

OPINION ARTICLE

# A take on early child marriage in Iran [version 1; peer review: 2 approved with reservations]

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## Abstract

This is an opinion piece on the practice of early child marriage in Iran, with a brief review of the causes and consequences of this practice. This piece critically looks at the blanket policies, such as minimum age at marriage, that criminalise early child marriage and discusses why such policies may do more harm than good when they are not compatible with the social norms of the societies in which they are implemented.

## Keywords

Early child marriage, human rights, policy



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## Open Peer Review

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Any reports and responses or comments on the article can be found at the end of the article.

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## Introduction

Early child marriage is considered a violation of human rights by the United Nations and is recognised as a type of modern slavery by International Labour Organisation. The United Nations defines child marriage as a marriage where at least one of the parties is under the age of 18. In their 2014 report, UNICEF estimates during 2004 to 2015, across the globe (excluding China) 11% of 20 to 24 year-old women were first married or in union before they were 15. This rate increases to 15% in the least developed countries.

Early child marriage is often associated with social costs such as persistent poverty, illiteracy, underdeveloped human capital, and infant mortality (see Chari *et al.*, 2017; Clark, 2004; Wodon, 2016 among others). At the individual level, the costs of early child marriage include domestic violence, physical and emotional health issues, financial difficulties in case of divorce, loss of life during pregnancy and childbirth at a premature age, and suicide (see Arthur *et al.*, 2017; Cunha *et al.* 2010; Ghaedrahmati *et al.*, 2017; Santhya *et al.*, 2010, among others).

Interventions to tackle child marriage at national and international levels range from legislations that prohibit the practice, to social programmes that target the empowerment of families and their children against the social insecurities that lead to early child marriage. In a global effort to end poverty, protect the planet, and respect human rights, the UN members adopted the Sustainable Development Goals (SDGs), one of which is the elimination of child and forced marriages (SDG Target 5.3, 2015).

With a focus on Iran, in this piece I criticise the blanket policies that criminalise early child marriage, and discuss why they may do more harm than good when they are not compatible with social norms of the societies in which they are implemented.

An important issue in legal discourse is whether early child marriage is illegal and is against human rights. Under the Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages, men and women of adult age have the right to marry and to start a family. Moreover, entering into marriage should be under free and full consent. Legally, consent means the act is performed without coercion, and is based on an informed decision. The UN Special Rapporteur on contemporary forms of slavery believes that:

“Under international human rights law, a child cannot provide informed consent to a marriage. The marriage is therefore considered forced and falls under the slavery-like practices defined in the Supplementary Convention on the Abolition of Slavery (UN Human Rights Council 2012: 14).”

Therefore, the age at which parties reach the competence to understand the meaning and responsibility of marriage has been subject to debate. There has been a progress towards universal adherence to the international standard of a legal

minimum age of marriage of 18 (Gaffney-Rhys, 2011). Accordingly, anyone below the age of 18 is considered a child and hence their marriage is considered forced. However, this threshold is not compatible with accepted norms of a country like Iran and nor with its most practiced religion, Islam.

There is mixed evidence on how effectively legislative provisions for the minimum age of marriage eliminate child marriage (see Horii, 2020; Malhotra *et al.*, 2011; Maswikwa *et al.*, 2015). Malhotra *et al.* (2011) evaluate a range of interventions and find that prohibitive policies are amongst the least effective in changing behaviour. Arthur *et al.* (2017) reconcile the contrasting evidence and argue that legal exceptions to minimum age provisions based on parental consent, customs, and religious laws create loopholes that effectively lower the legal minimum age of marriage below the age of 18. Nevertheless, Arthur *et al.* (2017) conclude that more evidence is needed to call for protective legislative provisions to combat child marriage.

In my opinion, prohibitive policies on their own may do more harm than good. While I agree with De Alwis (2008) that making child marriage the subject of international treaties helps to ensure that states are held accountable for failing to address the issue, I argue that criminalising early child marriage and a blanket solution of minimum age of marriage is not only ineffective but can exacerbate the problem. Legal interventions need to be complemented with social programmes that are compatible with social norms and provide families with a meaningful alternative to marrying their children at a young age. For example, in a country like Iran in which Shariah law encourages marriage at a young age and legitimises the practice through its custom of temporary marriage, criminalising the practice only serves as a superficial attempt to satisfy the international community while making the most vulnerable groups worse off. As long as there are economic incentives to early child marriage, families will engage in this practice and instead of formal registers rely on Shariah law that legitimises a temporary, unregistered marriage.

## Iran's case

The practice of early child marriage has historical roots in Iran. Asad Pour (2020) surveys travel memoirs of European travellers to Iran during the Safavid and Qajar dynasties, and depicts a picture of early marriages in Iran from the early 16<sup>th</sup> to early 20<sup>th</sup> century among the Iranian elite. She argues that among Iranians marriage was considered a natural act, and staying single was not acceptable nor understandable. The common age for marriage among different tribes and religious groups was around 14 or 15 years old for girls, and a few years older for boys (Asad Pour, 2020, p.39). With urbanisation and transition to modern lifestyles, women entered the labour market and invested in human capital and naturally the average age of marriage increased. Today, the average age at first marriage is 27.4 for men and 23 for women.

In addition to the increase in age at first marriage, data on marriage and divorce rates suggest a weakening of the institution

of marriage among Iranian families. A recent study of the marriage to divorce ratio indicates that this ratio went from 16 in 1993 to a historically low level of five in 2013. This is the lowest ratio of marriage to divorce in Iran since 1954 (Farzanegan & Gholipour, 2018). Farzanegan & Gholipour (2018) also reports a declining growth rate in the total number of marriages in Iran during 2011 to 2013.

Despite the recent changes, marriage is still an important institution in Iran. Pre-marital sex is not widely acceptable and is condemned by both the legal system and society. Sexual education is very limited and is offered formally either at university or during pre-marriage workshops to couples who are engaged to be married. The taboo of pre-marital sex, yet the acknowledgement of sexual desire after the age of puberty (menarche age for girls and around 15 for boys) has led Iranian families to become conservative regarding interaction among adolescents and arrange for early marriages. This practice is more common in less developed and more traditional parts of the country in which the reputation in the community plays a crucial role for families. News about the murder of daughters who have brought shame to their families due to their pre-marital sexual activity is not uncommon in Iran and in societies with similar cultural backgrounds such as Afghanistan.

In the introduction of this essay, I argued that when early child marriage is financially convenient and socially acceptable, criminalising the practice without complementary programmes that educate families and provides them with a safety net can only exacerbate the problem, especially among the most vulnerable groups. To better understand this claim, we need to review the Sharia law which creates loopholes against the legal minimum age of marriage.

Even though there is no clear statement on minimum age of marriage in Quran, according to Islamic tradition males and females can marry after they reach the age of puberty. The acceptable age of puberty for girls is nine and for boys is 15. In Iran girls have a religious ceremony called Jashn-e-Taklif during their third year of primary school, which marks their puberty. After this age, girls must cover themselves in presence of males who are not part of their immediate family and cannot freely interact with them. For boys this ceremony happens at the eighth grade.

Informed and shaped by such Islamic traditions, under Iran's civil law (Article 1041 of the Civil Code 1935) the minimum age of marriage is 13 for girls, and 15 for boys. Asghari (2019) provides a summary of the reforms to the minimum age over the past few decades. In 1935, the legal age for marriage was 15 for girls and 18 for boys. However, with a certificate from the court, girls and boys were permitted to marry from the ages of 13 and 15, respectively. Marriage below the age of 13 was prohibited. In 1975 the legal age of marriage for girls was increased to 18, and for boys to 20, and conditional on having a court's certificate girls could marry as young as 15. In an amendment to marriage law in 1983, the previous

article was considered incompatible with Sharia law. Therefore, conditional on legal guardians' approval, the law permitted matrimony under maturity age (nine years old for girls and 15 years old for boys). Up until 2002 attempts to change this amendment were not successful, but in June 2002 a bill was passed that set the legal age of marriage to 13 for girls and 15 for boys, with the exception that matrimony under these ages was permitted conditional on the consent of the legal guardians of children. These legal exceptions, and the influences of Shia teaching in Iran's society, legitimise the marriage of girls under the age of 13 and hence create loopholes to the minimum age of marriage.

Another important feature in Shia practice that facilitates early child marriage is the practice of temporary marriage. Shia Muslims consider temporary marriage as a legitimate, traditional act. The difference between temporary and permanent marriage is that the former is not recorded in civil registration office and, given the taboo of pre-marital sex, is a mechanism to legitimise sexual relationships out of wedlock. Ahmady (2018) explains that Shia Hadiths and narrations consider temporary marriage a practice that prevents corruption in the society. Ahmady also argues that this practice is mostly common among religious, traditional families or ones that are economically deprived and, in many cases, suffer from addicted parents in the household. Temporary marriages are therefore an easy, legitimate route into child marriage.

Despite such intuitional supports for child marriage, this practice is a cause of concern among social workers and policymakers in Iran. Most of these marriages happen in rural areas, with underdeveloped infrastructures and poor health services. Ahmady (2018, P.74) reports that the highest death rates of mothers under the age of 15 are in the Sistan and Baluchestan provinces, which are among the most deprived provinces in Iran. Research, policy reports, and media reports warn against the physical and mental health problems associated with early child marriage (see for example Kahrom, 2016). Domestic violence, suicide, persistent poverty, and prostitution are among the social costs associated with early child marriage (see Mahini *et al.*, 2019).

Most of the children involved in early child marriage drop out of secondary school. Kahrom (2016) reports that 37.5% of those involved in early child marriage are illiterate, 37.5% have not completed primary education and 22% have not completed high school. Lack of employment opportunities, persistent poverty, early divorce, and marginal settlements are among the social costs associated with early child marriage.

The policy response to some of the aforementioned socioeconomic costs by the Iranian government was to increase the age at marriage in 2002. However, due to the roots of this practice in Iran's institutions, the taboo of pre-marital sex in the country, and the economic necessity and under-developed labour markets in rural areas, the problem of early child marriages persists to this day in Iran. It is under these cultural settings that I argue that a human rights approach to early child

marriage, and the reliance on criminalising early child marriage, may lead to temporary unregistered marriages among the most deprived groups and in this way expose vulnerable girls to worse economic and social conditions, as they don't even benefit from legal protection of registered marriages.

### An economic perspective on child marriage

Despite the disputes on the minimum age for marriage, once a minimum age is set by the legal system in each country any marriage below that age becomes a criminal behaviour. If we categorise early child marriage as a criminal behaviour, then the systematic analysis of crime by [Becker \(1968\)](#) becomes relevant in order to understand the prevalence of the practice and the response of families to the new legislation.

Becker focuses on a normative analysis and formulates a measure of the social loss from offenses. Hence, he finds the amount of expenditure of resources and punishments that minimise this loss. Here, we do not employ any of his rigorous analyses to discuss the plight and prevalence of early child marriage. We only borrow one of his insights; that when a person commits an offense, their expected utility from this offense exceeds their utility from any other alternative. Therefore, they engage in criminal activity not because their basic motivation differs from the rest of people, but because their benefits and costs are different. This is the standard economic analysis of choice in which people have stable preferences, and maximise their wellbeing, subject to the constraints set by the market or the environment in which they live in ([Becker, 1990](#)). The market coordinates the actions of different participants so that behaviours become mutually consistent.

The assumption of stable preferences means that people have similar preferences that do not significantly change over time, across different decision-makers, or even across societies and cultures.

It is important to clarify that in this assumption we are not referring to different tastes over types of product to consume or who to marry, or what type of education to acquire. We are more interested in what an individual or a household can produce out of purchasable goods and services. Therefore, stable preferences are defined regarding fundamental aspects of life, such as health, safety, prestige, human rights, and so on ([Becker, 1990](#), p.12). Despite its shortcomings, this assumption provides us with a powerful analytical tool. We abstain from associating different choices to differences in preferences and instead focus on the incentives created by external, material factors. External factors can include available income, the rules and the institutions, or the employment and education opportunities. The assumption of maximising behaviour essentially says that given the stable preferences and limited choice sets, the decision-maker opts for an alternative that provides them with the highest possible payoff.

The last assumption, which can be the most restrictive one, defines the environment in which the actions of individual decision-makers, each trying to make the most out of their limited resources, interact and become mutually consistent.

Therefore, this assumption helps to characterise the interconnectedness of individual behaviour within society and describes the balance among often competing goals. As an example, and in the context of child marriage, consider a hypothetical town in which the most desired age for the bride is fourteen. In this environment, the family of the bride has strong incentives to marry their daughters by the age of 14, and if there is competition among eligible grooms for 14 year-old brides, then the family of the bride has bargaining power over the terms of this marriage. Whether there is an exchange of money or not, the competition on the groom side incentivises the bride's family to benefit from this environment. Negotiation over the terms of marriage can include dowries and direct payments (explicit prices) or the quality of accommodation and living conditions for the bride (implicit prices). Based on this framework, prices, legislations, traditional institutions and the probability of conviction, as well as punishment for underaged marriage, determine the number girls who become the victims of early child marriage.

As underaged marriages involve one or two adolescents, who in most cases are not legally allowed to marry without the permission of their legal guardian<sup>1</sup> we consider the head of the household to be the decision-maker. A brief look at the data helps to justify this assumption. [Ahmady \(2018\)](#), who has surveyed households in eight provinces with the highest rate of early child marriage, reports that marriage is mostly a family affair, where the parents tend to know each other intimately. There are strong economic incentives involved in this decision. The bride price tends to be lower when families are close relatives or acquaintances. Hence, regarding who to marry, the adolescents have little say in the matter.

Regarding the age of marriage, Ahmady reports that in many villages, children as young as five years old are engaged to be married. In one region in the north-west of Iran, he even reports that there were no children below the age of five who were not already engaged. Iran's official [records](#) for marriage of adolescents under 18 indicate that, in most cases, the bride belongs to the 10–14-year-old age group and the groom to the 21–30 years age group. These statistics might be biased and overestimate the age at first marriage because they only reflect the officially registered marriages and not the temporary ones. Nevertheless, these figures as well as [Ahmady's \(2018\)](#) field survey suggest that the decision-makers in early child marriage are the parents or legal guardians, at least on the bride's side.

Let us now analyse the decision to marry children at a young age from the optimal choice perspective. Each choice involves costs and benefits. The most obvious cost involved in early child marriage, at least as far as the legal guardians are concerned, is the disutility of the girl (or boy) who is married against their own will. Even though the degree of satisfaction varies from case to case<sup>2</sup> macroeconomic statistics suggest that in many cases girls are not content with their forced

<sup>1</sup>The legal guardian is the father or grandfather and if none are alive, the guardian is assigned by the court. See <https://rc.majlis.ir/en>

<sup>2</sup>see [Ahmady \(2018\)](#) for province level reports.

marriage. For example, [Mahini et al. \(2019\)](#) report alarming rates of domestic violence, suicide, and injuries during childbirth due to the immaturity of the mother. Also, [Ahmady's \(2018\)](#) interviews in eight provinces with the highest rate of early child marriage record that children were taken to their matrimonial home in some cases without any prior notice, or were even absent from their matrimonial ceremony. Our take away from this is that the head of the household is aware of the cost that his decision imposes on the child bride.

In addition to the immediate cost due to the disutility of marriage at a young age, the expected mid-term and long-term costs involve mental and physical health hazards due to early childbirth, and in some cases divorce. Divorced children are exposed to poverty, as they are not equipped with the right set of skills to enter the labour market.

As for mental and physical costs, [Kazemipour \(2004\)](#) reports a positive relationship between the mother's age and the death of the mother during pregnancy. According to her findings, girls in the age group of 10–14 are five times more likely to lose their life during pregnancy compared to girls in the 15–19 year-old age group. They also report that pregnancy under the age of 18 is associated with early abortion, pre-mature birth, health problems of babies born to under-aged mothers, malnutrition for the mother and the baby, eclampsia, and several other health issues such as vaginal infections during childbirth.

On the other hand, [Kahrom \(2016\)](#) argues that depression, anxiety attacks, immaturity, separation from family and social network, loss of freedom to interact with others and engage in social activities, and interrupted mental development are among many mental and emotional damages associated with early child marriage.

But what are the benefits of early child marriage that justify paying these costs and marrying young children against their will? We look at the customs and belief systems of Iranian families to find an answer to this question. One of these belief systems that has historical roots in Iran's culture is the taboo of pre-marital sexual relationships. Pre-marital sex or even close encounter with a "Na-mahram"<sup>3</sup> is prohibited and has determinantal consequences (such as honour killing) for the family, especially in small communities where news spread fast. Given these stakes, early marriage is a way of securing against social insecurity. Young daughters become a liability to their family, and a bad reputation comes with financial costs to the rest of the family.

One big financial benefit of early child marriage is lowering household expenditure. The mechanism behind the reduction in expenditure is not clear and one must interpret it with care. This potential benefit is sensitive to the financial standing of the

bride and the groom. The clear channel to reducing expenditure is by spreading the income among fewer members of the family. But this statement implicitly assumes that losing one member of the family does not affect the family's income, an assumption that is acceptable if young children are receiving education and are not involved in household production. Based on cost-reduction incentives, we should expect more productive children to stay with their own family, unless their marginal productivity is so high in another household that their family can ask for equivalent remuneration by agreeing to early child marriage. This brings us to the classic demand and supply equilibrium where prices (here in form of direct payments and Mahr<sup>4</sup>) determine the number of child marriages. In summary, if children are financially costly to the family, we can understand that reducing living expenditures creates an incentive for child marriage.

In terms of transfer of money upon marriage, a common practice is for the groom to pay the Mahr as a form of dowry to the bride. These transfers, legally and by Shariah law, have the bride their sole beneficiary. There are references to other types of transfers that are directly paid to the parents of children involved in early child marriage. [Ahmady \(2018, p. 179\)](#) reports that:

"in some villages ownership of water is a distinguishing hallmark and social stratification. In other places it is cultivating pistachios. What was observed that within villages where the residents are in a higher economic class, the rates of ECM [early child marriage] tend to rise. This economical distinction encourages ECM as a weapon of social stratification. Families tend to prefer their children to marry people who share the same stratification level, in order to maintain the hierarchical order of power and wealth".

Before looking at the market conditions that facilitate early child marriage, we should note that the strength of the aforementioned incentives is important for determining early marriages. For a financially well-off family who lives in a traditional community, it can be affordable to delay marriage to a later age and avoid not only the emotional and physical costs associated with early marriage but also lack of investment in human capital. Therefore, the social taboos may not impose a constraint as long as the family can afford to maintain the safety of their young children. Similarly, for a family that relies on the labour of their children, the loss of this source of income may exceed the cost of deviating from moral taboos. Quantifying and measuring how these incentives play out requires more formal and rigorous analysis. Such analysis that can help with predicting the outcome of any policy intervention and social programmes designed to prevent early child marriage.

<sup>3</sup>For women, any male other than father, grandfather, brother, son, nephew, or uncles is considered "Na-mahram"

<sup>4</sup>the obligation, in the form of money or possessions paid by the groom, to the bride at the time of Islamic marriage

There are numerous market conditions that are important for early child marriage, such as the number of eligible adolescents in a community, the main economic activity of the community, the availability of health services and the legal systems that legitimise child marriage. Here, we focus on the role of institutions that facilitate child marriage. Even though historical trends indicate that the practice of early child marriage was common among the Iranian elite, in contemporary Iran this practice is more common in deprived and rural areas that still rely on traditional institutions, most importantly the religious ones. An informal unregistered marriage can be legitimised as long as the religious leader in the community approves it and gives consent to it.

Apart from the legitimising role, one should not underestimate the teaching and influence of religious leaders in shaping preferences for early marriage. Pre-marital sex is strictly prohibited by Islamic rules and customs, especially for girls. The teachings of Sharia law are now the social norms. Hence the religious leaders in rural communities have the power to sway families towards more or less early child marriage (Ahmady, 2018).

The Iranian government responded to the issue of early child marriage through bills that limit this practice. However, the strong incentives behind the practice do not simply vanish, especially when they are coupled with informal institutions that create loopholes against the law. In the face of strong traditions in rural areas and the widespread poverty, preventive laws are not only ineffective but may worsen the situation of the most vulnerable children by leading them towards unregistered marriages. Therefore, the most vulnerable victims of this practice who do not have access to any official documents cannot secure themselves against adverse consequences such as desertion, and will not have access to education or employment opportunities. In my view, assigning a minimum age for marriage must be accompanied by other social programmes that empower children and their families against social insecurity and poverty. Otherwise, merely changing the legal age can exacerbate the problems faced by most deprived members of the society.

For example, the programme implemented in the Aurangabad and Jalna Districts, Maharashtra, India, which is part of The Integrated Project for Empowering Adolescent Girls (IHMP), targeted incentive-compatible interventions. One of the objectives of this programme was to delay the age at marriage

and age at first conception through empowering unmarried adolescent girls and protecting married adolescent girls from the adverse consequences of early motherhood. The IHMP reports that one of the factors that contributed to the success of the programme was the life skills education provided to unmarried adolescent girls. This education improved self-esteem and self-efficacy and empowered these girls to negotiate a delay in the age of their marriage. Of course, without optimistic prospects of maintaining a successful and independent life, providing education is not enough for abolishing early child marriage. The IHMP acknowledged this issue and as part of their programme, established adolescent girls' clubs and leadership training for older adolescent girls, who could then use the skills they learned to work as peer educators in their communities. The IHMP reports that adolescent girls' clubs were successful in exerting social pressure on parents and communities to change the social norm and prevent child marriage. Such opportunities, if well-designed and compatible with social norms, can provide a meaningful alternative to early child marriage, which is sometimes used as a defensive mechanism against social insecurities.

To summarise, early child marriage has rightly been acknowledged as a violation of human rights by international communities. Countries differ in the prevalence of early child marriage and their response to this problem. While there is a suggested age of eighteen as the legal age for marriage, a blanket policy to criminalise marriage under this age may become ineffective, especially if it is not complemented with other social programmes that target the roots of the problem. In this article, we looked at the prevalence of early child marriage in Iran and reviewed some of factors that contribute to this practice. One distinctive feature in the context of Iran is the distinction between legal and religious marriages. In rural areas, where incidents of early child marriage are more numerous, religion plays an important role on the shaping beliefs towards early child marriage. We reviewed some evidence that points to the considerable costs of early child marriage at both individual and societal levels and looked at legal actions adopted by Iran's government to eradicate early child marriage. The main purpose of this piece was to raise awareness of the undesired consequences of criminalising early child marriage and hopefully attract interest from researchers, policy makers and social workers to work towards effective solutions to eradicate this harmful practice.

### Data availability

No data are associated with this article.

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? **Els Leye** 

International Centre for Reproductive Health, Faculty of Medicine and Health Sciences, Ghent University, Ghent, Belgium

This paper presents a welcome picture of the situation of child marriage in Iran, it is well written and provides an interesting analysis of child marriage in Iran from an economic perspective.

I have some suggestions that might be taken into consideration.

- It might have been good to have a more in-depth analysis/argumentation on how setting a minimum age of marriage is used to continue CEFM, worldwide and in Iran, especially with regard to customary laws or religious marriages.
- Multi-level interventions are widely recognised as the way forward to tackle CEFM, as well using an intersectional approach in order to leave no one behind. Working on laws and policies is one strategy in such multi-level interventions. Would it be possible to provide some more information if such multi-level interventions have been initiated in Iran, in order to substantiate the claim that blanket policies that criminalise CEFM are harmful?
- Would it be possible to provide more information on the numbers of child marriage in Iran? The average age seems to be pretty high, 23 for women and 27.4 for men, which might suggest that CEFM is not an issue anymore. Could the authors provide prevalence data on CEFM in Iran?
- Would it be possible to provide some prevalence data on violence following pre-marital sex; as well as the legal situation regarding premarital sex?
- Could the authors provide some explanation on 'temporary marriages' (numbers, reasons for such marriages and why it prevents corruption)?
- Could the authors provide figures/data on consequences of CEFM in Iran, such as maternal deaths, school-drop outs etc, disaggregated by sex and by Urban/rural divide?

- Could the authors explain what is meant with 'the disutility of the girl or boy who is married against their will'?

The economic perspective on child marriage is interesting; but how different is this from the social norm framework that is often used, that states that if the benefits for marrying off a girl are higher than potential negative consequences, the practice will continue? Possible benefits are varied, including lowering household expenditure, but also social norms such as preserving virginity of a girl. Could the authors add some discussion on how this 'economic' perspective provides additional insights to this social norm narrative?

**Is the topic of the opinion article discussed accurately in the context of the current literature?**

Yes

**Are all factual statements correct and adequately supported by citations?**

Yes

**Are arguments sufficiently supported by evidence from the published literature?**

Partly

**Are the conclusions drawn balanced and justified on the basis of the presented arguments?**

Yes

**Is the argument information presented in such a way that it can be understood by a non-academic audience?**

Yes

**Does the piece present solutions to actual real world challenges?**

Yes

**Is real-world evidence provided to support any conclusions made?**

Yes

**Could any solutions being offered be effectively implemented in practice?**

Yes

**Competing Interests:** No competing interests were disclosed.

**Reviewer Expertise:** Gender based violence, child marriage, female genital mutilation/cutting, gender equality

**I confirm that I have read this submission and believe that I have an appropriate level of expertise to confirm that it is of an acceptable scientific standard, however I have significant reservations, as outlined above.**

Reviewer Report 13 January 2022

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### **Ericka G. Rascon-Ramirez**

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This note is a relevant piece of work where economic, social and legal factors are described to better contextualised the practice of early marriage in Iran. It is thought provoking and I welcome the opportunity of more opinion articles of this kind. The note is also contextualised with historical and religious aspects that helps the reader to understand the roots of early marriage in Iran, as well as how religious interpretations may perpetuate such practice. The author invites for a deeper reflexion on the unintended consequences of the current policies to prevent early marriage in Iran, such as temporary unregistered marriages that may leave women without legal protection. This piece invites policy and academic stakeholders to have a deeper look at the consequences of such policies.

Here I provide general recommendations to ease the identification of the different factors that may affect early marriage. Based on the main argument discussed by the author, I can identify three main factors: legal, economic, and social. The first one underlined by the current Iranian legislation and Sharia Law, the second by the financial gains of monetary dowries and the third one by social norms. Making the distinction of these factors from the beginning of the article can help the reader to prepare for what is coming. I have some minor comments on the law side of the argument which I leave for my section of minor points. Below I focus on the economic and social factors.

The author mentions economic incentives as one of the main drivers of the existence of child marriage. This article would be benefitted from a more detail explanation about how economic factors influence the decisions of parents to support child marriage and how the author foresees possible interventions addressing such economic motives. While the support for early marriage may have a purely economic driver, can the author provide more discussion on which social factors, in addition to Sharia Law, may contribute to the reinforcement of such practices? For instance, are families alienated if they do not follow such practice? Are girls subject to disrespect after passing certain age without being married? Are girls more vulnerable to rape and sexual harassment if they are single after certain age? The author provides some description of punishments that families may face if they deviate from the social norm; however, it is worth expanding this part of the note for the case of Iran.

The author uses an innovative economic theory frame to explain the reasons why parents might be supportive of early marriage. When looking at the Becker's frame, I was expecting a human capital investment theoretical rationale. I find interesting the frame the author has chosen here. To complement the motivation for this approach, the author could provide some evidence about parents acknowledging the illicit side of such practice. Are parents aware of early marriage being a criminal practice? If so, I would mention this in the article as this will motivate the reason why the author has chosen such frame – not only from the fact that it is a criminal activity, but also because parents are aware of this and their decision making is in fact a criminal choice.

Using a complementary Becker approach, I wonder if the author could provide some additional discussion about the costs/benefits parents perceive about other decisions taken during the adolescent years of their children which may affect the decision of being married. For instance, what is the interrelation between perceived returns to schooling, labour market opportunities and early marriage from the economic viewpoint for the Iranian context.

I found fascinating the economic explanation on marriage market given by the author. Can the author expand on this by explaining that, possibly, if parents lose the opportunity of marrying their girls at the "socially acceptable age", the chances of getting married will dramatically reduce, and also the "price" of the bride might decline. Hence, the dynamics of the marriage market reinforces the incentives for early marriage of daughters.

#### Context on Iran

- Include the current percentage of boys and girls that are married under 18 in Iran.
- Can the author provide some statistics on early childbearing, drop-out of girls/boys after getting married? Can you also provide some statistics on the adverse effects of early marriage for Iranian girls (e.g., domestic abuse, rape, murder)?
- If information is available, can the author explain a bit more on what the family decision involves? Is early marriage primarily a father's decision? Are both mother and father involved?

#### Minor points:

- When referring to human capital, in the paragraph starting with "The practice of early child marriage..." the author may want to include a brief explanation about what she is referring to. I believe the author is primarily referring to education, if so, please mention it as such.
- The author needs to connect why the statistic on divorce is relevant for early marriage. At the moment, this part is a bit disconnected.
- Can the author provide more details on the Jashn-e-Taklif in Iran? Is it a current practice in urban and rural areas? Are there families rejecting such practice? What are the social punishments if families do not adhere to this practice?
- Could the author provide more details on how the "Shia" teaching influences early marriage? Is the author making such distinction because there are specific features of such influences that distinguish Shia and Sunni influences on early marriage? Perhaps the author could bring forward "temporary marriage" one paragraph before and provide a brief contrast with Sunni societies.
- As available income is entirely a decision of the individual, is it really an external factor?
- What the author refers as "macroeconomic statistics", I would either refer it as "statistics" or previous work (given the context of this paragraph).
- In the paragraph starting with "As for mental and physical costs, Kazemipour (2004) reports a positive relationship...", I believe the author meant "negative relationship".

- In the line: "Pre-marital sex or even close encounter with a "Na-mahram" is prohibited and has determinantal consequences...", I believe the author meant "detrimental consequences".
- In the line: "One big financial benefit of early child marriage is lowering household expenditure.", I suggest the following change: "A significant financial benefit of early child marriage is the reduction in household expenses."
- On the statement: "...an assumption that is acceptable if young children are receiving education and are not involved in household production", this is partially true as early marriage is a deterrent to investment in education for daughters, which in turn, reduces future earnings for the child and her family. The author should clarify this point.

I hope these comments are useful to the author.

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**Reviewer Expertise:** Education, Early Marriage, Sexual Behaviour, Family Economics

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