and space. Today love and affection are considered the most important motives for the decision to marry in many parts of the world. Accordingly, marriage is defined as a relationship into which both sides enter with full consent and as a result of their personal choices. Although the relationship between love and marriage is considered fundamental today, historically this has not been the case. Anthropological studies of marriage and kinship claim that historically marriage was not about love or affection but about practical reasons such as political alliances, inheritance, or maintaining economically viable households. Coontz (2006) argues that through most of human history marriage was about the relationship between extended families, not individuals. She states that the link between love and marriage emerged with the development of wage labor and urbanization. Wage labor and the loss of ties to the land resulted in the dissolution of traditional family structures. Since young people gain greater independence from their parents with the introduction of wage labor, they have the option to resist their families' spousal selections. For Coontz, it is in this context that love became an indispensable part of marriage.

Coontz's theory of the emergence of love marriage is representative of explanations of social change based on modernization and urbanization. Although neither

Coontz nor the classical anthropological literature on marriage directly addresses the issue of child marriage, this line of thinking has implications for it. In cases of child or forced marriage, parents usually make the marriage decision. In order for young people, particularly girls, to resist their family's decisions they need the means to do so. The introduction of wage-labor is critical in this context. In rural societies where the only means of subsistence is the land, young people have no choice but to stay with their families and comply with their parents' decisions. However, while Coontz's argument about wage labor is historical, today wage labor is the norm almost everywhere. The same does not apply for urbanization. Since urbanization levels still vary greatly, it may be an important factor in explaining differences regarding child marriage. Following Coontz, I hypothesize that lower levels of urbanization are correlated with higher support for child marriage and, thus, less strict laws about marriage age. Here the logic of the argument is that laws are derivative of societal values. Unlike WPT assumptions about law-making, the law is seen as a reflection of national norms, ideas and interests. So my hypothesis is that:

> *Hypothesis 6: The higher the urbanization rate, the higher the likelihood of passing legislation setting the minimum age of marriage at 18.*

5.2.2.2. Family Primacy

The literature on child marriage cites poverty, gender ideologies, war, and social norms as the major causes of child marriage (Warner et al. 2012). Although the exact causes are specific to region or time, child marriage is almost always considered a forced marriage since children cannot express consent. Qualitative data from different regions support this claim. For instance, a study from Bangladesh found that 45 % of the time it

is the parents who make the marriage decision, followed by 20 % in which relatives take a decisive role (Islam et al 2015: 20). Although we do not have data to claim that all child marriages are forced marriages or the marriage decision is made by the family/relatives, it is safe to argue that child marriages are more likely to take place where the family is the primary social actor. In those contexts, states would be less willing to pass laws against the values of the majority. Thus, my hypothesis is that:

> *Hypothesis 7: The greater the primacy of the family, the lower the likelihood of passing legislation setting the minimum age of marriage at 18.*

5.2.3. Realist Theories and Demographic Factors

Realist theories of the nation-state emphasize the competitive nature of international relations: all states pursue their national interests in an anarchic arena. In this framework, zero-sum rules apply. States act on the basis of their interests and try to guarantee "survival." Thus, these theories understand domestic decisions and policy-making as responses to this competitive and anarchic realm.

Among other things, demographic factors are central to a state's competitiveness in the international realm. Caldwell et al. suggest that low fertility has negative consequences for a country, such as low rates of new human labor entry into the labor force and a higher proportion of the elderly. When these factors come together a dependency problem emerges: older people are dependent on the production of a shrinking labor force. It can also be argued that low fertility is a problem for states since they need cheap labor provided by high population growth rates. Caldwell et al (2002: 4) claim that around 44 percent of the world's countries are experiencing "fertility at or below replacement level," due to women postponing having children to later ages as well

as late marriage (Bongaarts 1999). For Caldwell et al., some of these countries with low

rates of fertility will eventually adopt policies to raise fertility rates (Calwell et al. 2002:

1). Gauthier's (1998) comparative analysis of family policies in twenty-two industrialized

countries over the last 100 years shows that declines in fertility, increases in divorce

rates, single parenthood, and female labor force participation correlate positively with the

introduction of family-friendly policies. Although she demonstrates that different

ideologies and contextual events result in divergent outcomes, concerns about

demographic trends are common elements in governmental policy development,

initiatives and legislation.

The literature on child marriage shows that early marriages result in more children

per woman. Raj et al. finds significant associations between child marriage and

"increased risk for no contraceptive use prior to first childbirth; high fertility; history of

rapid repeat childbirth; [and] multiple unwanted pregnancies" relative to women who

married when older than 18 years (Raj et al., 2010). Hence, it can be argued that, if a state

seeks to decrease its population growth rate, it is more likely to legislate against child

marriage or to make the minimum age requirement stricter. It is reasonable to think that

states would strive to preclude child marriage on account of its negative consequences,

such as lower levels of female education, lower rates of female labor participation, and

potential public health problems.

Hypothesis 8: States whose population policy favors low fertility rates are more likely to pass legislation setting the minimum age of marriage at 18.

Another demographically related factor is population policy itself. Barrett and

Tsui (1999) suggest that population polices are influenced not only by domestic factors

but also by the international environment. They build their argument on the basis of the fact that population policies to reduce fertility were encouraged by the international community following World War II. They claim that the international community provides "international population assistance" when one of the following conditions is met: the recipients need help or the recipients want help. They focus on the second case, in which the recipient country adopts population policies to reduce fertility, yet is in need of economic assistance to implement them.

Barrett and Tsui's research shows that developing countries that have population policies aimed at reducing national fertility growth rates are more likely to receive financial assistance from international donor organizations. They explain this relationship with the symbolic value that national policies carry. Building on an institutionalist perspective, they argue that nation-states adopt policies not only for their symbolic value in the international realm but also because the international community rewards nation-states for policies that are in line with world-cultural models. In other words, they argue that more resources (i.e., economic aid for population control) are sent to countries demonstrating more conformity to global models. Their empirical analysis shows that the countries with population policies favored by the international community received more funds from the United States Agency for International Development (USAID) to assist fertility control.

Following Barret and Tsui, I theorize that countries receiving international funds to fund their population policies are more likely to pass stricter marriage age laws. Countries in need of these funds or hoping to keep receiving them will want to stay legitimate in the eyes of the international community. As shown above, child marriage is

an important factor in high fertility rates. Consequently, the adoption of stricter marriage age laws would signal compliance with international norms concerning population control.

> *Hypothesis 9: The more international assistance for population control, the higher the likelihood of passing legislation setting the minimum age of marriage at 18.*

5.2.4. Religion

Religion is a major element that shapes cultural systems, and it often plays an influential role, directly or indirectly, in policy making. Religious bodies often regulate familial, marital, and nuptial relations, and religion is a major factor underlying attitudes about gender relations. Depending on the dominant religious practices or beliefs, religion can thus be strongly predictive of a society's gender ideology, and its view of marriage and the family. Accordingly, it is reasonable to consider religion as a potential factor in policies concerning child marriage. In some countries, multiple legal systems operate but religious law is the source of legal grounds for child marriage. In other countries, religious laws are not recognized by formal (state) law, although they still have symbolic power.

Furthermore, besides its foundational role in the formation of a particular gender perspective, religious institutions serve as facilitators of the practice of child marriage. Where formal law restricts marriages under 18 years of age, religious leaders often endorse lower-age marriage practices. In other words, when such marriages cannot be performed under formal law, they take place under religious law.

Current debates often point to Islam as the religion that most frequently tolerates or supports child marriage. This belief is grounded in the fact that rates of child marriage are relatively high in countries in which Islam is the dominant religion. Also, in some recent cases (for instance, Yemen and Pakistan) legislation to increase the marriage age has been opposed by Islamic clerics. Nevertheless, the international community is cautious about making too much of the relationship between child marriage and Islam. For instance, The Elders, which is one of the major actors behind the movement against child marriage, argues that "child marriage is not endorsed by any religion" and is rather a result of poverty and social norms about girls' honor.

The individual as a social category is not equally valued by different world religions. Their different ideas regarding the individual can be predictive of their stance on child marriage. WPT finds the roots of world cultural principles such as individualism in Christianity. Sociological theory suggests that Christianity is more closely correlated with individualism and, within Christianity, Protestantism has the strongest link to the idea of salvation as a matter of individual responsibility. However previous WPT-oriented research shows that Catholic countries were early abolishers of the death penalty (Matthias, 2012) and also early in passing laws against organ trafficking (Amahazion, 2014), based on the Church's strong emphasis on the sanctity of life. Thus, Catholicism may also be an important factor. At the other end of the spectrum is Islam, which often provides grounds for resisting individual rights in general and women's rights in particular. Following these assertions, I theorize that in Christian countries, there will be less support for child marriage compared to Islamic countries; among Christian countries, those that are Protestant societies should be least likely to support child marriage.

Hypothesis 10: Protestant countries are most likely to have legislation setting the minimum age of marriage at 18. Catholic countries are less likely to have legislation and the Muslim countries are least likely to have laws setting the minimum age of marriage at 18.

5.2.5. State Capacity/Government Effectiveness

Child/forced marriages are mostly unregistered, in part because child marriage is illegal but also because many states do not have effective bureaucratic structures to register them. In the absence of effective bureaucratic functionality, states cannot keep track of births and marriages. If a state lacks information about the prevalence of child/forced marriage in its territory, then it is unlikely that it will identify child marriage as a problem and develop effective legislation against it. On the basis of this assumption, I hypothesize that a state's capacity is related to its laws against child/forced marriage.

Hypothesis 11: The stronger the state capacity, the more likely the state will pass legislation setting the minimum age of marriage at 18.

5.2.6. Female Empowerment

The relationship between women's presence in the parliament and the representation of women's interests is widely explored by political scientists. Phillips' book, *The Politics of Presence* (1995), suggests that women's interests can best be represented by women politicians. The main assumption behind this is that women share similar life experiences and can anticipate each other's needs best. She claims that women's and men's experiences are different in the labor market, education, exposure to violence, and child-rearing responsibilities, among others, so only women politicians can and will address women's issues.

Wangnerud (2009) differentiates between descriptive representation and substantive representation of women in parliament. Research about descriptive representation deals with the question of under what conditions the number of women increases in parliaments, while research on substantive representation asks how the presence of women affects policies on gender equality. She claims that studying the effect of the presence of women on gender equality or women's interests is complicated because the concept of "women's interests" is contested. Some scholars claim that "women" is not a fixed category but rather a changeable one. Also, the intersection of gender, class and race is an important factor to consider when thinking about who represent whose interests. These factors complicate the research on substantive representation because different scholars use different definitions of "women's interests." However Wangnerud's review of existing research on this issue shows that, despite different definitions, all research on the issue reaches a similar conclusion: "female politicians contribute to the strengthening of the position of women's interests" (Wangnerud 2009: 65).

The laws against child marriage can definitely be seen as laws promoting gender equality and therefore strengthening women's interests. Following this and the literature on the effects of female parliamentarians, I hypothesize as follows:

Hypothesis 12: The greater the representation of women in the legislature, the more likely the state will pass legislation setting the minimum age of marriage at 18.

5.3. Conclusion

This chapter presents a theoretical framework for examining global variance in the legislation about the minimum age of marriage. Utilizing several comparative and

sociological theories and concepts, hypotheses about states' implementation of

transplantation legislation are developed. Table 6 summarizes these hypotheses.

-Table 6 about here-

Figure 5

Cumulative Number of new minimum age legislation (set at age 18) by year.

Number of new minimum age legislation (set at 18) by year
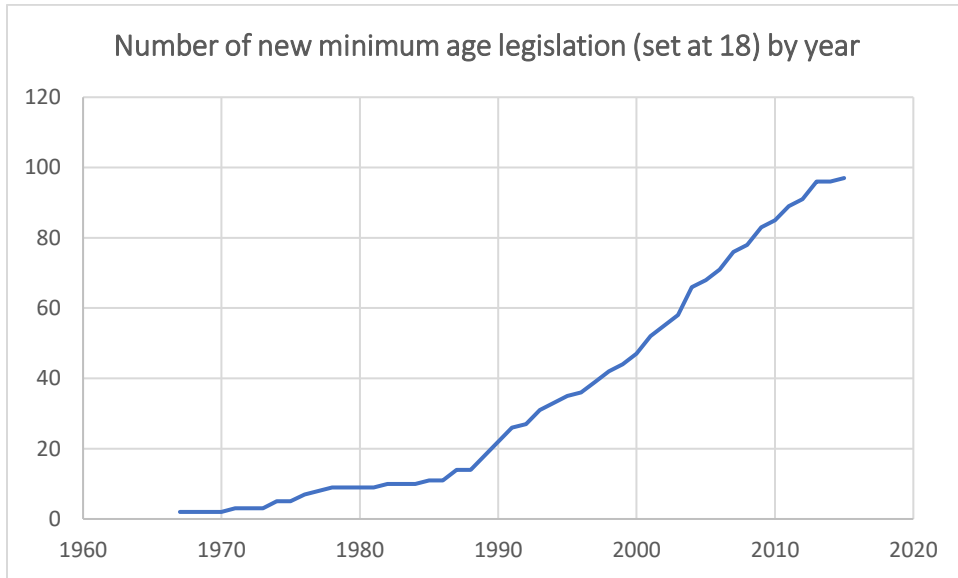
Figure 6

Legal minimum marriage age for girls
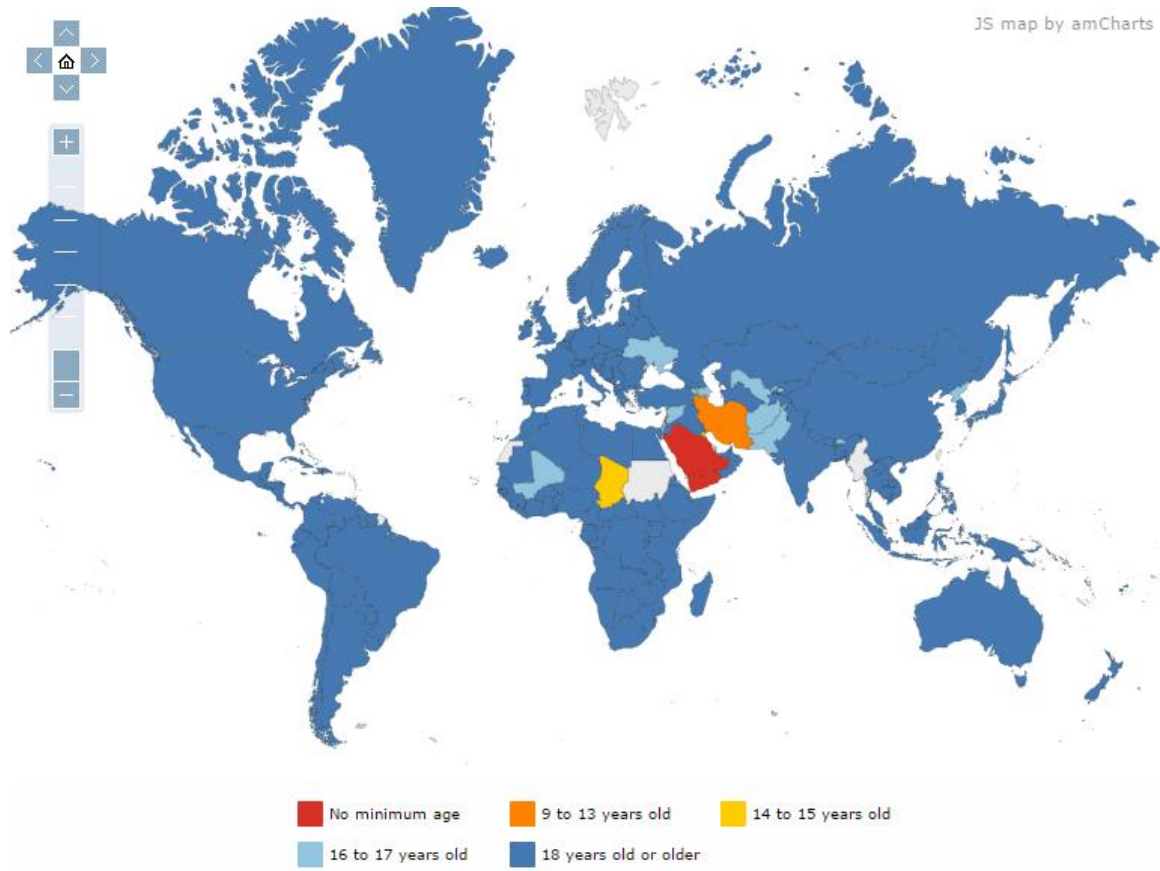
Figure 7

Marriage age with parental consent (for girls)

What is the minimum age of marriage for girls with parental consent?

Legend:
- No minimum age
- 9 to 13 years old
- 14 to 15 years old
- 16 to 17 years old
- 18 years old or older

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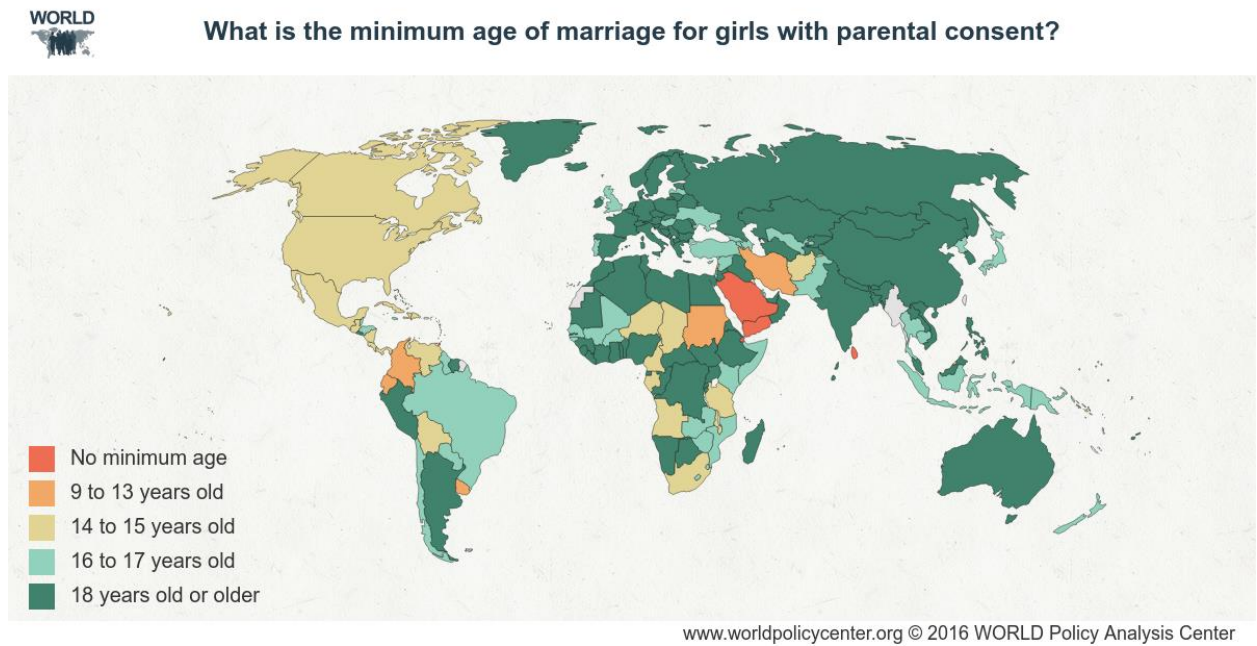
Figure 8

Marriage age when all exceptions are taken into consideration (for girls)

When all exceptions are taken into account, what is the minimum age of marriage for girls?

Legend:
- No minimum age
- 9 to 13 years old
- 14 to 15 years old
- 16 to 17 years old
- 18 years old or older

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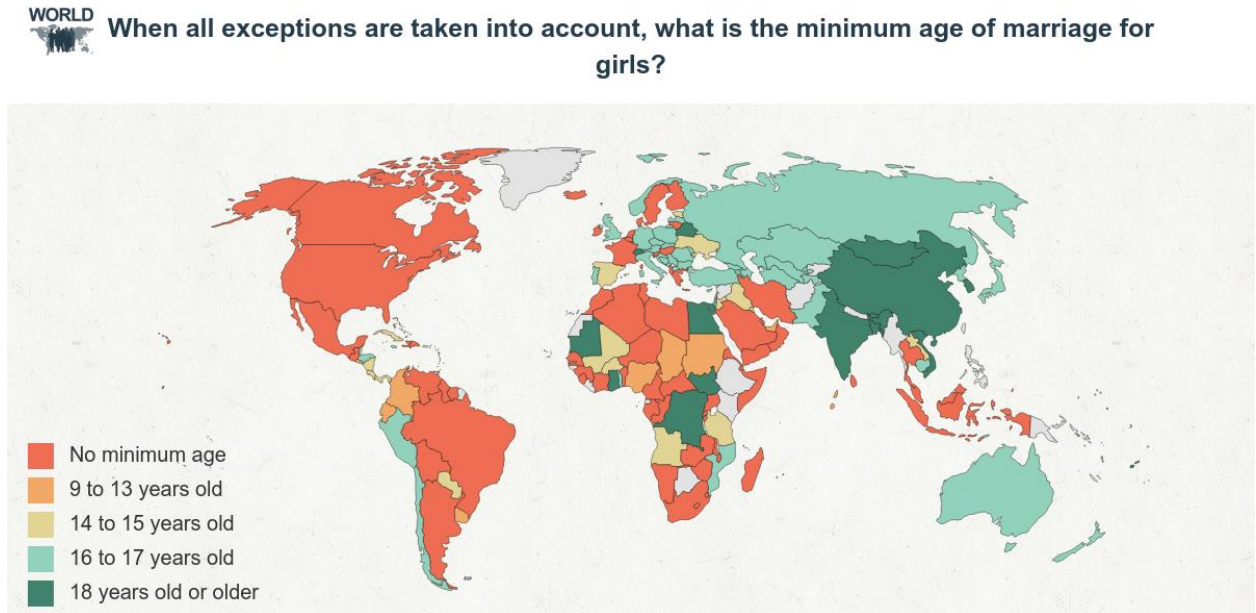
Figure 9

Gender disparity in the legal age of marriage

Is there a gender disparity in the minimum legal age of marriage?

No minimum age for girls and boys

Girls can be married 3 to 4 years younger than boys

Girls can be married 1 to 2 years younger than boys

No difference in minimum age

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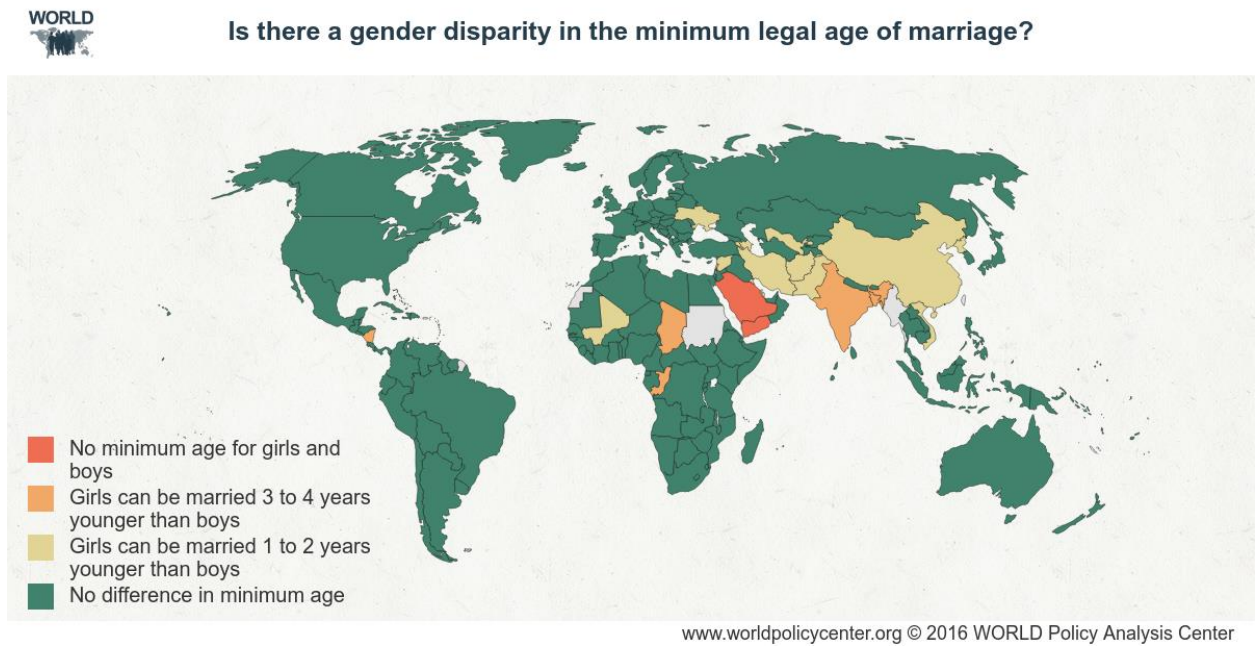
Table 6

Summary of Hypotheses

Theory	Hypothesis
World Polity – World Culture	**1.** The more institutionalized the individual as a category, the higher the likelihood of passing legislation setting the minimum age of marriage at 18.
	2. The greater the empowerment of children, the higher the likelihood of passing legislation setting the minimum age of marriage at 18.
	3. The greater the embeddedness in the world polity, the higher the likelihood of passing legislation setting the minimum age of marriage at 18.
	4. The greater the involvement the women's INGOs, the higher the likelihood of passing legislation setting the minimum age of marriage at 18.
	5. The more relevant conventions ratified, the higher the likelihood of passing legislation setting the minimum age of marriage at 18.
Marriage and Modernization	**6.** The higher the urbanization rate, the higher the likelihood of passing legislation setting the minimum age of marriage at 18.
Marriage and Family	**7.** The greater the primacy of the family, the lower the likelihood of passing legislation setting the minimum age of marriage at 18.
Realist Theories: Population Policy	**8.** States whose population policy favors low fertility rates are more likely to pass legislation setting the minimum age of marriage at 18
Realist Theories: International Assistance	**9.** The more international assistance for population control, the higher the likelihood of passing legislation setting the minimum age of marriage at 18.
Religion	**10.** Protestant countries are most likely to have legislation setting the minimum age of marriage at 18, followed by Catholics; Muslim countries are least likely to have laws setting the minimum age of marriage at 18.
State Capacity	**11**. The greater the state capacity, the more likely it will pass legislation setting the minimum age of marriage at 18.
Female Empowerment	**12.** The greater the representation of women in the legislature, the more likely the state will pass legislation setting the minimum age of marriage at 18.

CHAPTER SIX

DATA AND METHODS

In this chapter, I present data and methods for the quantitative analysis testing my hypotheses about the factors that may help explain the adoption of the legislation setting the minimum marriage age at 18. My analysis is based on a time-series panel dataset that covers 167 countries, spanning 1965-2015. I conduct two types of analysis which address different aspects of the data: adoption of the age-18 norm (logistic regression) and the factors affecting early versus late adoption (survival analysis).

6.1. Dependent variable: Legislation setting the minimum age of marriage at 18

This variable indicates whether or not a country has legislation setting the minimum age of marriage at 18 in a given year. As explained earlier, some countries have marriage age laws that set the age limit strictly at 18 without any exceptions, some set the age limit at 18 but allow exceptions, others set the age limit below 18, and still others do not set any marriage age limit at all. Originally, I planned to use an ordinal variable but it proved to be problematic for the lack of variation in the outcome variable (only 5 percent of the cases have laws strictly setting the minimum age of marriage at 18) and also it violates a major assumption of the logistic regression which is the mutual exclusiveness of the ordinal categories. [18]

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[18] I also coded the dependent variable as an ordinal variable, from no laws to strict laws. (1= strictly 18, 2= 18 with exceptions, 3= not set/below 18). The first category sets the age at 18 without exceptions. However, this ordinal variable turned out to be a non-viable option for two reasons: only 19 countries (of 167) have a strict law setting the minimum age at 18, and most of these laws were passed since the late

Given the problems with an ordinal version of the variable, I created a dummy variable with just two values. The variable is coded 1 if a country has a law that sets the marriage age at 18, with or without exceptions, and 0 if the marriage age is below 18 (for either or both sexes) or a minimum age of marriage is absent. Thus, I combine "strictly 18" and "18 with exceptions" into one category and all other cases into another. Both scenarios in the first category are compliant with the international standard, while those in the second category violate it. Since I seek to explain the global trend toward increasing the marriage age to the international standard of 18 years old, this categorization is appropriate.

Kim et al (2013) coded marriage age laws for non-OECD countries until the year 2011. As an addition to their data, I coded the OECD countries and extended the data set to 2015. To code the years after 2011, I predominantly used Girls not Brides' webpage in which information on any development on child marriage (including legislative changes) can be found, country by country (Girls not Brides, 2017f). In most cases, the country profiles provide information on the latest legislative changes. In some cases, I used the links to relevant reports provided in country profiles. For 37 Asia-Pacific countries, I used the 2016 report, "Child, Early and Forced Marriage Legislation in 37 Asia-Pacific countries" by the Inter-Parliamentary Union (IPU) and World Health Organization (WHO) (WHO 2016). For African countries, I used The African Child Policy Forum's report on marriage age laws in Africa (ACPF, 2013). I also used the World Law Guide

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1990s. This created a dependent variable with only five percent of the observations in the category, which led to uninterpretable results skewed heavily toward the latter part of the analysis period. In addition, this approach violates one of the main assumptions of ordinal logistic regression, which is that the categories must be mutually exclusive. In this case, strictly 18 and 18 with exceptions are not mutually exclusive as the former includes the latter.

(Lexadin, 2016) and World Policy Center data (World Policy Center 2017). If contradictory information emerged, I consulted CRC and CEDAW country reports.

For OECD countries, I used the CRC and CEDAW country reports, the Council of Europe Family Policy Database, and a report by the Policy Department (Citizens' Rights and Constitutional Affairs) to the European Parliament (Psaila et al 2016).

6.2. Independent Variables

6.2.1. Institutionalization of the sacrality of the individual (cultural individualism)

World-polity research shows that world cultural principles are carried through INGOs and involvement with INGOs is a strong indicator of adherence to world cultural models. According to some world-polity scholars, higher levels of cultural individualism are associated with more extensive professional psychology (Frank et al 1995). I therefore measure the level of cultural individualism by country-resident memberships in psychology INGOs. The data to 2005 comes from Frank (2012); I extended this series by extrapolating to 2015. The variable is logged to attenuate for skew.

6.2.2. Empowerment of children

I use measures of the empowerment of children developed by Boyle and Kim (2009): child labor, immunization, and primary and secondary education gross enrollment rates. The authors state that, although these measures are far from ideal, they are the most comprehensive indicators available given the lack of longitudinal and cross-national data on other aspects of children's rights and empowerment. To check for alternatives, I reviewed data sources of such international organizations as UNICEF, the World Bank, and WHO. Although I found better indicators, such as birth registration rates, school

dropout rates, children in employment, and rates of violence against children, the data on these measures start only in the late 1990s. Given these constraints, I follow Boyle and Kim. Child labor and education enrollment rates reflect the social rights of children: reducing child labor and expanding schooling are essential to children's well-being and life chances. Immunization reflects health as a social right and practical measures to improve the health of children. Below I explain the measures for these indicators and data sources.

Child labor

I use the World Bank's *Development Indicators* (2003) to measure child labor. This indicator shows the work force participation rate of children between ages 7 and 14. The data is collected between 1960 and 2003 and discontinued for another measure: children in employment which measures "children in employment refer to children involved in economic activity for at least one hour in the reference week of the survey." (2017) The comparison of these two variables for the years data are collected for both indicators reveal that they measure different types of employment and what is counted as employment differs from country to country. Thus, I did not include the data after 2003 which lead to a limited usage of the child labor variable through different regression and survival analysis models.

Immunizations

Data come from the World Bank's *Development Indicators* (2017) It is measured as the percentage of 12- to 23-month-old children who have been immunized against diphtheria, pertussis and tetanus. The period covered is 1980 to 2015.

Primary and secondary education gross enrollment rates

I again draw on the World Bank's *Development Indicators* (2017). These rates are defined as "total enrollment in primary/secondary education, regardless of age, expressed as a percentage of the population of official primary/secondary education age." Data are collected between 1970 and 2015. Sixty percent of the primary school rates and forty percent of secondary school rates exceed 100 percent because children older (and in some cases, younger) than the specific age groups for primary or secondary education are also enrolled. Assuming that numbers above 100 percent have full enrollments for the official age group, I replaced all values above 100 with 100.

Primary education net enrollment rates

In addition to gross enrollment rates, which have more extensive coverage, I also use variables for net enrollment rates. These rates are defined as the "total number of students in the theoretical age group for primary education enrolled in that level, expressed as a percentage of the total population in that age group." Data are collected between 1970 and 2015 (World Bank 2017).

6.2.3. Embeddedness in the world polity

Following WPT scholars, I use INGO memberships to measure the degree of embeddedness or integration into the world polity. While far from ideal, this measure of the breadth of INGO memberships (the number of INGOs to which residents of each country belong) has become the standard measure for this concept. INGOs are seen as the embodiments of world cultural principles and their activities and discourse reflect and shape the principles of world culture (Boli and Thomas 1999). It is well documented that global norms are more widely adopted in countries embedded in INGO networks (Frank, Hironaka and Schofer 2000). The INGO data comes from the *Yearbook of International*

Organizations (2005 and 2013). The data for 1968-2005 are from Matthias (2013), for 2005-2012 from Amahazion (2016). I extrapolated the data for 2012-2015. The variable is logged to reduce skewness.

6.2.4. Involvement with women's INGOs

In addition to general INGO memberships, this variable considers INGOs specifically working on women's issues. It follows the same logic: INGOs working on women's issues carry global norms regarding women and more involvement with these organizations increases adoption of these norms. I measure involvement with women's INGOs by the number of INGOs about and for women to which each country's residents belong. The data is derived from a random sample of 25 organizations, stratified by founding date, covering the period 1965-2005 (Frank 1999). I extrapolated the data to extend coverage to 2015.

6.2.5. Ratification of international treaties

According to world polity theory, international human rights instruments represent world cultural principles and their ratification reflects strengthens the legitimacy of those principles. Here I focus on the ratification of treaties dealing with children and women. Three international treaties are particularly important: the Marriage Convention (1962), The Convention on the Elimination of All Forms of Discrimination against Women (1979), and the Convention on the Rights of the Child (1989). I add two protocols to the original conventions as they are related to child marriage. The first is the "Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography" (2000). This protocol, although not explicitly referring to child marriage, refers to the vulnerable position of the girl-child in terms of

sexual exploitation. It further mentions addressing harmful cultural practices as a means to eliminate the sale of children, child prostitution and child pornography. The second protocol is the Optional Protocol to CEDAW (1999), which facilitates enforcement of the original convention by opening the way to individual complaints about rights violations and specifying procedures for investigating such complaints.

I coded this data to indicate the total number of these treaties and protocols ratified by each country in a given year from 1965 to 2015. The data is available from the UN Treaties website (UN Treaties 2017).

In addition to the total number of relevant ratifications, I created separate variables for the 1962 Marriage Convention, the CRC and CEDAW to examine their individual effects on the likelihood and rapidness of passing legislation setting the minimum marriage age at 18.

6.2.6. Urbanization

Urbanization is measured as the urban population as a percentage of the total population. I use the World Bank's Development Indicators (2017) database since this measure is available for 190 countries for the period 1965-2012.

6.2.7. Family primacy

I use the rate of child marriage as a measure of family primacy, considering that the marriage decision is usually made by parents or relatives when the marrying person is under 18. Thus, if the rate of child marriage is high, it is likely that the family is the primary social unit rather than individual; marriage is a family matter, not a matter of individual choice. From the UN's Population Statistics (2017) I obtained the variable defined as the percentage of "ever married women and men aged 15 to 19 years." The

data is available approximately every 10 years starting in the 1970s. I interpolated this variable to extend coverage. Since there is very limited data coverage, more than 80 percent of these marriage rates are estimates in my analysis.

6.2.8. Population policy

I create a dummy variable combining two indicators. The first is the policy on fertility, indicating the government's stated policy to influence the level of fertility. This indicator has four categories: raise; maintain; lower; no intervention. The second indicator is the view of fertility, which has four categories: satisfactory, too high, too low. I coded the population policy as 1 if a country viewed its fertility level as too high and had a policy to lower it; all other cases were coded 0. The UN Population Policy Dataset (2017) provides data on this indicator for the years 1976, 1986, 1996, 2001, 2003, 2005, 2007, 2009, 2011 and 2013.

6.2.9. International assistance for population control

I use the OECD International Development Statistics (IDS) database (2017) to collect data on international assistance for population control (OECD 2017). Population assistance includes total official development assistance (ODA) commitments for population policies, programmes and reproductive health (in millions of constant US dollars). The variable was logged to reduce skewness.

6.2.10. Religion

Using the Teorell et al data set (2011), I code countries as Catholic, Protestant, or Muslim. The coding applies if more than 50 percent of the population is a member of one of the three religions. The data set does not specify a religious identity if no one religion accounts for more than 50 percent of the population. I supplemented this data

with information from national bureaus of statistics and the CIA *Fact Book* (2012) to

code the remaining cases as "Other Christian" or "Other Religion."

6.2.11. State capacity

I operationalize the state capacity by focusing on bureaucratic and administrative

capacities. Following the Weberian conceptualization of the modern state, this approach

rests upon the idea that, where the state bureaucracy is more professional, state capacity

is greater. Two measures of bureaucratic/administrative capacity often used by

researchers are a direct measure of bureaucratic quality (described below) and an indirect

measure using "export profiles or revenue-generating capacity" (Hendrix 2010, DeRouen

and Sobek 2004). For the purposes of my research, bureaucratic capacity is a plausible

measure because my theoretical concern is the registration of births and marriages. This

clearly requires a functioning bureaucracy by means of which the state can monitor its

population and enact effective laws.

The direct measure of bureaucratic quality is provided by the *International*

Country Risk Guide (ICRG 2015). The ICRG provides data on "quality of the

bureaucracy," a 0-6 scale in which high scores indicate "an established mechanism for

recruitment and training," "autonomy from political pressure," "strength and expertise to

govern without drastic changes in policy or interruptions in government services" when

governments change, and "established mechanisms for recruiting and training" (Knack,

2000: 28). Data from the ICRG is available for 140 countries starting in 1984.

To extend historical coverage, I use another measure of state capacity:

government consumption as a percentage of gross domestic product (GDP). Following

Boyle et al. (2016), I also include government spending as a proportion of GDP as an indicator of the capacity of the government. I report findings using both measures.

6.2.12. Female empowerment

I measure female empowerment by the proportion of seats held by women in national parliaments. The literature shows that the presence of females in politics is a telling indicator of the strength of women's rights in a country (Phillips 1995, Wangnerud 2009). Data for this measure is available from the Interuniversity Consortium for Political and Social Research (ICPRS), Women in Parliament, 1945-2003: Cross-National Dataset (Paxton et al. 2008).

6.3. Control variables

6.3.1. GDP per capita

GDP per capita is considered important for child marriage legislation because higher rates of child marriage are correlated with higher rates of poverty, as marrying girls off may be the only viable option for poor families (Nguyen and Wodon, 2015). Thus, less wealthy countries may be less willing to pass legislation against child marriage. Conversely, as shown in the second chapter, lowering child marriage rates is now considered a way to facilitate economic development. Thus, less wealthy countries may be more willing to pass minimum-18 age of marriage legislation to increase their economic growth.   For this indicator, I use World Development Indicators data (2017) measured as current US dollars. The variable is logged to reduce skewness.

6.3.2 Region

Some regions, such as Europe, passed legislation against child marriage early on, while other regions such as Africa and Asia have joined the trend much more very

recently. Thus, region may be an important control variable. I use the United Nations Geoscheme (UNSD 1999) defining the regions of Africa, Americas, Asia, Europe, and Oceania.

6.3.3. HIV rates

Studies exploring the relationship between child marriage and HIV/AIDS find that marriage by age 20 is a significant risk factor for HIV/AIDS (Clark et al. 2006, Bruce and Clark 2004, Nour 2006, Raj and Boehmer 2013). Countries trying to reduce HIV prevalence may therefore legislate against child marriage. Thus, I control for the rate of HIV infection. This indicator is available from WDI (2017), which gives the percentage of people ages 15-49 who are infected with HIV. Data are available between the years 1990 and 2015.

6.3.4. Ethnolinguistic Fractionalization

Previous comparative research shows that ethno-linguistic fractionalization is negatively correlated with political stability and the quality of state institutions (Alesina et. al 2003, La Porta et. al 1999). It also indicates the presence of a less culturally homogenous society. Both are important for a state's likelihood of passing laws in accordance with international norms. This variable, available from Teorell et al. (2013), measures the probability of two people not sharing certain characteristics by taking the average value of five different indices of ethnolinguistic fractionalization. Values range from 0 to 1.

6.3.5. Democracy

Previous research shows that human rights are better protected in democratic countries (Hafner-Burton and Tsutsui, 2005). Thus, it is more likely that democratic

countries will pass minimum-18 age of marriage legislation to protect women's and children's rights. I use the Polity IV Project's democracy measure (Davenport and Armstrong II 2004). This measure is an index of "six component measures that record key qualities of executive recruitment, constraints on executive authority and political competition" and ranges from -10 to 10.

6.4. Methods

Two methods of analysis will be used to explain the variation in marriage age laws cross-nationally. The first is survival (or event-history) analysis. Survival analysis is a statistical technique that is used when the dependent variable is the occurrence of an event or "likelihood of occurrence of an event" (Allison 1984). In this study, the event in question is the enactment of a law setting the marriage age at 18, with or without exceptions. Survival analysis captures a crucial aspect of longitudinal data that linear regression cannot analyze: the factors that lead to early or late adoption of the event. The event in question usually refers to a qualitative change that occurs at a specific point in time (Allison 1984: 9). Survival analysis allows for descriptive and parametric analysis of data. The former describes the overall rate an event, in this case the legislation setting the minimum age of marriage at 18. The latter, allow for hypothesis testing about the variables that have an impact on the event. Events may occur just one time or they may recurring. This requires different methods. In my study, since marriage age legislation only pass once (it does not go back to its earlier version once it is passed), I use a discrete-time-method (*ibid* 16), Cox Proportional Hazards Model, to determine the impact of independent variables on the hazard rate of passing the legislation over time (Cox 1972).

In survival analysis, the risk-set consists of all countries that have not passed laws setting the minimum age of marriage at 18 after the year 1965. Countries that had already passed such laws are excluded from the analysis as their "risk" of passing the law is always 0 (no country that with a minimum-18 law has ever reverted to a younger marriage age law).

The second method that can be utilized is logistic regression. Logistic regression is used when the dependent variable is a dummy variable, as is the case with my dependent variable. In contrast to event-history analysis, logistic regression analyzes factors that lead to adoption for the time period as a whole.

In addition to the analysis of the entire period 1965-2015, I analyze four separate time segments: 1965-1979, 1980-89, 1990-2000 and 2001-2015. The end year of the first period corresponds to the opening of CEDAW for signatures. Thus, the second periods tests for the possible effects of CEDAW on the likelihood on legislation. The second period ends in 1989, the year in which the CRC was opened for signatures. The subsequent period, 1990-2000, thus tests for the effects of the CRC. The fourth period starts in 2001, the point at which child marriage clearly became a focus of concern for the international community. Between 2000 and 2001, for the first time, two major reports exclusively concerned with child marriage were published by UNICEF and the Forum on Marriage and the Rights of Women and Girls. This periods ends in 2015.

The following tables offer more information about the data: Table 7 summarizes the variables and sources, Tables 8 through 10 provide details about the dependent variable, Tables 11 through 15 review descriptive statistics, and Table 16 presents a

Pearson correlation coefficient matrix for all of the independent variables. The next

chapter presents results.

Table 7

Data, Measurement, and Sources

Variable	Description	Source
Legislation regarding age of marriage	Dummy variable 1=marriage age set at 18, with or without exceptions; 0=marriage age below 18 (for one or both sexes) or no minimum age.	Lee et al, GNB 2017, IPU 2016, ACFP 2013, Lexadin 2016, World Policy Center 2017, Psaila et al. 2016, CRC and CEDAW country reports.
Cultural individualism	Number of psychology INGOs in which residents of a country are members.	UIA 2005 (Frank, 1999)
Empowerment of children	Child labor: workforce participation rate of children ages 7-14. Immunizations: percentage of 12- to 23-month-old children immunized against diphtheria, pertussis and tetanus. Primary and secondary education gross enrollment rates: total enrollment in primary/secondary education, regardless of age, expressed as a percentage of the population of official primary/secondary education age. Primary education net enrollment rates: total number of students in the theoretical age group for primary education enrolled in that level, expressed as a percentage of the total population in that age group.	World Bank (2017)
Embeddedness in the world polity	Number of INGOs in which residents of a country are members.	UIA 2011 (Matthias 2013 and Amahazion 2016)
Embeddedness in the international women's movement	Number of women INGOs in which residents of a country are members.	UIA 2005 (Frank, 2005)
Treaty ratifications	Total number of ratifications of treaties related to women's/children's rights	UN Treaty Database
Modernization	Urban Population as a percentage of total population	World Bank Development Indicators
Family primacy	Population aged 15-19 ever married (%)	UN Stats

Population policy	Dummy variable 1=population policy to reduce fertility, 0=no such policy	UN Population Policies Dataset.
International assistance for population control	Total Official Development Assistance (ODA) commitments for population policies/programmes & reproductive health (Constant Prices - 2014 USD millions)	OECD (2017)
Religion	Dummy variable. 1= greater than one half of population is Muslim/Catholic/Protestant; 0 = less than one half of population is Muslim/Catholic/Protestant	Teorell et al (2011)
State Capacity	0-6 scale for quality of bureaucracy	International Country Risk Guide (ICRG)
Female Empowerment	Proportion of seats held by women in national parliaments	ICPRS - Women in Parliament, 1945-2003: Cross-National Dataset (Paxton et al., 2008)
Region	Dummy Variable	UN Regional Classification
HIV rates	Prevalence of HIV, total (% of population ages 15-49)	World Bank Development Indicators
GDP per capita		World Bank Development Indicators
Democracy	Additive scale/index of several component variables dealing with executive recruitment (openness of and competition in), executive constraints, and the competitiveness of participation. Scores range from 0 to 10; 0 = less democratic and 10 = most democratic.	Polity IV Project (Marshall and Gurr 2013)
Ethno-linguistic fractionalization	Probability that two randomly selected people will not share a certain characteristic. Takes average value of five different indices of ethonolinguistic fractionalization. Values range from 0 to 1, with higher values representing a lower probability of two people sharing a characteristic.	Alesina et al. 2003; Teorell et al. 2013

Table 8

Year Minimum Marriage Age Set at 18

(if changed after 1965)

Country	Year minimum age of marriage is set to 18 (from not-set/below 18 to 18 (with or without exceptions)[19] [20]
1- Ivory Coast *	1967
2- Zambia	1967
3- Netherlands	1970
4- Mauritius °	1971
5- Bangladesh °	1972
6- Austria	1973
7- Lichtenstein	1973
8- Lesotho	1974
9- Tanzania	1974
10- Costa Rica	1976
11- Uganda	1976
12- Colombia	1977
13- Cuba	1978
14- Croatia	1981
15- Jamaica	1982
16- Malaysia	1985
17- Algeria *	1987
18- Congo Rep	1987
19- Libya	1987
20- Burkina Faso	1989
21- Haiti	1989
22- San Marino	1989
23- Vietnam *	1989
24- Belgium	1990
25- Germany °	1990
26- Namibia °	1990
27- Philippines *	1990
28- Angola	1991
29- Australia	1991
30- Rwanda *	1991
31- Cambodia	1992
32- Czech Republic °	1993
33- Iceland	1993
34- Laos	1993
35- Slovakia °	1993
36- Estonia °	1994
37- Eritrea * °	1994
38- Bulgaria	1995
39- Ireland	1995

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[19] If the minimum legal age of marriage was already 18 in 1965, the country is excluded from this list.

[20] Sources: Melchiorre (2004), Kim et al (2013), World Policy Center (2017), CRC and CEDAW country reports, Lexadin (2016).

40- Burundi	1996
41- El Salvador *	1997
42- Latvia °	1997
43- Georgia *	1998
44- Russia	1998
45- Sri Lanka/Ceylon	1998
46- Bhutan *	1999
47- Trinidad and Tobago	1999
48- Lithuania	2000
49- Oman *	2000
50- Panama[21]	2000
51- Central African Republic	2001
52- Ghana *	2001
53- Kazakhstan	2001
54- Kyrgyz Republic *	2001
55- South Africa	2001
56- Belarus	2002
57- Djibouti	2002
58- Mongolia *	2002
59- Serbia	2002
60- Belize	2003
61- Ethiopia *	2003
62- Maldives	2003
63- Botswana *	2004
64- China °	2004
65- Jordan	2004
66- Kenya [22]	2004
67- Macedonia	2004
68- Mauritania *	2004
69- Morocco	2004
70- Mozambique	2004
71- Comoros	2005
72- Gambia	2005
73- Albania *	2006
74- Cyprus	2006
75- France	2006
76- Benin	2007
77- Chile	2007
78- Madagascar *	2007
79- Togo	2007
80- Tunisia	2007
81- Bosnia	2008
82- Egypt	2008
83- Argentina	2009
84- Fiji	2009
85- Malawi	2009

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[21] Panama raised the minimum age of marriage to 18 with exceptions in 2000. In 2015, the marriage age was set at 18 without exceptions. (Source: https://www.unicef.org/lac/child_marriage_finalversion_23092016.pdf)

[22] Kenya raised the minimum age of marriage to 18 with exceptions in 2004. In 2014, the marriage age was set at 18 without exceptions. (Source: Girls not Brides)

86- Nepal *	2009
87- Romania	2009
88- Sierra Leone	2010
89- Tajikistan	2010
90- Guinea *	2011
91- South Korea	2011
92- Liberia *	2011
93- Azerbaijan	2012
94- Guatemala *	2012
95- Armenia	2013
96- Israel	2013
97- Switzerland	2013
98- Chad	2015

* Indicates that the age of marriage is 18 without exceptions.

° Indicates that marriage age was set at 18 upon independence/new state formation.

Table 9

Countries in which the marriage age was 18 (with or without exceptions) by the year 1965.

Country
1. Antigua and Barbuda
2. Bahamas
3. Burma
4. Canada
5. Denmark
6. Finland
7. Greece
8. Hungary
9. Iraq
10. India *
11. Italy
12. Japan
13. New Zealand
14. Nicaragua
15. Poland
16. Portugal
17. Singapore
18. Spain
19. UK

* Indicates that the age of marriage is 18 without exceptions.

Table 10

Countries in Which the Marriage Age Is Below 18 For Either or Both Sexes,

Or No Marriage Age Was Established By 2015

Country
1. Andorra
2. Aruba
3. Bahrain
4. Barbados
5. Bolivia
6. Brunei
7. Cameroon
8. Congo DR
9. Dominica
10. Equatorial Guinea
11. Gabon
12. Grenada
13. Guyana
14. Honduras
15. Indonesia
16. Iran
17. Kuwait
18. Lebanon
19. Luxembourg
20. Mali
21. Malta
22. Marshall Islands
23. Mexico [23]
24. Micronesia
25. Moldova
26. Nauru
27. Niger
28. Nigeria
29. Pakistan
30. Papua New Guinea
31. Paraguay
32. Peru
33. Qatar
34. Saudi Arabia
35. Senegal

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[23] On 30 April 2015, the Chamber of Deputies approved a reform of Article 148 of the Federal Civil Code in order to establish full age (18 years) as the requirement for entering into marriage, but this reform has not officially entered into force.

36. Seychelles
37. Solomon Islands
38. Sudan
39. Thailand
40. Turkey
41. Ukraine
42. United States of America (no federal law)
43. Uruguay
44. Uzbekistan
45. Vanuatu
46. Venezuela
47. Yemen

Table 11

Descriptive Statistics of Variables (167 Countries, 1965-2015)

Variable	N	Min	Max	Mean	SD
Legislation Status (dummy)	7108	0	1	0.42	0.49
Cultural Individualism (logged)	7058	0	3.09	0.68	0.90
Embeddedness in the world polity (logged)	6296	0	8.48	6.01	1.30
Embeddedness in the international women's movement (logged)	7058	0	2.99	1.01	0.90
Treaty Ratifications	7108	0	5	1.47	1.49
CEDAW ratification status (dummy)	7108	0	1	0.58	0.49
CRC ratification status (dummy)	7108	0	1	0.28	0.44
Marriage Convention ratification status (dummy)	7108	0	1	0.22	0.41
Modernization	7027	5.55	100	50.4	24.5
Family primacy	6810	0	80.9	16.6	15.8
Population Policy (dummy)	5643	0	1	0.33	0.47
International assistance for population control (logged)	2010	-6.33	7.80	1.98	2.22
Muslim (dummy)	7108	0	1	0.17	0.37
Protestant (dummy)	7108	0	1	0.05	0.23
Catholic (dummy)	7108	0	1	0.32	0.46
State Capacity (Bureaucratic Capacity)	3729	0	4	2.21	1.19
State Capacity (Government Consumption) (logged)	6017	0.31	4.43	2.69	0.40
Female Empowerment	5811	1	63.8	12.86	10.03
Empowerment of children (Child labor rate)	3779	0	77.26	18.56	16.58

Empowerment of children (Primary School Gross Enrollment Rate)	5945	2.83	100	91.23	17.11
Empowerment of children (Secondary School Gross Enrollment Rate)	5806	0	100	60.56	32.20
Empowerment of children (Primary School Net Enrollment Rate)	4786	0	100	83.16	18.51
Empowerment of children (Immunization Rate)	5107	1	99	79.08	22.69
HIV rate	2437	0.1	26	2.28	4.31
GDP per capita (logged)	6490	3.62	12.09	7.62	1.69
Democracy	6076	-10	10	1.64	7.45
Ethno-linguistic fractionalization	6732	0	0.93	0.44	0.26

Table 12

Descriptive Statistics of Variables (1965-1979)

Variable	N	Min	Max	Mean	SD
Legislation Status (dummy)	1727	0	1	0.23	0.42
Cultural Individualism (logged)	1703	0	1.60	0.12	0.33
Embeddedness in the world polity (logged)	1267	0	7.2	4.93	1.56
Embeddedness in the international women's movement (logged)	1703	0	2.30	0.60	0.75
Treaty Ratifications	1727	0	1	0.14	0.35
CEDAW ratification status (dummy)	1727	0	0	0	0
CRC ratification status (dummy)	1727	0	0	0	0
Marriage Convention ratification status (dummy)	1727	0	1	0.14	0.35
Modernization	1703	2.50	100	42.36	24.26
Family primacy	1592	5.96e-08	80.96	22.54	19.11
Population Policy (dummy)	474	0	1	0.27	0.44
International assistance for population control (logged)	NA for that period				
Muslim (dummy)	1727	0	1	0.16	0.37
Protestant (dummy)	1727	0	1	0.06	0.20
Catholic (dummy)	1727	0	1	0.34	0.47
State Capacity (Bureaucratic Capacity)	NA for that period				
State Capacity (Government Consumption) (logged)	1176	1.15	4.16	2.62	0.37
Female Empowerment	1089	1	33.2	7.24	6.47
Empowerment of children (Child labor rate)	1574	0.002	77.26	18.16	17.60
Empowerment of children (Primary School Gross Enrollment Rate)	1060	2.83	100	83.91	23.83
Empowerment of children (Secondary School Gross Enrollment Rate)	1034	0	100	41.29	29.81
Empowerment of children (Primary School Net Enrollment Rate)	597	11.19	100	77.19	21.77
Empowerment of children (Immunization Rate)	NA for that period				
HIV rate	NA for that period				
GDP per capita (logged)	1330	3.62	10.21	6.54	1.37
Democracy	1442	-10	10	-1.61	7.73
Ethno-linguistic fractionalization	1527	0	0.93	0.44	0.27

Table 13

Descriptive Statistics of Variables (1980-1989)

Variable	N	Min	Max	Mean	SD
Legislation Status (dummy)	1299	0	1	0.28	0.45
Cultural Individualism (logged)	1289	0	2.30	0.57	0.68
Embeddedness in the world polity (logged)	1230	0	7.86	5.76	1.15
Embeddedness in the international women's movement (logged)	1289	0	2.56	0.82	0.82
Treaty Ratifications	1299	0	2	0.62	0.69
CEDAW ratification status (dummy)	1299	0	1	0.42	0.49
CRC ratification status (dummy)	1299	0	0	0	0
Marriage Convention ratification status (dummy)	1299	0	1	0.19	0.39
Modernization	1289	4.33	100	48.38	25.10
Family primacy	1245	0.09	78.42	19.10	17.21
Population Policy (dummy)	1237	0	1	0.28	0.45
International assistance for population control (logged)	NA				
Muslim(dummy)	1299	0	1	0.17	0.38
Protestant (dummy)	1299	0	1	0.04	0.21
Catholic (dummy)	1299	0	1	0.34	0.47
State Capacity (Bureaucratic Capacity)	615	0	4	2.04	1.33
State Capacity (Government Consumption) (logged)	1066	0.31	4.43	2.73	0.44
Female Empowerment	993	1	38.4	10.01	8.27
Empowerment of children (Child labor rate)	956	0	70.88	19.59	16.73
Empowerment of children (Primary School Gross Enrollment Rate)	1246	17.29	100	88.65	19.29
Empowerment of children (Secondary School Gross Enrollment Rate)	1234	2.48	100	52.23	31.16
Empowerment of children (Primary School Net Enrollment Rate)	978	14.30	100	78.82	20.98
Empowerment of children (Immunization Rate)	1111	1	99	60.59	28.88
HIV rate	NA				
GDP per capita (logged)	1169	4.57	10.63	7.41	1.47
Democracy	1109	-10	10	-0.9	7.85
Ethno-linguistic fractionalization	1247	0.001	0.93	0.45	0.26

Table 14

Descriptive Statistics of Variables (N Countries, 1990-2000)

Variable	N	Min	Max	Mean	SD
Legislation Status (dummy)	1689	0	1	0.40	0.49
Cultural Individualism (logged)	1686	0	2.70	0.81	0.92
Embeddedness in the world polity (logged)	1447	3.52	8.23	6.30	0.97
Embeddedness in the international women's movement (logged)	1686	0	2.77	1.15	0.85
Treaty Ratifications	1689	0	5	1.19	0.79
CEDAW ratification status (dummy)	1689	0	1	0.80	0.39
CRC ratification status (dummy)	1689	0	1	0.14	0.34
Marriage Convention ratification status (dummy)	1689	0	1	0.23	0.42
Modernization	1678	5.41	100	52.43	24.07
Family primacy	1653	1.59e-07	72.6	14.64	13.65
Population Policy (dummy)	1563	0	1	0.35	0.47
International assistance for population control (logged)	427	-6.33	6.15	1.06	2.29
Muslim (dummy)	1689	0	1	0.17	0.37
Protestant (dummy)	1689	0	1	0.05	0.23
Catholic (dummy)	1689	0	1	0.30	0.46
State Capacity (Bureaucratic Capacity)	1258	0	4	2.25	1.20
State Capacity (Government Consumption) (logged)	1532	0.72	4.24	2.69	0.42
Female Empowerment	1474	1.1	42.7	10.86	8.15
Empowerment of children (Child labor rate)	975	0	59.2	18.76	15.12
Empowerment of children (Primary School Gross Enrollment Rate)	1594	21.68	100	91.60	15.59
Empowerment of children (Secondary School Gross Enrollment Rate)	1576	4.95	100	62.81	31.26
Empowerment of children (Primary School Net Enrollment Rate)	1268	0	100	81.70	19.43
Empowerment of children (Immunization Rate)	1638	10	99	79.69	19.87
HIV rate	1013	0.1	26	2.05	3.88
GDP per capita (logged)	1627	4.17	11.30	7.62	1.65
Democracy	1444	-10	10	2.98	6.79
Ethno-linguistic fractionalization	1628	0	0.93	0.44	0.25

Table 15

Descriptive Statistics of Variables (2001-2015)

Variable	N	Min	Max	Mean	SD
Legislation Status (dummy)	2393	0	1	0.65	0.47
Cultural Individualism (logged)	2380	0	3.09	1.04	1.05
Embeddedness in the world polity (logged)	2352	3.21	8.48	6.55	0.98
Embeddedness in the international women's movement (logged)	2380	0	2.99	1.32	0.94
Treaty Ratifications	2393	0	5	3.10	1.21
CEDAW ratification status (dummy)	2393	0	1	0.94	0.22
CRC ratification status (dummy)	2393	0	1	0.73	0.43
Marriage Convention ratification status (dummy)	2393	0	1	0.29	0.45
Modernization	2357	8.44	100	56.08	23.1
Family primacy	2320	0	66.3	12.65	12.33
Population Policy (dummy)	2369	0	1	0.36	0.48
International assistance for population control (logged)	1583	-6.19	7.80	2.23	2.14
Muslim (dummy)	2393	0	1	0.17	0.38
Protestant (dummy)	2393	0	1	0.05	0.23
Catholic (dummy)	2393	0	1	0.30	0.46
State Capacity (Bureaucratic Capacity)	1856	0	4	2.23	1.12
State Capacity (Government Consumption) (logged)	2243	1	4.15	2.70	0.37
Female Empowerment	2255	1.2	63.8	18.13	10.8
Empowerment of children (Child labor rate)	274	0	50.4	16.49	14.66
Empowerment of children (Primary School Gross Enrollment Rate)	2045	35.93	100	96.30	9.16
Empowerment of children (Secondary School Gross Enrollment Rate)	1962	6.81	100	74.14	27.90
Empowerment of children (Primary School Net Enrollment Rate)	1943	30.83	99.99	88.13	13.60
Empowerment of children (Immunization Rate)	2358	3	99	87.37	14.78
HIV rates	1424	0.1	26	2.45	4.59
GDP per capita (logged)	2364	4.66	12.09	8.32	1.63
Democracy	2081	-10	10	4.32	6.06
Ethno-linguistic fractionalization	2330	0	0.93	0.44	0.25

Table 16

Pearson Correlation Coefficients: 1965-2015 – 167 Countries

	Legislation (dummy)	Cultural Ind.	INGO	WINGO	Treaty	CEDAW	CRC	MC62
Legislation	1.0							
Cultural Ind.	-0.1	1.0						
INGO	0.01	0.81	1.0					
WINGO	0.11	0.49	0.71	1.0				
Treaty	0.08	0.31	0.24	0.11	1.0			
CEDAW	0.17	0.11	0.19	0.08	0.30	1.0		
CRC	0.12	0.29	0.26	0.19	0.73	0.12	1.0	
MC62	-0.07	0.09	-0.03	-0.08	0.53	0.01	0.19	1.0
Modernization	-0.08	0.64	0.53	0.23	0.16	-0.01	0.16	0.03
Family primacy	-0.14	-0.41	-0.51	-0.39	0.04	-0.0002	-0.11	0.31
Population policy	0.02	-0.27	-0.14	0.001	-0.20	-0.13	-0.16	-0.02
Population Aid	-0.008	-0.06	0.003	0.08	0.09	0.15	0.0001	-0.02
Muslim	-0.17	-0.16	-0.21	-0.24	0.12	-0.11	0.08	0.22
Protestant	0.30	-0.09	-0.14	-0.03	-0.0006	0.05	0.04	-0.13
Catholic	0.06	0.46	0.38	0.13	0.17	0.15	-0.01	0.16
Government Effectiveness 1	0.18	0.41	0.47	0.41	0.09	-0.009	0.17	-0.02
Government Effectiveness 2	0.14	0.01	-0.05	0.0009	0.02	-0.29	0.11	-0.03
Female Empowerment	0.25	0.15	0.17	0.23	0.20	0.07	0.17	0.01
Child Labor	-0.05	-0.57	-0.58	-0.32	-0.08	-0.03	-0.20	0.19
Primary school (gross)	0.06	0.42	0.46	0.38	-0.02	0.09	0.13	-0.43
Secondary School (gross)	0.11	0.60	0.59	0.45	0.16	-0.05	0.23	-0.12
Primary School (net)	0.11	0.56	0.59	0.42	0.10	0.11	0.21	-0.30
Immunization	0.14	0.34	0.44	0.34	0.04	-0.02	0.13	-0.27
HIV	-0.07	-0.28	-0.32	-0.004	-0.30	-0.48	-0.19	-0.24
GDP	0.06	0.61	0.60	0.36	0.12	-0.09	0.17	-0.05
Democracy	0.05	0.19	0.15	0.04	0.20	-0.01	0.06	0.11
Ethnic Fract.	-0.19	-0.29	-0.28	-0.14	-0.18	0.02	-0.11	-0.13

	Modrn.	Family primacy	Pop. Policy	Pop. Aid	Muslim	Protestant	Cathlc	Gov. Eff. 1
Modern.	**1.0**							
Family Primacy	-0.55	**1.0**						
Population Policy	-0.40	0.26	**1.0**					
Population Aid	-0.35	0.21	0.30	**1.0**				
Muslim	-0.22	0.45	0.28	0.07	**1.0**			
Protestant	-0.03	-0.29	-0.02	-0.03	-0.12	**1.0**		
Catholic	0.6	-0.26	-0.28	-0.11	-0.37	-0.15	**1.0**	
Gov. Eff. 1	0.35	-0.55	-0.02	-0.09	-0.18	0.27	0.18	**1.0**
Gov. Eff 2	0.08	-0.25	-0.19	-0.23	-0.15	0.27	-0.05	0.13
Female Empowerment	0.22	-0.15	-0.12	0.07	-0.29	0.22	0.23	0.18
Child Labor	-0.75	0.80	0.28	0.26	0.32	-0.13	-0.49	-0.55
Primary school (gross)	0.49	-0.72	-0.21	-0.05	-0.50	0.10	0.37	0.42
Secondary School (gross)	0.70	-0.79	-0.32	-0.22	-0.28	0.19	0.42	0.60
Primary School (net)	0.56	-0.73	-0.30	-0.13	-0.41	0.12	0.45	0.57
Immunization	0.48	-0.69	-0.10	-0.13	-0.24	0.08	0.31	0.54
HIV	-0.27	-0.04	0.11	0.04	-0.21	0.26	-0.33	-0.02
GDP	0.80	-0.69	-0.30	-0.39	-0.29	0.22	0.54	0.59
Democracy	0.36	-0.28	-0.26	-0.10	-0.37	0.15	0.45	0.20
Ethnic Fract.	-0.39	0.38	0.13	0.12	-0.06	-0.02	0.41	-0.31

	Gov. Eff. 2	Fem. Empowerment	Child Labor	Primary school (gross)	Secondary School (gross)	Primary School (net)	Immunization	HIV
Gov. Eff. 2	**1.0**							
Fem. Empowerment	0.25	**1.0**						
Child Labor	0.01	-0.08	**1.0**					
Primary school (gross)	-0.07	0.13	-0.70	**1.0**				
Secondary School (gross)	0.15	0.11	-0.86	0.68	**1.0**			
Primary School (net)	0.01	0.15	-0.79	0.88	0.81	**1.0**		
Immunization	0.14	0.17	-0.69	0.63	0.72	0.73	**1.0**	
HIV	0.46	0.23	0.27	0.04	-0.13	-0.07	-0.001	**1.0**
GDP	0.22	0.24	-0.78	0.55	0.78	0.70	0.64	-0.08
Democracy	0.06	0.21	-0.38	0.31	0.42	0.36	0.35	-0.05
Ethnic Fract.	0.05	-0.007	0.55	-0.32	-0.58	-0.49	-0.55	0.22

	GDP	Democracy	Ethn. Frc.
GDP	**1.0**		
Democracy	0.42	**1.0**	
Ethnic Fract.	-0.49	-0.36	**1.0**

CHAPTER SEVEN

EXPLAINING THE GLOBAL SPREAD OF MINIMUM-18 MARRIAGE LAWS:

QUANTITATIVE FINDINGS

In this chapter I present results from the quantitative analyses testing the hypotheses summarized in Chapter 4. First, I present survival analysis results, followed by the logistic regression results. I conclude the chapter by presenting the results of logistic regression analyses conducted after dividing the 1965-2015 period into four segments: 1965-1979, 1980-89, 1990-2000, and 2001-2015.

7.1. Survival Analysis

The survival analysis examines 135 countries for the period 1965-2015. It excludes countries that had passed minimum-18 marriage age legislation prior to 1965 as they were not "at-risk" of passing such legislation thereafter (see a list of the excluded countries in Table 10). I could not begin the analysis before 1965 due to lack of data for many variables; thus, it does not account for the 19 earliest adopters of what would eventually become the global norm. However, my period covers most of the legislation; the survival models analyze 85 failure events (where "failure" means passing the legislation) between 1965 and 2015.

Except for the early legislators, each country's "risk" of passing the legislation starts the year the country enters the data set. For most of the countries this year is 1965, but some enter later at the time of independence. I use the Cox Proportional Hazards model, which predicts the effects of independent variables on the passage of legislation

over time.[24] The dependent variable in the survival analysis is the legislation's timing, or

the rate of event occurrence (Allison 2010: 413). The analysis tells us which variables

affect how early a country passed the legislation (or failed to do so at all). The hazard rate

(the rate of event occurrence) is then the probability that a country would pass the

minimum age of marriage legislation at time t. The year when the marriage legislation

passed is coded 1, while the years before and after are coded 0. No country that has

passed minimum-18 legislation has ever reverted to a law setting a minimum age below

18 (with or without exceptions). Thus, my dataset is organized as a "single-failure-per-

subject" situation; once the legislation has been passed, a country is no longer in the risk-

set.

Figure 10 shows that the hazard rate increased steadily over time and started to

decrease toward the end (the early 2000s), by which time most of the countries had

passed minimum-18 legislation. Between 1975 and 1985, there are only a few new

legislations. However, after 1990 the number of new legislations started to increase

significantly.

-Figure 10 about here-

Figure 11 shows the Nelson-Aalen cumulative hazard estimate while Figure 12

displays the Kaplan-Meier estimate. The Nelson-Aalen graph demonstrates that the

cumulative number of legislations increased steadily over time, which accords well with

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[24] One of the assumptions of the Cox model is event occurrence at different times or non-existence of ties (Matthias 2013, Borucka 2014). As legislation events involve many ties — more than one country passes legislation in a single year—this assumption is violated (see Table 17). I corrected for this problem by using the Efron method in the Cox regressions (Matthias 2013, Efron 1977).

the Kaplan-Meier graph showing that the likelihood of not passing the minimum age

legislation was decreasing.[25]

<div align="center">-Figure 11 about here-</div>

<div align="center">-Figure 12 about here-</div>

Table 18 presents the Cox regression results. Model 1 includes all variables

except those related to children's rights, which are highly correlated with the world polity

variables (INGOs, cultural individualism and women's INGOs), two control variables

(democracy and GDP), and family primacy (all coefficients above 0.60). The model uses

two world polity variables (INGOs and treaty ratifications) and variables reflecting

hypotheses regarding female empowerment, religion, government effectiveness,

population policy, and modernization.[26] As hypothesized, the family primacy, Muslim,

and Catholicism effects are negative, but only family primacy is statistically significant

(p= 0.015). Embeddedness in the world polity,[27] female empowerment, Protestantism,

government effectiveness, population policy, and treaty ratifications[28] are positive, but

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[25] I tested the Cox model's proportional hazard assumption by using the Schoenfeld residuals test (Schoenfeld 1982, Matthias 2013). All of the models pass the "phtest" indicating that proportional hazards assumption is met in each of them.

[26] The population assistance variable is excluded from this model since it decreases the number of observations significantly (from 1916 to 785). Population aid data became available only in 1996 and values are missing for many of the countries in the dataset.

[27] The correlation coefficients for the three world polity variables (INGOs, women's INGOs, and cultural individualism) are very high (above 0.75). The results are almost identical when women's INGOs or cultural individualism is included in the model. The only substantive difference is that, when the cultural individualism variable is used instead of the INGO variable, the government effectiveness variable becomes insignificant (p=0.089 and b=0.83). The same happens with the women's INGO variable (government effectiveness: p= 0.068 and b=088).

[28] I ran the same model using variables for each treaty separately and the results were unchanged: CEDAW had a positive but not significant effect while the CRC effect was positive and significant.

only government effectiveness is statistically significant (p= 0.034). Counter to the theoretical arguments, modernization, democracy, and GDP have negative effects, although none of these coefficients is significant.[29] Thus, Model 1 indicates that family primacy negatively affects how quickly states pass minimum-18 marriage legislation while government effectiveness has a positive impact: states that have greater capacity to pass laws or a better functioning bureaucracy are quicker to pass the legislation. The model fails to support the world-polity hypothesis in that greater global embeddedness does not lead to earlier legislation. The same holds for hypotheses regarding female empowerment, religion, and so on.

Model 1 includes as many variables as possible[30] but is a less meaningful test of the hypotheses because of the reduced number of observations that results; it includes only 1916 out of 4231 possible observations. The next three models include fewer variables to retain more observations and avoid multicollinearity issues.

-Table 18 about here-

Model 2 includes two world polity variables (treaty ratifications and embeddedness in the world polity), female empowerment, religion, and government effectiveness. Among the control variables, only ethno-linguistic fractionalization is included; both GDP and democracy are highly correlated with the INGO variables. The children's rights variables are excluded for the same reason.

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[29] One possible explanation for these unexpected negative coefficients is exclusion of the nineteen countries that had passed a minimum-18 marriage law before 1965, given that thirteen of the nineteen are higher income countries with relatively strong democracies and high levels of modernization.

[30] It does not include HIV rates or population aid, which are available only from the mid-1990s. I use these two variables only in the logistic regression models that cover periods after that time.

I report three different versions of Model 2. In them, the only variable that differs is the world polity variable. Model 2a uses embeddedness in the world polity (measured by the number of INGOs in which residents of a country are members), Model 2b uses cultural individualism (number of psychology INGOs in which residents of a country are members), and Model 2c uses embeddedness in international women's rights organizations (measured by the number of women's INGOs in which residents of a country are members). Although the cultural individualism variable reflects a different theoretical argument, the way it is measured makes it similar to other world polity variables and the correlation coefficients among these three variables are very high (all above 0.70).

As Table 18 demonstrates, treaty ratification variable is positive and significant in Models 2A, 2B, and 2C, which indicates that countries that have ratified more treaties concerning women and children are quicker to pass minimum-18 marriage laws. None of the versions of Model 2 supports the world polity hypothesis emphasizing the importance of embeddedness in the world polity; total INGO memberships and women's INGO membership have positive but insignificant effects. Surprisingly, the coefficient for cultural individualism (psychology INGO memberships) is negative, although not significant.

Across the three versions of Model 2, two religion variables – Muslim and Catholic – have significant negative coefficients. Although Protestantism is positive, it is not significant. That is to say, countries with Muslim or Catholic majorities were relatively slow in passing the minimum age of marriage law, if they ever did so.

As in Model 1, the government effectiveness variable is positive and significant across the different versions of Model 2, indicating that countries with the capacity to do so pass minimum age laws quicker.[31] In these three models, the ethno-linguistic fractionalization variable is positive but not significant.

Model 3 adds children's empowerment variables to Model 2. As all children-related variables are highly correlated with family primacy, modernization, GDP, and democracy, these latter variables are not included in the model. It also includes just one world polity variable, treaty ratifications, because of high correlation coefficients between INGO variables and the children's rights variables. In addition, this model tests for the effect of population policy and adds world region as a control variable.

Model 3 has five versions, one for each of the five different measures of children's empowerment.[32] Model 3A includes net primary school enrollment rates, Model 3B uses primary school gross enrollment ratios, Model 3C uses secondary school gross enrollment ratios, Model 3D uses immunization rates, and Model 3E uses child labor rates. In four of the five versions, the treaty ratifications variable is positive and significant. Two children's empowerment measures are significant: immunizations and primary school gross enrollment ratios. For the religion variables, only the Muslim dummy variable has a significant effect, and that only in Model 3D. Model 3E, which reports the findings using the child labor measure, yields no significant effects except for

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[31] I used two different measures of government effectiveness: bureaucratic quality and government consumption as a percentage of GDP. They yield similar results. I report the models with the latter measure as it retains more observations due to data availability.

[32] I tried this using an index variable combining different children's empowerment measures but it reduced the number of observations and did not produce substantively different results.

the region dummies for Asia and Latin America, but this model is problematic because the child labor measure is unavailable after 2003 and the model's coverage is quite limited (86 countries and only 18 legislation events are included, with a total of 1313 observations).[33]

Overall, the different versions of Model 3 indicate that more treaty ratifications lead to earlier passage of age-18 marriage legislation, with modest indications that Muslim countries are late to legislate and countries with more children's empowerment are early legislators. Considering Models 2 and 3 together, the most consistent effects are those of treaty ratification, leading to earlier legislation, and Muslim majority, leading to later legislation. Figure 13 shows the negative impact of Islam by giving the Kaplan-Meier failure estimate for both the entire set of countries and for Muslim countries separately. The line for Muslim countries is noticeably lower throughout the period.

What is most striking about Table 18's nine different models is the lack of effects of most of the variables. Put simply, individual country characteristics do not tell us much about early vs. late passage of minimum-18 marriage laws since 1965. Connections to all INGOs and women's INGOs matter little; urbanization, democracy, GDP, ethno-linguistic fractionalization, and world region make almost no difference; cultural individualism has little impact, though its counterpart, family primacy, is of some importance. Government effectiveness appears to matter, as does majority-Muslim religion and child empowerment, but even these effects are far from consistent across the

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[33] The absence of data after 2003 explains the negative coefficient of the treaty ratifications variable as many new countries ratified CEDAW or the CRC after 2003 and the optional protocols of to the CRC and the CEDAW opened to ratification only in 2000. This model fails to take the majority of the treaty ratifications into account.

models. This finding suggests that a more general global process is at work, as I discuss

further below.

-Figure 13 about here-

I also explored the effects of the treaties included in the treaty ratification variable

with Kaplan-Meier diagrams. Figure 14 shows the effects of the Marriage Convention of

1962, tracking the failure rate (failure, again, meaning passage of a minimum-18

marriage law) for all countries (55 ratifications, accessions, or successions) that are party

to the Convention versus countries that are not. Starting in the mid-1970s, the probability

of legislation was slightly higher for countries that are parties to the Convention, but the

distance between the two lines is not large. Thus, the Marriage Convention does not

appear to have a substantial systemic effect. Unfortunately, Kaplan-Meier diagrams for

CEDAW and the CRC are not meaningful because almost all countries have ratified these

two conventions, leaving very few cases in the "not ratified" category (for CEDAW, only

2 of 189 countries have not ratified; for the CRC, 1 of 196 countries have not ratified).

Similarly, I am unable to conduct Kaplan-Meier analyses for the optional protocols,

which were also included in the treaty ratification variable, since they were available for

ratification only relatively recently (after 1999).

- Figure 14 about here -

Table 19 reports the findings from two additional survival analysis models. Model

4 excludes all world polity variables to assess the effects of variables derived from

alternative theories. It also excludes the GDP and democracy control variables, as these

are highly correlated with the family primacy measure. In this model, the goal is to see

the effect of family primacy and government effectiveness without the world polity variables, both of which were significant in Model 1.

None of the variables in Model 4achieve significance except for the regional dummy for Latin America. This negative and significant effect suggests again that Catholicism retards the passage of minimum age legislation, since virtually all of Latin America is Catholic. As seen in Table 10, one third of the countries that have not passed minimum-18 marriage legislation are in Latin America. Although the female empowerment and government effectiveness variables are positive, they are not significant. As hypothesized, family primacy is negative but its coefficient too does not reach significance. The lack of any significant variable in Model 4 provides further support for effects of the treaty ratification variable. To capture that effect more clearly, in Model 5 I explore the effects of the individual treaties. Model 5 includes the INGO memberships variable, the Marriage Convention dummy, the CEDAW dummy, and the CRC dummy, along with the control variables. It excludes the optional protocols to the CRC and CEDAW because they came so late in the period.[34] As Table 19 shows, Model 5 produces a decidedly positive effect of the CRC (earlier passage of legislation). The CEDAW dummy is also positive but fails to reach significance; the same holds for the Marriage Convention. Two control variables, GDP per capita and ethno-linguistic fractionalization, are negative in this model, while democracy is positive, but none of these coefficients are significant.

Overall, the survival analysis results point to several conclusions. First, more treaty ratifications, particularly ratification of the CRC, yield earlier minimum-18

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[34]When I ran Model 5 using the optional protocols, the results for other variables were unchanged while the protocols themselves had positive but insignificant effects.

marriage legislation. Second, two variables, family primacy and Muslim-majority religion, appear to delay legislation to some extent. Third, two children's empowerment variables (immunization and primary enrollment rates) may contribute somewhat to earlier passage of legislation. Fourth, and most notably, the individual characteristics of countries do a poor job of accounting for early or late minimum-18 marriage laws, despite the increasingly widespread passage of such legislation.

A better way to interpret these findings, then, is to recognize that making 18 the standard marriage age is more a feature of the global cultural and political system than of the individual countries within the system. Countries have passed these laws because the global system, i.e., the world polity, has come to define child marriage as a problem and charged states with acting to reduce this problem by setting the marriage age at 18. In this regard, the establishment of the Convention on the Rights of the Child is particularly important. Returning to the basic smoothed hazard estimate in Figure 6, the inflection point at the time of the establishment of the CRC was like a starting gun for legislation. After a warm-up period in previous decades, during which a small proportion of countries passed age-18 laws, the race was suddenly on, and countries ever more eagerly joined in the race to conform to the emergent global norm.

It is worth noting that the establishment of CEDAW does not appear to have much significance compared to the CRC; no inflection point is apparent in Figure 6 in the late 1970s. This shows that the issue of marriage age is defined as a children's rights issue rather than a women's issue, a view that was also confirmed by my interviews as discussed in the first three chapters. The international community conceptualizes the issue within the confines of children's rights, which is reflected in the preferred

terminology: starting in the late 1990s, the term "child marriage" came to the fore while "early marriage" and "forced marriage" faded into the background.

7.2. Logistic Regression Results

While survival analysis explores how quickly countries have passed minimum-18 marriage legislation, logistic regression analyzes the likelihood of passing legislation at any time during my period of analysis. Unlike the models reported above, which exclude countries that had passed the legislation prior to 1965, the logistic regression models include all countries regardless of when they passed the legislation, as well as countries that have never passed it.

Since I analyze panel data in which each country has observations for 50 years, the errors in the regression model are time-dependent and each case is autocorrelated. This is a violation of the independence of errors assumption of regression models (Allison 2009). I control for year effects in all logistic regression models to capture the influence of time-series trends. Using a year fixed effects model, autocorrelation within the time variable (the year) is controlled. In addition, the standard errors are clustered by country to allow for intragroup correlation. By using clustered standard errors, I specify that the observations are independent across countries but not necessarily within them (StataCorp, 2013).

Table 20 reports the findings from logistic regression analyses for the period 1965–2015. The first model includes two world polity variables (INGO memberships and treaty ratifications), female empowerment, religion, government effectiveness, population policy, urbanization, and two control variables (GDP per capita and democracy). In this model two variables are significant: embeddedness into the world polity as measured by

INGO memberships and female empowerment (measured by the percentage of female parliamentarians).[35] Thus, over the 50-year period, countries were more likely to pass minimum-18 marriage laws if they were well-integrated into the world polity or the political empowerment of females was relatively high. Although the coefficients of the religion variables are in line with theoretical arguments (negative for Islam and Catholicism, positive for Protestantism), they fail to achieve significance. As expected, family primacy is also negative, but it too is not significant. Urbanization, GDP per capita, and population policy variables are negative rather than the expected positive, but the coefficients are close to zero and not significant. Finally, democracy variable is positive but not significant. Once again, few country-level variables seem to matter much.

The second logistic regression model, with four variants, includes two world polity variables (INGO memberships and treaty ratifications),[36] female empowerment, religion, government effectiveness, children's empowerment, and region as a control. It excludes other control variables (GDP per capita and democracy) as they correlate highly with the children's empowerment variables. The same is true for family primacy and the urbanization variable. The four versions of Model 2 use different measures of children's

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[35] Using cultural individualism instead of the INGO variable, the former has a positive effect but fails to reach significance while the female parliamentarians' variable is still positive and significant. The other variables' effects remain insignificant and their signs do not change. When the same model is tested with the "women's INGOs" variable, both women's INGOs and female parliamentarians variables are significant and positive. Other variables' signs and insignificance remain. I report the coefficients for cultural individualism and women's INGOs in Table 20 using italics.

[36] With other world polity variables as well the results are largely the same. I do not report them for brevity but they are available from the author.

empowerment.[37] Model 2A includes gross primary school enrollment rates; 2B,

immunization rates; 2C, secondary school enrollment rates; 2D, net (age-appropriate)

primary school enrollment rates.

In all versions of Model 2 except 2D, the INGO variable is positive and

significant. Female empowerment is positive and significant in all versions. The treaty

ratifications and government effectiveness variables are positive across the versions but

fail to achieve significance. The Muslim and Catholic dummy variables are negative,

while Protestantism is positive, but none of the religion variables are significant. The

children empowerment variables also fail to reach significance. In models 2C and 2D, in

fact, the children empowerment variables are negative, but these coefficients are so small

as to be essentially zero.

All versions of Model 2 support the world polity hypotheses, especially, the

positive impact of embeddedness in the world polity; embeddedness increases the

likelihood of passing minimum-18 marriage laws. Female empowerment is also an

important factor affecting the likelihood of legislation; as the proportion of females in

parliament increases, the likelihood of a minimum-18 marriage law increases. States that

are more embedded in the world polity develop greater awareness of the issue of child

marriage and are more likely to develop legislative responses, particularly if women are

better represented in parliament.

Recent examples support this finding of the importance of the global level for

national legislation. On March 28, 2017, Lebanon drafted a law that would set the

minimum age of marriage at 18. The bill was prepared by the "Lebanese Women's

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[37] I do not report the model with child labor as the number of observations is so low that it does not yield meaningful results.

Democratic Gathering," which is a member of several international women's

organizations including the Women's International Democratic Federation (Human

Rights Watch, 2017). The cases of Ecuador, Mexico, and Panama also supports the idea

that women's organizations well-connected to the global women's movement are crucial

for legislative reforms regarding child marriage. In all three cases, the legislative reforms

passed in 2015 were largely motivated by recommendations of the CRC and CEDAW

committees (UN Women 2016: 19). In Ecuador, the reform was initiated by the

Parliamentary Group on Children and the Rights of Mothers, which is supported by Plan

Internacional, UNICEF, UN Women, and UNFPA (20). In Mexico, the organization Red

por los Derechos de la Infancia (Network for Children's Rights) initiated the reform with

support from the UN, UNICEF, and UN Women, while in Panama UNICEF had a

significant role (UN Women 2016: 20).

7.3. Logistic Regression Analysis for sub-periods

To explore patterns in marriage age-18 legislation over the time period 1965-

2015, I analyzed different four sub-periods. The first period starts in 1965 and ends in

1979, the year the CEDAW was opened for signature. This period includes the majority

of Marriage Convention ratifications as well. The second period, 1980-1989, starts with

CEDAW and ends in 1989, the year the CRC was adopted. The third period starts in 1990

and ends in 2000, to zero in on the effect of the CRC on legislation. Finally, the last

period extends from 2001, the year when child marriage clearly became a focus of

concern for the international community, to the end of the 50-year period.

6.3.1. 1965-1979: After the Marriage Convention (1962) but no CEDAW, CRC

Table 21 reports the findings for the period 1965–1979. Model 1, which includes two world polity variables (INGO memberships and treaty ratifications), female empowerment, religion, government effectiveness, population policy, urbanization, and two control variables (GDP per capita and democracy), provides support for the treaty ratifications hypothesis and hypotheses projecting positive effects of female empowerment and democracy. Unlike earlier analyses, here the government effectiveness variable is negative and significant. This is a counter-intuitive result: weaker states were more likely to adopt the legislation.

Model 1 includes only 263 observations and covers only three years, 1977-79, since population policy data starts in 1977. When the population policy variable is excluded, the number of observations increases to 740 and it includes data starting from 1968. When I try running the analysis for 1965 only, the number of observations drops to 111 since data are missing for many independent variables. Sticking to the first model, with 263 observations, I explored the independent effect of the marriage convention by excluding the total treaty ratifications variable. As expected, Marriage Convention is positive and significant (b=1.173, p=0.049). In this version of Model 1, in addition to the Marriage Convention, the Muslim dummy is negative and significant (b= -2.234 and p=0.032), state capacity is negative and significant (b= -2.835 and p= 0.006), and INGO variable is positive and significant (b=0.003 and p= 0.018).

Repeating Model 1 with cultural individualism instead of the INGO memberships variable yields a positive but not significant effect, while both female parliamentarians (b=0.189 and p=0.023) and treaty ratifications (b=1.970 and p=0.009) are positive and significant. In this version, government effectiveness, though still negative, fails to

achieve significance while the democracy variable is still positive and significant (b= 0.199 and p=0.043). When the women's INGOs variable is inserted instead of the all-INGOs variable, the results do not change: the female parliamentarians variable is still positive and significant (b= 0.197 and p=0.025), treaty ratifications variable remain positive and significant (b= 1.722 and p= 0.024), and democracy is positive and significant (b= 0.230 and p=0.015).

Overall, the first model finds a positive impact of female empowerment, ratification of the Marriage Convention, and democracy on the likelihood of passing minimum-18 age of marriage legislation.

The second model includes world polity variables, children's empowerment variables,[38] as well as religion and government effectiveness. It also adds region as a control variable. In all versions of Model 2, except 2D, the INGO memberships variable is positive and significant. Both the Catholic dummy and government effectiveness variables are negative and significant, but none of the children's empowerment variables are significant in Model 2.

In summary, the analysis of 1965-1979 period supports the world polity argument, with particular reference to the impact of embeddedness in the world polity. Countries that passed minimum-18 marriage laws before 1965 or between 1965 and 1979 were likely to be better integrated into the world polity and thus more affected by global norms. Thus, for this limited period the Marriage Convention of 1962 is had an impact on marriage legislation, despite the relatively small number of countries that ratified it. It

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[38] The table does not include a version with the immunization measure of children's empowerment since the immunization data starts in 1980.

should also be noted that only 32 countries (of 167) had minimum-18 age laws in this period. Some 13 countries passed new legislation in this period while 19 had passed it before 1965 (see Tables 8 and 9).

7.3.2 1980-1989: After CEDAW

Table 22 reports the findings for the period 1980–1989. The main goal for this sub-period is studying the effect of the adoption of CEDAW in 1979. Model 1 finds only a positive effect of democracy, though the female parliamentarians very nearly reaches the .05 significance level. When this model uses a CEDAW dummy instead of the total treaty ratifications variable, the CEDAW dummy effect is positive but not significant (b= 0.597 and p=0.226).

Model 2, which includes four versions for the children's empowerment variables, provides support for the positive effect of embeddedness in the world polity. As in the previous period, Catholicism has a negative (and significant) effect on passing legislation. The children's empowerment variables do not achieve significance, however, and two of them have negative coefficients, though again they are quite small.

7.3.3. 1990–2000: After the CRC

Table 23 reports the findings for the period 1990-2000. The INGO and female parliamentarians variables are positive and significant in Model 1 [39] but the treaty ratifications coefficient is not significant; indeed, the coefficient is negative. Running the same model with the CRC instead of total treaty ratifications does not change the results.

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[39] I also tested this model with the women's INGOs variable instead of the all-INGOs variable. The women's INGO variable is positive and significant (b=0.203 and p= 0.018), the female parliamentarians variable fails to achieve significance, and other variables are unchanged. When cultural individualism is inserted instead of the all-INGOs variable, both cultural individualism and female parliamentarians achieve significance (respectively b= 0.165, p=0.005 and b=0.766, p=0.033).

As in previous models, the Muslim and Catholic dummy variables have negative effects while Protestantism has a positive effect. Urbanization, GDP per capita, government effectiveness, family primacy, and the population policy variables are negative (but not significant). Taken together, these findings indicate once again that national characteristics, other than the women's empowerment, do not matter much in terms of the likelihood of passing a minimum-18 marriage law.

Model 2 includes children's empowerment variables and the world polity variables in addition to female empowerment, religion, government effectiveness, and region dummies. All versions of the Model 2 reveal the importance of embeddedness in the world polity. The female parliamentarians variable is also positive and significant in all versions but none of the children's empowerment variables achieve significance and all of them are negative. One explanation for this latter result is low variation in many of these variables in this time period. This is particularly true of school enrollment rates. By the year 2000, around 60 percent of gross primary school enrollment rates were at or above 100 percent for all countries, 60 percent of net primary school enrollment rates were above 99, and 40 percent of the secondary school enrollment rates had reached at least 100.

Overall, the results for the 1990-2000 time period are consistent with the findings from previous models: embeddedness in the world polity and female empowerment positively affect the likelihood of passing minimum-18 marriage laws.

7.3.4. 2001-2015: The Global Movement in Place

Table 24 reports the findings for the period 2001-2015. In Model 1, the INGO variable is still positive and significant.[40] In addition, female parliamentarians, family primacy, and the Muslim dummy variable are significant, the first of these positive and the latter two negative. These results are consistent with previous findings. Different versions of Model 2 using the children's empowerment variables produce less consistent results. Unlike previous periods, embeddedness in the world polity, measured by the number of INGO memberships, does not reach significance. The female parliamentarians variable is significant in all versions except when children's empowerment is measured by net primary school enrollment rates (Model 2D). For the first time, the Muslim dummy coefficient is negative and significant – in all four versions of Model 2. When the results from different periods are compared, it is clear that the Muslim dummy is significant only in this last period. As for the children's empowerment measures, only immunizations achieve significance. This is consistent with the findings from the survival analysis results.

For the last time period, I include an extra model that explores the effects of HIV and population aid on legislation. Model 3 includes world polity variables, female empowerment, religion, government effectiveness, and region dummies in addition to the HIV and population aid variables. As population aid data is available only for non-OECD countries, the number of observations in this model is greatly reduced and most highly developed countries are excluded. With that limitation, this model still reveals a positive

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[40] I also tested this model with cultural individualism instead of the INGO variable; the variable failed to achieve significance but left female parliamentarians, the Muslim dummy, and family primacy significant, the former positive and the latter two negative (respectively: b=0.046, p=0.017, b=-1.13, p=0.047 and b= -0.066, p= 0.005). When the women's INGOs variable is entered instead of the all-INGOs variable, female parliamentarians and family primacy retain significance while the Muslim dummy, although still negative, fails to achieve significance.

effect of female parliamentarians, though not of the world polity variables. The

population aid coefficient is negative and not significant, indicating that whether a

country passes minimum age of marriage legislation is not affected by the amount of aid

it receives for population control. On the other hand, the HIV variable is positive and

significant, as hypothesized. This result is especially telling in light of the fact that,

between 2001 and 2015, 47 new countries passed minimum-18marriage legislation and

23 of those countries are African. Given the high rates of HIV in the region and the well-

established link between child marriage and higher HIV rates (Clark et al 2006), it

appears that African countries may be passing marriage laws as a way to reduce HIV

infections.

In summary, the results for the entire 1965–2015 period suggests that the

minimum age of marriage laws are more likely to be legislated by countries with strong

ties to the world polity - thus sacralize the individual - and/or with strong female

empowerment measured by the rate of female parliamentarians. The results from 1965–

1979 somewhat provides support for these two variables: INGO variable is positive and

significant in two models (out of four) while the female parliamentarians variable is

significant only in one model. In addition to these, democracy is positive and significant

while Catholicism is a negative factor during this period for legislation. The Marriage

Convention is also an important positive factor influencing legislation in this period.

1980-89 period also supports findings from the previous period as INGO variable and the

democracy variable is significant and positive while Catholicism is negative. This period

fails to support the hypothesis about the positive effect on CEDAW on legislation. The

1990-2000 period also provides support for the INGO variable and also starting from this

period the female parliamentarians became significant in all models. This may be suggestive of the effect of the Fourth World Conference on Women (Beijing 1995). As women's rights movements became more internationally organized, global cultural scripts may be transferred more easily and reflected in legislative reforms about women's rights. Finally, the last period, 2000-2015 provides support for many variables including INGOs, family primacy, Islam, and female parliamentarians.

7.4. Interpretation of the findings

One of the main theoretical puzzles this dissertation seeks to address is the global spread of laws setting the minimum age of marriage at 18. What prompted countries to pass the very same legislation concerning child marriage? The findings from both the survival analysis and logistic regression analysis points out that involvement with the larger world matters the most. The variables derived from world polity theory are the only ones that are consistently significant across different models and time periods. Whether in the form of INGO memberships or treaty ratifications, as countries are more embedded in the global culture and thus are more aware of global issues, they are more likely to develop legislative measures against child marriage.

As opposed to world polity variables, variables exploring the effects of country characteristics have inconsistent effects. Among country specific characteristics two received the most support. As discussed above, one of them is the effect of political empowerment of women. World cultural models about women's and children's empowerment diffuse through women's organizations. This variable is significant in the logistic regression models covering the entire period (1965-2015) but also significant in the analysis of sub-periods starting from the 1990s. In addition to female empowerment,

religion also plays an important role in countries' legislative decisions about child marriage. This particularly holds true for the negative effect of Islam starting from the 2000s. This finding is particularly interesting when considered in the context of the rise of political Islam in the second half of the 1990s (Tibi 2001, Roy 2006). Political Islam posits itself as a cultural alternative to the dominant global culture. In that sense, globally institutionalized notions of childhood, marriage or women's empowerment are either rejected or included selectively. The Muslim majority variable is also significant in survival analysis models indicating that it does not only negatively affect the likelihood of passing the marriage age laws setting the age 18, but also lead countries to pass such laws at a later time, if they pass them at all. Recent challenges against setting the marriage age at 18 in countries with Muslim majorities, including the debates over lowering the marriage age in Egypt in 2012 (Al-Monitor 2012), shift from relatively strict marriage age laws to laws specifying various special circumstances to allow for girls to marry under the age 18 in Bangladesh in 2017 (Al Jazeera 2017), and Turkish government's efforts to legitimize child marriage in case of rape (Independent, 2016) are examples of the relationship between political Islam and child marriage.

Despite local level factors such as religion, the findings are clear on the global character of the marriage age legislation. Once norms about childhood started to become institutionalized, largely a CRC effect, regardless of their local characteristics countries started to pass such laws. Countries do not define a particular marriage age, in which parties are considered mature enough for taking decision to marry. Instead, they follow the global norm which defines 18 as the age of such maturity. At this point, it is an empirical question to what extent this is reflective of the actual marriage age patterns or

to what extent such laws are actually implemented. Regardless, although may be symbolic, global norms are by far the most important factors in taking legislative steps about child marriage.

Survival Analysis Graphs and Tables

Figure 10: Smoothed Hazard Estimate:

Minimum age of 18 legislation (All countries)

Global Legislation 1965-2015
Smoothed Hazard Estimate
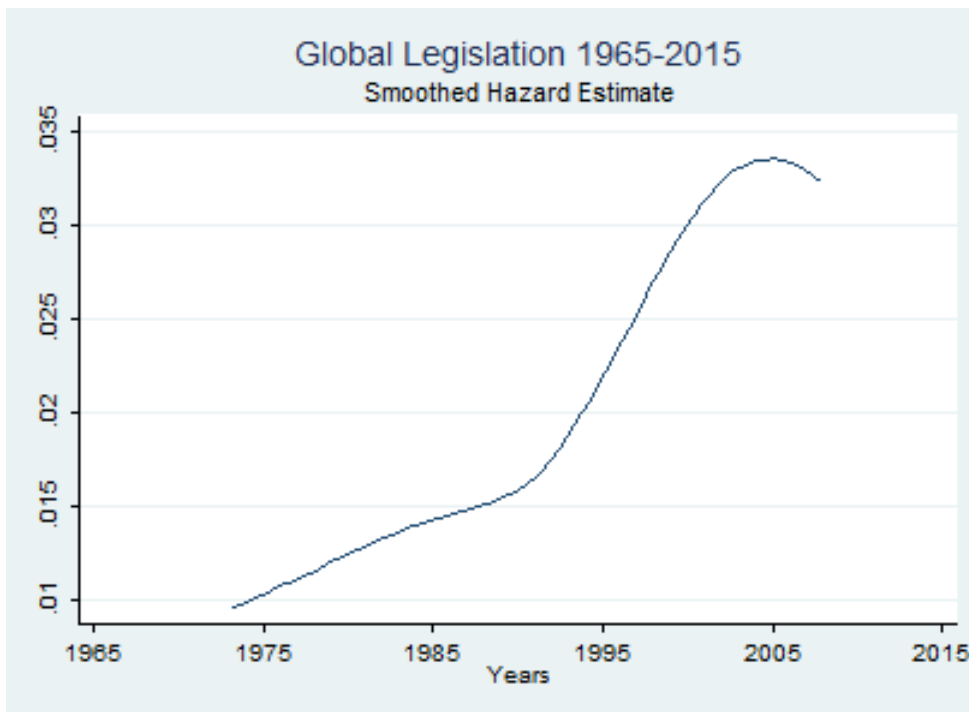
Figure 11

Nelson Aalen Cumulative Hazard Estimate
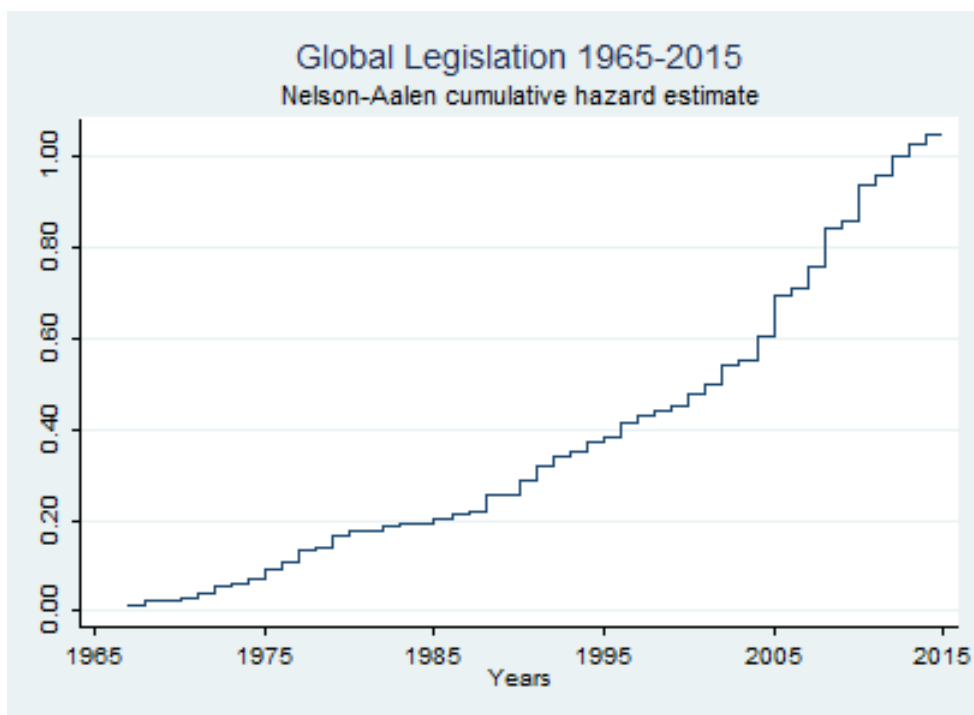
The cumulative rate of passing the minimum age of marriage legislation increases over time.

Figure 12

Kaplan-Meier Survival Estimate
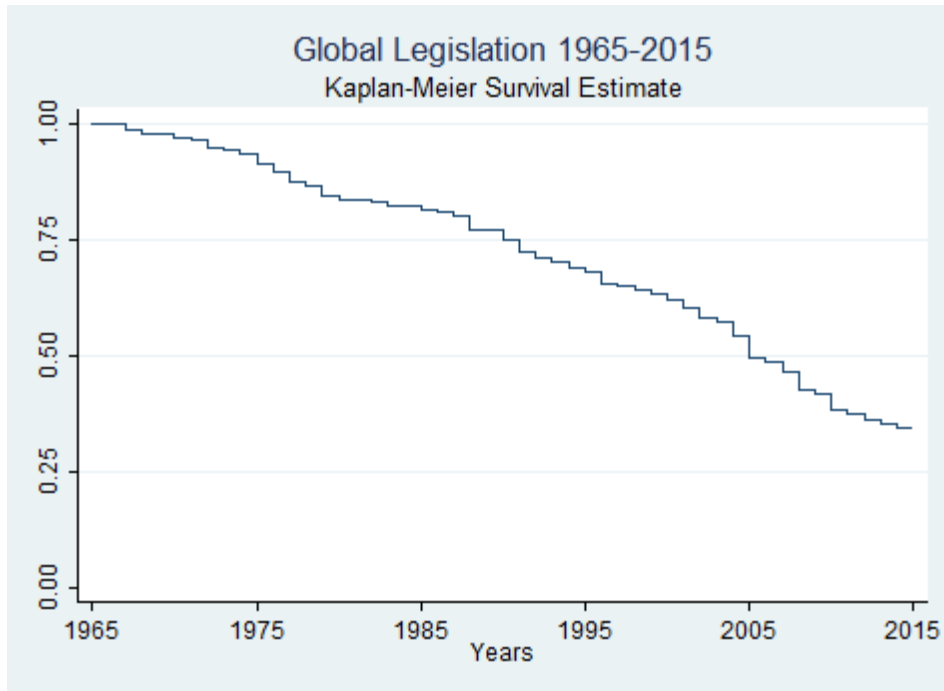
The likelihood of not passing the minimum age legislation decreases over time.

Figure 13

Kaplan-Meier estimate comparing the estimates of legislation by Muslim dummy
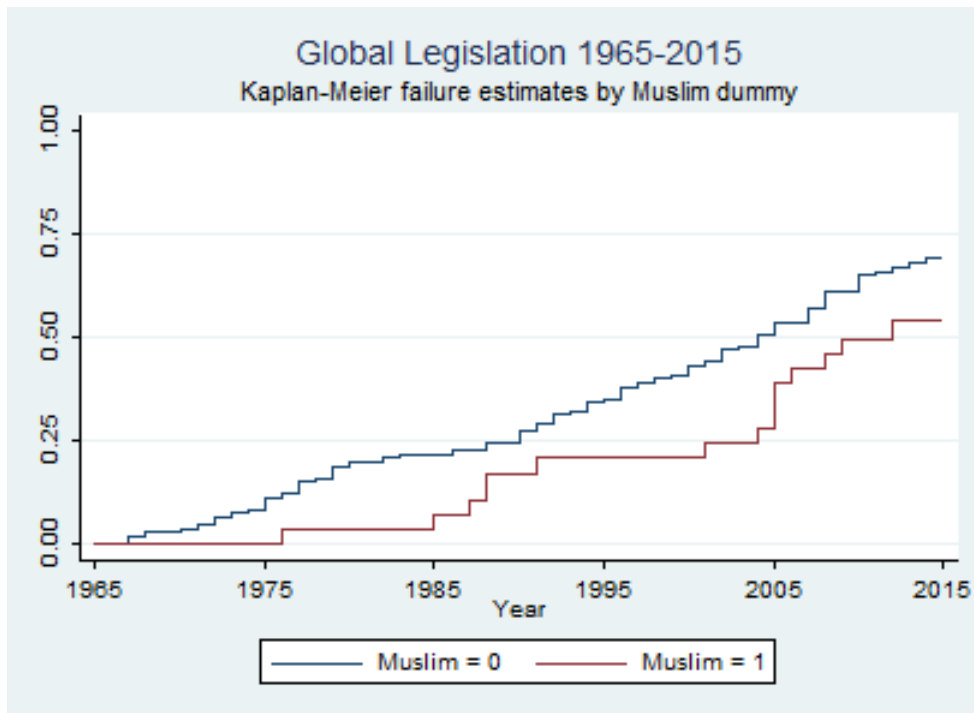
Figure 14

Kaplan-Meier estimate by Marriage Convention Ratification
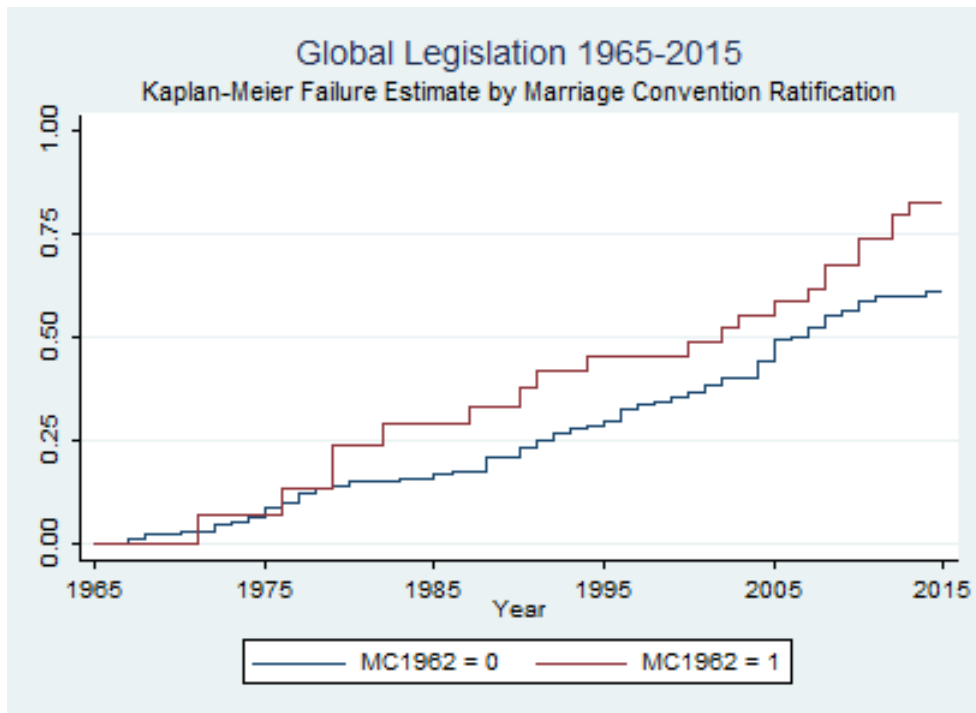
Table 17

Years and number of new countries

passing the minimum age legislation in that year

Year	Number of new legislations
2013	2
2012	2
2011	2
2010	2
2009	5
2008	2
2007	5
2006	3
2005	2
2004	8
2003	4
2002	3
2001	5
2000	3
1999	2
1998	3
1997	2
1996	1
1995	3
1994	0
1993	4
1992	1
1991	5
1990	4
1989	4
1988	0
1987	3
1986	0
1985	1
1984	0
1983	0
1982	1
1981	0
1980	0
1979	0
1978	1
1977	1
1976	2
1975	0
1974	3
1973	1
1972	1
1971	0
1970	1
1969	1
1968	0
1967	1
1966	1

Table 18

Survival Analysis Models 1 to 3: Estimates of Coefficients Impacting Global Legislation (1965-2015)

Variable	Model 1	Model 2A	Model 2B	Model 2C	Model 3A	Model 3B	Model 3C	Model 3D	Model 3E
Embeddedness in the world polity (INGO memberships)	0.134 (0.231)	0.113 (0.166)							
Cultural Individualism			-0.05 (0.162)						
Embeddedness in the international women's movement				0.101 (0.170)					
Treaty Ratifications (Total)	0.237 (0.151)	0.293* (0.129)	0.354* (0.121)	0.315 ** (0.122)	0.320* (0.144)	0.258 ¨ (0.135)	0.281* (0.132)	0.296 * (0.137)	-0.288 (0.343)
CEDAW									
CRC									
Female Empowerment (Female Parliamentarians)	0.022 (0.018)	0.024 (0.017)	0.028 (0.016)	0.029 (0.016)	0.014 (0.019)	0.021 (0.018)	0.02 (0.018)	0.01 (0.019)	-0.005 (0.042)
Family primacy	-0.042* (0.017)								
Muslim	-0.739 (0.452)	-0.813* (0.388)	-0.970** (0.391)	-0.902* (0.389)	-0.706 (0.414)	-0.432 (0.400)	-0.691 (0.394)	-1.01 ** (0.394)	-0.984 (0.861)
Catholic	-0.143 (0.367)	-0.610* (0.304)	-0.574 °° (0.299)	-0.574 °°° (0.296)	-0.184 (0.398)	-0.348 (0.372)	-0.190 (0.394)	-0.153 (0.404)	1.48 (0.785)
Protestant	0.050 (1.081)	0.06 (0.76)	0.248 (0.646)	0.325 (0.640)	0.948 (0.856)	0.720 (0.860)	0.283 (0.822)	0.952 (0.874)	2.19 (1.43)
Gov. effectiveness	1.087* (0.511)	0.75° (0.389)	0.788* (0.371)	0.798* (0.370)	0.581 (0.450_	0.477 (0.423)	0.307 (0.433)	0.034 (0.467)	1.22 (0.809)
Population Policy	0.438 (0.326)				0.462 (0.310)	0.487 (0.297)	0.488 (0.291)	0.575 (0.308)	0.505 (0.568)
Empowerment of Children (immunization)								0.033** (0.011)	
Empowerment of Children (primary school gross)						3.55 * (1.69)			
Empowerment of Children (secondary school gross)							0.578 (0.333)		
Empowerment of Children (primary school net)					0.014 (0.012)				

Empowerment of Children (child labor)									-0.292 (0.213)
Population Aid									
Africa					0.04 (0.554)	-0.245 (0.475)	0.268 (0.517)	0.201 (0.501)	22.09
Asia					-0.003 (0.52)	-0.390 (0.483)	-0.05 (0.460)	-0.05 (0.462)	23.21***
Latin America					-0.786 (0.512)	-0.853 (0.483)	-0.684 (0.490)	-1.08* (0.548)	21.77 ***
North America					Omitted	Omitted	Omitted		
Europe					Omitted	Omitted	Omitted		
Oceania					-0.829 (1.13)	-1.66 (1.17)	Omitted	-1.11 (1.22)	-21.88
Urbanization	-0.002 (0.010)								
Democracy	-0.000 (0.027)								
GDP	-0.366 (0.188)								
Ethno-linguistic Fract.		0.018 (0.540)	0.014 (0.525)	0.107 (0.523)					
HIV									
Number of Observations	1916	2533	2751	2751	1874	2222	2192	2079	1313
Number of subjects (countries)	98	110	115	115	102	109	110	107	86
Number of Failures	55	62	67	67	56	61	61	60	18
LR chi2	25.65	21.58	26.25	26.49	20.32	26.89	27.38	35.48	17.93
Prob > chi2	0.012	0.005	0.0010	0.0009	0.061	0.0080	0.0068	0.0004	0.056
Log likelihood	-197.81	-241.7	-260.63	-260.51	-203.25	-227.41	-227.16	-216.93	-60.41

NOTE: ***p≤ 0.001; **p≤ 0.01; *p≤ 0.05

° P-value for government effectiveness is 0.054, which means that it is significant at the 0.1 alpha-level, but not statistically significant at 0.05 alpha-level

°° P-value for Catholic Dummy is 0.055, which means that it is significant at the 0.1 alpha-level, but not statistically significant at 0.05 alpha-level

°°° P-value for Catholic Dummy is 0.053, which means that it is significant at the 0.1 alpha-level, but not statistically significant at 0.05 alpha-level

¨ P-value for treaty ratifications is 0.057, which means that it is significant at the 0.1 alpha-level, but not statistically significant at 0.05 alpha-level

Standard errors reported in parentheses.

N= country years at risk = 4231

Random Effects

Table 19

Survival Analysis Models 4 and 5

Variable	Model 4	Model 5
Embeddedness in the world polity (INGO memberships)		0.0001 (0.0002)
Cultural Individualism		
Embeddedness in the international women's movement		
Treaty Ratifications (Total)		
CEDAW		0.268 (0.473)
CRC		1.812 ** (0.549)
Marriage Convention		0.315 (0.281)
Female Empowerment (Female Parliamentarians)	0.030 (0.018)	
Family primacy	-0.018 (0.016)	
Muslim	-0.669 (0.407)	
Catholic	-0.622 (0.394)	
Protestant	0.421 (0.877)	
Gov. effectiveness	0.385 (0.456)	
Population Policy	0.456 (0.320)	
Empowerment of Children (immunization)		
Empowerment of Children (primary school gross)		
Empowerment of Children (secondary school gross)		
Empowerment of Children (primary school net)		
Empowerment of Children (child labor)		
Population Aid		
Africa	0.766 (0.486)	
Asia	-0.774 (0.472)	
Latin America	-0.958* (0.475)	
North America	Omitted	
Europe	Omitted	
Oceania	-2.00 (1.20)	
Urbanization	-0.001 (0.007)	
Democracy		0.012 (0.021)
GDP		-0.170 (0.126)

Ethno-linguistic Fract.	0.445	-0.854
	(0.697)	(0.565)
HIV		
Number of Observations	2252	3153
Number of subjects (countries)	108	106
Number of Failures	59	67
LR chi2	22.53	23.23
Prob > chi2	0.047	0.0016
Log likelihood	-223. 51	-262. 64

NOTE: ***p≤ 0.001; **p≤ 0.01; *p≤ 0.05
Standard errors reported in parentheses.
N= country years at risk = 4231
Random Effects

Table 20

Logistic Regression Models for the Passage of Age-18 Marriage Laws (1965-2015)

Variable	Model 1	Model 2A	Model 2B	Model 2C	Model 2D
Embeddedness in the world polity (INGOs)	0.0007 * (0.0003)	0.0006 * (0.0003)	0.0006 * (0.0002)	0.0007 * (0.0003)	0.0006 (0.0003)
Cultural Individualism	*0.0592 (0.0579)*				
Embeddedness in the international women's movement	*0.111 * (0.055)*				
Treaty Ratifications (Total)	0.020 (0.177)	0.210 (0.172)	0.116 (0.167)	0.241 (0.176)	0.0797 (0.172)
Female Empowerment (Female Parliamentarians)	0.05 ** (0.02)	0.039 * (0.0176)	0.0373 * (0.0172)	0.037* (0.0179)	0.0399 * (0.018)
Family primacy	-0.020 (0.017)				
Muslim	-0.639 (0.547)	-0.761 (0.496)	-0.906 (0.479)	-0.860 (0.495)	-0.909 (0.483)
Catholic	-0.430 (0.435)	-0.551 (0.431)	-0.510 (0.431)	-0.542 (0.424)	-0.522 (0.440)
Protestant	0.956 (0.761)	0.760 (0.632)	1.015 (0.703)	0.863 (0.670)	1.277 (0.785)
Gov. effectiveness	0.092 (0.496)	0.098 (0.415)	0.037 (0.413)	0.259 (0.421)	0.040 (0.678)
Population Policy	-0.016 (0.330)				
Empowerment of Children (immunization)			0.0081 (0.0086)		
Empowerment of Children (primary school gross)		0.005 (0.010)			
Empowerment of Children (secondary school gross)				-0.003 (0.008)	
Empowerment of Children (primary school net)					-0.001 (0.011)
Empowerment of Children (child labor)					
Africa		-0.390 (0.600)	0.006 (0.599)	-0.505 (0.727)	-0.462 (0.688)
Asia		-0.593 (0.627)	-0.163 (0.604)	-0.613 (0.634)	-0.439 (-.678)
Latin America		-0.720 (0.630)	-0.390 (0.604)	-0.733 (0.634)	-0.913 (0.671)
North America		Omitted	Omitted	Omitted	Omitted
Europe		Omitted	Omitted	Omitted	Omitted
Oceania		-1.01 (0.912)	-0.912 (0.866)	-1.04 (0.963)	-0.253 (0.939)
Urbanization	-0.006 (0.011)				
Democracy	0.029 (0.027)				
GDP	-0.007 (0.198)				

Number of Observations	4055	4570	4078	4474	3995
Wald chi2	189	177.12	190.66	174.26	192.17
Prob > chi2	0.000	0.0000	0.000	0.000	0.000
Log pseudolikelihood	-2075	-2457.65	-2247.70	-2391.89	-2241.70

NOTE: ***p≤ 0.001; **p≤ 0.01; *p≤ 0.05
Standard errors reported in parentheses.
Standard error adjusted for 155 clusters in newid (country)
Fixed Effects

Table 21

Logistic Regression Models (1965-1979)

Variable	Model 1	Model 2A	Model 2B[41]	Model 2C	Model 2D
Embeddedness in the world polity (INGO memberships)	0.001 (0.001)	0.003 * (0.001)		0.0033 * (0.0013)	0.0018 (0.0012)
Cultural Individualism	*0.471 (0.302)*				
Embeddedness in the international women's movement	*0.176 (0.163)*				
Treaty Ratifications (Total)	1.701 * (0.747)	1.051 (0.611)		1.005 (0.622)	0.819 (0.648)
Female Empowerment (Female Parliamentarians)	0.183 * (0.087)	0.097 (0.0581)		0.092 (0.0572)	0.058 (0.083)
Family primacy	0.008 (0.027)				
Muslim	-1.658 (1.226)	-1.488 (1.163)		-1.599 (1.211)	-1.747 (1.017)
Catholic	-1.030 (0.814)	-1.992 * (0.978)		-2.051 * (1.213)	-2.157* (1.051)
Protestant	-0.744 (1.054)	-0.974 (1.053)		-0.900 (1.096)	-0.988 (1.298)
Gov. effectiveness	-2.996 * (1.511)	-2.454 (1.505)		-2.603* (1.213)	-2.417* (1.126)
Population Policy	-1.251 (1.043)				
Empowerment of Children (immunization)					
Empowerment of Children (primary school gross)		0.0005 (0.0224)			
Empowerment of Children (secondary school gross)				-0.0001 (0.0275)	
Empowerment of Children (primary school net)					0.0025 0.029)
Africa		-1.376 (1.380)		-1.139 (1.900)	-2.381 (1.389)
Asia		-2.454 (1.505)		-2.358 (1.622)	-2.113 (1.387)
Latin America		-0.799 (1.104)		-0.648 (1.269)	-1.454 (1.068)
North America		Omitted		Omitted	Omitted
Europe		Omitted		Omitted	Omitted
Oceania		-1.201 (1.500)		-1.208 (1.518)	-1.530 (1.695)
Urbanization	0.046 (0.0268)				
Democracy	0.211 * (0.100)				

[41] No observations since immunization data starts after 1979.

GDP	-0.864 (0.550)				
Number of Observations	263	598		584	440
Wald chi2	42.61	81.37		63.21	63.20
Prob > chi2	0.0003	0.000		0.000	0.000
Log likelihood	-90.37	-235.32		-229.29	-198.73

NOTE: ***p$\leq$ 0.001; **p$\leq$ 0.01; *p$\leq$ 0.05
Standard errors reported in parentheses.
Standard error adjusted for 73 clusters in newid (country)
Fixed Effects

Table 22

Logistic Regression Models (1980-1989)

Variable	Model 1	Model 2A	Model 2B	Model 2C	Model 2D
Embeddedness in the world polity (INGO memberships)	0.0009 (0.0007)	0.0021 ** (0.0006)	0.0019 ** (0.0006)	0.0025 ** (0.0007)	0.0018* (0.0008)
Cultural Individualism	*0.284 (0.183)*				
Embeddedness in the international women's movement	*0.051 (0.128)*				
Treaty Ratifications (Total)	0.504 (0.346)	0.0038 (0.318)	0.097 (0.325)	-0.015 (0.322)	-0.142 (0.332)
Female Empowerment (Female Parliamentarians)	0.711° (0.367)	0.002 (0.030)	0.460 (0.876)	0.0019 (0.0319)	0.0187 (0.036)
Family primacy					
Muslim	0.029 (0.884)	-0.263 (0.929)	-0.460 (0.876)	-0.481 (0.902)	-0.614 (0.893)
Catholic	-0.946 (0.725)	-1.415 * (0.688)	-1.514 * (0.717)	-1.850 * (0.695)	-1.623* (0.709)
Protestant	1.587 (1.011)	0.474 (0.862)	0.512 (0.866)	0.168 (0.880_	0.290 (1.159)
Gov. effectiveness	-0.371 (0.866)	0.236 (0.791)	0.189 (0.839)	0.432 (0.805)	
Population Policy	-0.421 (0.552)				
Empowerment of Children (immunization)			0.003 (0.0124)		
Empowerment of Children (primary school gross)		0.0003 (0.0182)			
Empowerment of Children (secondary school gross)				-0.0153 (0.0135)	
Empowerment of Children (primary school net)					-0.010 (0.0204)
Africa		-0.457 (0.984)	-0.200 (1.097)	-1.089 (1.256)	-1.0538 (1.193)
Asia		-0.602 (0.901)	-0.192 (0.966)	-1.119 (1.019)	-0.0695 (1.124)
Latin America		0.947 (0.886)	1.037 (0.959)	0.841 (0.871)	0.260 (1.055)
North America		Omitted	Omitted	Omitted	Omitted
Europe		Omitted	Omitted	Omitted	Omitted
Oceania		-1.030 (1.579)	-0.913 (1.562)	-1.414 (1.656)	-0.882 (1.918)
Urbanization	0.012 (0.019)				
Democracy	0.122 * (0.560)				
GDP	0.213 (0.372)				

Number of Observations	809	886	818	876	759
Wald chi2	62.44	46.81	45.85	48.70	47.12
Prob > chi2	0.0000	0.0010	0.0013	0.0006	0.0009
Log likelihood	-349.14	-418.98	-402.92	-410.18	-384.93

NOTE: ***p≤ 0.001; **p≤ 0.01; *p≤ 0.05
° P-value for female parliamentarians is 0.053, which means that it is significant at the 0.1 alpha-level, but not statistically significant at 0.05 alpha-level
Standard errors reported in parentheses.
Standard error adjusted for 93 clusters in newid (country)
Fixed Effects

Table 23

Logistic Regression Models (1990-2000)

Variable	Model 1	Model 2A	Model 2B	Model 2C	Model 2D
Embeddedness in the world polity (INGO memberships)	0.001 * (0.0005)	0.0008 ° (0.0004)	0.0008 * (0.0004)	0.0009 * (0.0004)	0.001* (0.0004)
Cultural Individualism	*0.156 (0.084)*				
Embeddedness in the international women's movement	*0.192 * (0.084)*				
Treaty Ratifications (Total)	-0.09 (0.267)	0.110 (0.266)	0.109 (0.259)	0.181 (0.273)	-0.210 (0.273)
Female Empowerment (Female Parliamentarians)	0.807 * (0.405)	0.074 * (0.030)	0.0700 * (0.0308)	0.0829* (0.030)	0.075 * (0.032)
Family primacy	-0.012 (0.015)				
Muslim	-0.714 (0.881)	-0.744 (0.779)	-0.815 (0.698)	-0.674 (0.736)	-0.951 (0.773)
Catholic	-0.154 (0.522)	-0.267 (0.519)	-0.315 (0.514)	-0.451 (0.518)	-0.265 (0.555)
Protestant	1.099 (1.11)	1.505 (0.904)	1.407 (0.880)	1.366 * (0.965)	2.939 (1.096)
Gov. effectiveness	-0.193 (0.650)	-0.222 (0.495)	-0.185 (0.490)	0.142 (0.503)	
Population Policy	-0.166 (0.443)				
Empowerment of Children (immunization)			-0.007 (0.012)		
Empowerment of Children (primary school gross)		-0.008 (0.015)			
Empowerment of Children (secondary school gross)				-0.012 (0.011)	
Empowerment of Children (primary school net)					-0.026 (0.017)
Africa		-0.272 (0.778)	-0.369 (0.815)	-0.661 (0.923)	-0.437 (0.999)
Asia		-0.207 (0.751)	-0.145 (0.737)	-0.352 (0.779)	0.122 (0.863)
Latin America		-0.491 (0.748)	-0.511 (0.733)	-0.612 (0.764)	-0.408 (0.846)
North America		Omitted	Omitted	Omitted	Omitted
Europe		Omitted	Omitted	Omitted	Omitted
Oceania		-0.535 (0.972)	-0.587 (0.967)	-0.728 (1.04)	0.696 (1.044)
Urbanization	-0.012 (0.015)				
Democracy	0.009 (0.047)				
GDP	-0.090 (0.299)				
Ethno-linguistic Fract.					
HIV					

Number of Observations	955	1219	1238	1209	1059
Wald chi2	32.52	48.10	46.83	43.05	44.21
Prob > chi2	0.0519	0.001	0.001	0.004	0.003
Log likelihood	-499.29	-665.84	-680.19	-644.57	-565.62

NOTE: ***p≤ 0.001; **p≤ 0.01; *p≤ 0.05
° P-value for INGO variable is 0.051, which means that it is significant at the 0.1 alpha-level, but not statistically significant at 0.05 alpha-level
Standard errors reported in parentheses.
Standard error adjusted for 108 clusters in newid (country)
Fixed Effects

Table 24

Logistic Regression Models (2001-2015)

Variable	Model 1	Model 2A	Model 2B	Model 2C	Model 2D	Model 3
Embeddedness in the world polity (INGO memberships)	0.0005 * (0.0002)	0.0003 (0.0002)	0.00036 (0.0002)	0.0003 (0.0002)	0.0002 (0.002)	0.0001 (0.0006)
Cultural Individualism	*0.058 (0.053)*					
Embeddedness in the international women's movement	*0.084 (0.048)*					
Treaty Ratifications (Total)	0.073 (0.214)	0.253 (0.179)	0.133 (0.180)	0.292 (0.185)	0.184 (0.183)	0.033 (0.224)
Female Empowerment (Female Parliamentarians)	0.0430 * (0.019)	0.0422* (0.0187)	0.038 * (0.018)	0.036 ° (0.019)	0.0342 (0.0188)	0.040 * (0.019)
Family primacy	-0.063 * (0.023)					
Muslim	-1.13 * (-0.576)	-0.997* (0.460)	-1.211 * (0.456)	-1.183 ** (0.458)	-1.08 * (0.469)	-0.857 (0.548)
Catholic	-0.206 (0.514)	-0.478 (0.535)	-0.337 (0.531)	-0.232 (0.559)	-0.168 (0.575)	0.322 (0.748)
Protestant	1.138 (1.145)	0.645 (0.790)	1.175 (0.751)	1.333 (0.912)	1.459 (0.998)	Omitted
Gov. effectiveness	0.856 (0.609)		0.104 (0.532)	0.816 (0.556)	0.656 (0.577)	-0.370 (0.327)
Population Policy	0.595 (0.499)					
Empowerment of Children (immunization)			0.029* (0.0132)			
Empowerment of Children (primary school gross)		0.0234 (0.020)				
Empowerment of Children (secondary school gross)				0.002 (0.009)		
Empowerment of Children (primary school net)					0.019 (0.015)	
Population Aid						-0.370 (0.327)
Africa		0.236 (0.744)	0.488 (0.745)	0.424 (0.877)	0.630 (0.819)	1.639 (1.284)
Asia		-0.087 (0.758)	-0.019 (0.715)	0.0619 (0.767)	0.093 (0.761)	1.781 (1.258)

Latin America		-0.917 (0.716)	-0.808 (0.690)	-0.927 (0.715)	-1.011 (0.733)	0.996 (1.405)
North America		Omitted	Omitted	Omitted	Omitted	Omitted
Europe		Omitted	Omitted	Omitted	Omitted	Omitted
Oceania		-1.456 (0.879)	-1.225 (0.835)	-1.352 (0.928)	-0.512 (0.925)	Omitted
Urbanization	-0.021 (0.012)					
Democracy	-0.030 (0.0352)					
GDP	-0.122 (0.251)					
HIV						0.096* (1.405)
Number of Observations	1805	1867	2022	1805	1737	1055
Wald chi2	88.39	76.64	69.39	74.70	66.66	47.46
Prob > chi2	0.0000	0.000	0.0000	0.000	0.000	0.002
Log likelihood	-884.2	-997.45	-1082.65	-959.45	-942.58	-637.97

NOTE: ***p$\leq$ 0.001; **p$\leq$ 0.01; *p$\leq$ 0.05
° P-value for female parliamentarians is 0.054, which means that it is significant at the 0.1 alpha-level, but not statistically significant at 0.05 alpha-level
Standard errors reported in parentheses.
Standard errors reported in parentheses.
Fixed Effects

CHAPTER EIGHT

CONCLUSION

Recent research shows that the rate of child marriage has dramatically decreased around the world in the last 35 years (UNICEF 2014: 5). This is particularly true of the marriage of girls under the age of 15. Although progress is uneven across regions and countries, the overall trend is declining social support for the marriage of children. This trend has been accompanied by decreasing legal support for the practice of child marriage, as shown throughout this dissertation. In addition to social and legal patterns, more people feel the need to explicitly fight the practice and organize against it. This is most strikingly true of the international development community and the international women's and children's rights movements, and such international organization has found support from and been triggered by local activism. As of June 2017, Girls not Brides, the most important global network against child marriage, had more than 700 member organizations in 90 countries. Of these, only 10 percent were international organizations; a great many local NGOs have banded together with international organizations. Girls not Brides has grown rapidly, considering that it consisted of only 80 member organizations in 11 countries in 2010 (Girls not Brides 2017g). Today it is clear that child marriage is increasingly regarded as an unwelcome practice at the global level. The overarching goal of this study was to understand why this is the case. The main question I addressed is, "What explains this vast social and legal transformation about the meaning of marriage at an early age?"

To answer this question, I conducted a mixed methods study in which I approach the question in two distinct ways. First, in the qualitative section of the dissertation, I seek to answer the question, "What makes child marriage a global social problem?", by addressing the social transformations represented by civil society mobilization against child marriage. The second part of the dissertation focuses on legal remedies against child marriage, discussing the global trend toward legislation setting the minimum age of marriage at 18. Here I briefly review my findings and discuss their theoretical implications, identify some of the limitations of the study, and point out several questions for further research.

The first three chapters, which comprise the qualitative section, draw upon semi-structured interviews with key figures of the movement against child marriage, my observations at the events I attended, and document analysis of INGO publications, treaties, government documents, and news articles about child marriage. In Chapter 1, I provide historical background related to global civil society mobilization against child marriage. Mobilization began in the early 1990s when child marriage was first mentioned in major INGO publications.[42] Within the context of the international women's movement following the Fourth World Conference on Women, child marriage for the first time received global attention as a "harmful cultural practice" disempowering women and girls (United Nations 1995). Throughout the 1990s, child marriage was discussed as a human rights issue with respect to its negative outcomes in terms of women's health, decision-making capabilities, risk of domestic violence, and educational opportunities. I

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[42] Although child marriage was mentioned in the Universal Declaration of Human Rights of 1948 and the Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages of 1962, it was only in the 1990s that international interventions and preventive programs emerged. International civil society mobilization was thus slow to develop.

call this period the early stage of the movement and differentiate it from the post-2008 period when child marriage began to be defined as not only a rights issue but as a major barrier to economic development. After 2008 the movement proliferated organizationally and received expansive financial support from various actors, including private actors such as the Nike Foundation and the Ford Foundation along with numerous state agencies. In this chapter, I also describe the advocacy landscape of the child marriage movement with respect to key events, main figures and organizations, and instruments such as resolutions, treaties, and programs.

In Chapter 2 I report the main findings of the interviews and the document analysis. I contextualize the movement against child marriage within the growing global concern over the girl-child and adolescent girls. Starting in the early 2000s, empowering adolescent girls has increasingly been a central objective of international development efforts and the movement against child marriage has flourished within that context. I discuss why adolescent girls have come to the fore and how child marriage is connected to the growing concern about the fate of girls. The chapter identifies three prevalent themes regarding how girls are framed in recent international development discourse. As "saviors of humanity," girls are constructed as a panacea for many social ills if only they are given the opportunities and support they need. "Investing" in girls is considered "smart" because of positive intergenerational effects (empowered women raising empowered girls) and the "altruistic" characteristic of girls. The second theme, "girls as vulnerable," depicts girls as actual or potential victims in need of protection. The third theme is "girls as capable," which emphasizes the untapped potential of girls. Within this context, the movement against child marriage also has two justifications: moral and

instrumental. The moral arguments against child marriage dominated the pre-2008 period, with its emphasis on human rights violations caused by child marriage. The instrumental arguments mark the post-2008 period, framing child marriage as an economic development issue. This is also the period when the movement against child marriage gained momentum and received unprecedented support.

Chapter 3 seeks to understand why INGOs came to frame their case against child marriage in a predominantly instrumentalist manner. However, it also emphasizes that, while it is true that economic arguments have become more pronounced and explicit in discussing why girls should not be brides, the implicit moral assumptions about childhood and marriage also matter for understanding the principles behind the child marriage movement. The chapter first discusses structural reasons for the shift toward economic rationales opposing child marriage, such as neoliberal globalization and securitization, and then turns to world-cultural processes helping to make child marriage emerge as a global problem. It argues that institutionalized models of childhood, marriage, and the individual are keys to the problematization of child marriage. Finally, the chapter argues that both instrumental and moral justifications are shaped by global cultural norms. The economic realm is not simply an arena of rational actors seeking to maximize their interests; it also has implicit cultural assumptions that derive from world culture.

The second section of the dissertation, the quantitative component, focuses on the question of legislative reforms against child marriage. The main theoretical perspective here identifies institutionalized global scripts as the main reason why so many nation-states have passed similar laws aimed at reducing child marriage. I argue that globally

institutionalized depictions of the individual and children are the main forces behind

these legislative reforms. These cultural depictions find their reflections in international

conventions about human rights, particularly in those concerning women and children.

As states become more involved with the larger world, they are increasingly likely to

develop an awareness of such scripts, accede to their legitimacy, and take legislative

measures. In addition to hypotheses derived from world polity theory, I test the effects of

national-level factors regarding minimum-18 marriage legislation. Among these factors

are religion, state capacity, women's empowerment, the empowerment of children,

economic development, urbanization, and population policies. Using a data set covering

167 countries for the period 1965–2015, I conducted two analyses. The first one, survival

analysis, seeks to answer the question of which countries are quicker to pass legislation.

The second, logistic regression, analyzes which countries are more likely to pass

minimum-18 marriage legislation at any point, without taking time into consideration.

Both sets of analyses provide consistent evidence for the relevance of global

factors in passing minimum-18 marriage laws. The survival analysis shows that

ratification of treaties concerning women and children, particularly the Children's Rights

Convention, is of great importance in explaining the trend of increasing the marriage age

to 18 after the 1990s. Individual country characteristics, on the other hand, are of little

help in understanding how quickly marriage age legislation has been passed. The logistic

regression analysis yields similar results: as more integrated a country is into the larger

world, the more likely it is to pass the legislation. In addition, certain county-level factors

make a difference in the logistic regression analysis, particularly religion and female

empowerment. With respect to religion, the negative impact of Islam is particularly

salient after the 2000s: countries with Muslim majorities are least likely to pass

legislation that sets the minimum age of marriage at 18. This finding suggests that, with

the rise of political Islam, Islamist governments have become more resistant to world

cultural scripts regarding women's and girls' rights and equality. Catholicism has a

similar negative effect on marriage age legislation before the 1990s. The positive effect

of female empowerment, measured by the proportion of female parliamentarians in

national parliaments, is consistent across different logistic regression models and

particularly holds true for the period after 1990. This is suggestive of the effect of the

international women's movement on national women's rights movements. The 1990s was

a period of strong growth in the international women's rights movement, as symbolized

by the Fourth UN World Conference on Women in Beijing in 1995.

The findings from two parts of the study are consistent and mutually reinforcing.

The qualitative part finds that world cultural models about childhood, marriage, and the

individual are important bases for justifications and arguments opposing child marriage.

This holds true not only for the moral case against child marriage but also for

instrumental accounts defining child marriage as an economic development issue. In both

cases, the main reference point is the model of the rational, empowered, sacred

individual. The individual is the most important unit of society, with needs and desires of

higher priority than those of collective social units, such as the family, community, and

nation. For instance, the family's well-being in and of itself is not a sufficient reason for

parents to marry a young daughter to an older man. The rights of the girl, as child and

women, must be taken into consideration, and girls are constructed as actors who are

capable of making autonomous decisions that will lead to better families and better

children, both girls and boys. The scripts explaining why child marriage is a harmful cultural practice are thus a major basis for the actions by states outlawing the practice.

The findings from the quantitative analyses also demonstrate the significance of global scripts. Scripts about childhood, marriage, and the individual are institutionalized via treaties such as the CRC and CEDAW. In addition to treaties, international nongovernmental organizations are carriers of such institutionalized scripts: "the INGO context supplies purposes and meanings of action, models for global organizing, forms of discourse and communication, and avenues for influencing states and other actors" (Boli and Thomas 1999: 34). The quantitative findings show that as states are more embedded in the world polity, which is to say, as they ratify more conventions and are involved with more INGOs, they are more likely to pass minimum age of marriage laws setting the marriage age at 18. World cultural effects are consistent across all models, while some country-level factors have the predicted effects but inconsistently so. Thus, the institutionalization of world cultural models, and the advocacy efforts of the global movement against child marriage, have generated the global trend toward laws against child marriage. Global norms and models promote the sacred status of the individual, particularly of children and girls as individuals, while they delegitimize child marriage. In response, countries enact the norms and models by passing the minimum-18 marriage laws. In this context, country characteristics matter comparatively little; it is largely the global system that has shaped the process. The consistent positive effect of female empowerment can also be interpreted in this way: global norms empower organizations working on women's and children's issues, women become more influential in national political processes, and anti-child marriage policies are thereby promoted.

Overall, my questions and findings emphasize world societal factors in understanding why nation-states pass legislation and how the international community constructs social problems. Previous world-polity research focusing on legislation has reached similar conclusions. For instance, Amahazion (2016) demonstrated that world cultural processes are the most important factors in understanding the diffusion of legislation against human organ trafficking, while Mathias (2013) found that the sacrality of the individual as a world cultural principle is by far the most important factor in explaining the abolition of the death penalty worldwide. Boyle's study of the construction of female genital cutting (FGC) as an issue of global concern also found that scripts about the individual are crucial, though she shows that only when FGC was defined as a health issue did the movement receive wider support from the international community. That is to say, before being framed as a health concern, FGC was a highly contested issue and a global consensus was lacking; even today, the elimination of FGC remains controversial in some parts of the world polity. Compared to the FGC case, the anti-child marriage movement has had great success, especially in terms of legislative reforms.

One particular condition that helps explain the success of the movement against child marriage is the cultural meanings attached to children. Unlike issues related to women, children's issues are seen as apolitical and highly universal: children are children everywhere, with the same needs for protection, the same potential for self-development, and so on. As repeatedly suggested in my interviews, when issues relate to children, everybody is on the same page regardless of political ideology. This condition implies both stronger world-cultural institutionalization of the sacred status of the child and

favorable circumstances for movements dealing with children's issues, such as the anti-child marriage movement.

As shown throughout the dissertation, UN adoption of the Convention on the Rights of the Child was a key event in understanding the expansion of legislation against child marriage. It is a specific marker of the global institutionalization of the sacrality of children. Given the importance of the Convention, future research should study the processes that led to the CRC from a world-cultural perspective. This is particularly important for understanding global scripts related to children, and such research would be helpful with respect to analyzing further the moral and instrumental bases that undergird the movement against child marriage.

Limitations and Future Research

In addition to the quantitative effects of global models on state legislation, the qualitative analysis reveals the relevance of cultural models constituting individuals as interest-maximizing rational actors, particularly after 2008. Emphasizing the economic empowerment of girls, in this period girls were constructed as saviors, better equipped than boys to eradicate world poverty, raise capable children, and so on. This smart economics approach is not represented in the quantitative analysis mainly due to the lack of relevant data to measure the extent to which states enact the smart economics approach in discourse and debate about minimum age of marriage laws.

One of the central findings of this study is a shift from an emphasis on human rights to smart economics in framing why child marriage is a social problem. To some extent, this shift is a historical one. The initial stages of the anti-child marriage movement addressed the rights aspect while the later stages focused on economic consequences.

One question that should be examined by future research is to what extent this shift is representative of other similar movements that received global attention. Is the shift from human rights to more instrumentalist justifications unique to the anti-child marriage movement, or is this a general trend which may be driven by the neoliberal restructuring of the world?

Another relevant question this study has not examined is whether passing age-18 marriage laws actually changes child marriage rates. This is a question addressed in some other works influenced by the world polity tradition (Boyle 2005, Boyle and Kim 2009, Longhofer and Schofer 2010, Kim and Boyle 2011, Kim et al. 2013). Among these studies, some provide support for the effect of global norms on actual implementation of laws while others find no such relationship. For instance, Kim et al. (2013) found that in countries where marriage age laws adhere strictly to global norms, the rates of adolescent fertility are lower. However, Boyle's (2002) work on female genital mutilation (FGM) concluded that, although global norms are effective in the emergence of new norms about the practice, they may not actually decrease the rates of FGM. Following this body of work, it is important to account for the issue of "when laws matter" in decreasing the actual rates of child marriage. I plan to address this question in future work.

Another direction for future research is understanding more about how world cultural models interact with local norms, that is, how local actors are shaped by and in turn shape global norms and models. Some recent scholarship in the world polity tradition delves into this issue, relying on social surveys or qualitative methods such as in-depth interviews that explore how world cultural scripts interact with local attitudes and beliefs (Boyle 2002, Alasuutari and Qadir 2016, Hadler 2016, Qadir 2016).

Following these studies, in my future research I will examine how attitudes about child marriage are shaped by global scripts. Global cultural scripts such as women's empowerment, love-based marriage, and the nuclear family are helpful for explaining the success of the anti-child marriage movement in pushing for legislation. Women's empowerment is globally institutionalized, despite being more controversial than children's rights (Berkovitch and Bradley 1999). Similarly, the idea of marriage on the basis of love and in the form of the nuclear family is becoming a global norm (Cherlin 2012). Future research should examine the channels through which such world cultural principles are diffused and how such ideas about love and the conjugal family are received at the local level.

APPENDIX

INTERVIEW GUIDE

Questions about the history of the movement

- What is the history of the global movement against child marriage?
- Who are the most important actors in the movement?
- Can you tell me about the campaigning process that led up to the UN Resolution on child marriage?
- What were the challenges and obstacles during the creation of the UN resolution?
- How was the global campaign organized? Who are the regional/national actors?
- How do you view the role of states and international organizations addressing the issue?

Questions about the specific organizations' role

- What is the primary goal of your organization regarding child marriage?
- What are some policy recommendations your organization makes?
- How/where does your organization fit into the global movement?

Questions about causes, consequences, and policies

- What kind of global level regulations may be effective to fight child marriage?
- What are some causes of child marriage? Which is the most important one?
- What are some negative consequences of child marriage for the victims?
- What are some negative consequences of child marriage for the society and country?
- What aspects of child marriage are the worst? Why?
- Is child marriage a human rights problem or a development problem?

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