Gulf Studies 17

Ahmed Aref
Md Mizanur Rahman *Editors*

# The Handbook of Marriage in the Arab World

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# Gulf Studies

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# The Handbook of Marriage in the Arab World

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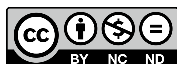

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Disclaimer: This edited volume is a translation of the Arabic book entitled *The State of Marriage in the Arab World*, published by the Doha International Family Institute (DIFI) in 2019. The DIFI recognized the importance of making the insights and research contained in the original Arabic book accessible to a wider readership and led the translation work with the partnership with Hamad Bin Khalifa University Press. Editors, authors, and publishers assume no responsibility or liability for any errors or omissions in content translation and its cultural nuances. In case of discrepancy, the Arabic original will prevail.

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# Foreword

Dear Readers,

I am pleased to present to you this book on the state of marriage in the Arab world, prepared by the Doha International Family Institute (DIFI), a member of Qatar Foundation for Education, Science and Community Development (QF). The book offers an integrated analysis and consolidates a deeper understanding of all aspects relating to marriage in the Arab world.

The book began with an idea inspired by DIFI's vision seeking to lead global knowledge of Arab family issues. In the beginning of our study, we sought to find the most important family phenomena or issues in the Arab world that we should prioritize in the report. Arab families face numerous issues in our modern world, which—according to our institutional and moral commitment—call for comprehensive research projects. The issues include divorce, family disintegration, fertility rates, and the challenges posed by war and conflict, among others.

But we stopped to look further into marriage as a nucleus for the formation of a family, as well as other extremely important marriage-related sub-topics in our time, such as a decline in marriage rates, a rise in non-traditional types of marriage, the costs of marriage, societal perceptions of marriage, age and work and marriage, marital relations, and marriage in light of migration and during war and conflict. The book covers these topics from several approaches to paint an integrated picture of marriage in the Arab world, while taking into consideration the commonalities between Arab countries, as well as the cultural, social, and daily-life differences between the different regions and countries within the Arab world.

The book took two years to complete, with the tireless work of a leading group of Arab researchers of different backgrounds and a shared interest in family and marriage issues in the Arab world. This makes the book unique, not only for its comprehensive coverage of all Arab countries, but also for its diverse sub-topics and varied marriage-related sociological and anthropological arguments, as well as intellectual and scientific enrichment.

In this regard, I would like to express my deepest gratitude and appreciation to the contributing lead researchers and authors of reference papers from the different Arab countries, as well as the DIFI team, for their efforts producing this book.

I would also like to emphasize the importance of this type of book, not only in terms of the scientific contribution to fill the existing knowledge gap, but also because it represents a scientific model and stream that can serve as a guide for future studies in the Arab world, while contributing to offer assistance for decision-makers in support of their efforts to develop policies and interventions.

Dr. Sharifa Noaman Al Emadi
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# Preface

It goes without saying that in the Arab world family is considered the primary social unit and founding nucleus of society, as well as a vessel in which family members find comfort, compassion, intimacy, and support. The family begins its formation through marriage, which is not only a contractual bond between husband and wife, but also a "solemn covenant," according to the Quran. It serves as the beginning of a partnership, based on vows, that extends beyond rights and duties to the care, protection and education of generations to come. Moreover, the care aspect often extends to include caring for extended family members.

Given the importance of marriage and its various types in the Arab world, as well as the structural and emerging challenges it faces in Arab contexts, research interest in marriage has grown, and so has the research attempting to understand the challenges and developments of the phenomenon through sociology, anthropology, history, psychology, Sharia, and economics. This confirms how the phenomenon of marriage extends over the different branches of knowledge, and how its centrality offers rich material for avid researchers.

What this book presents can be largely described as a holistic scientific approach, combining multiple approaches for an accurate description and understanding of the phenomenon of marriage in the Arab world. This holistic approach stems from several streams, one of which provides—through seven parts in each chapter—a framework for all the contextual and macro factors surrounding and affecting marriage. It also looks at the different types of marriage, whether traditional or new to the Arab world, and takes a detailed look into the dialectic of marriage and age and the related delayed marriages, celibacy, marriage costs, early marriages, and age gaps between spouses. In addition, it examines marital relations and their diverse sub-topics, including marital and emotional satisfaction and violence. It also looks into work and marriage and explores how women's work in the public sector or the informal labor market affects their marriage. Finally, it offers analysis of two marriage-related issues in the modern Arab world: migration and its positive/negative impact on the institution of marriage; and marriage in light of the war and conflict in some areas of the Arab region.

In addition to the variety of the book's main and sub-topics, another stream offers an introduction to the philosophy of its holistic approach, which covers all 22 Arab countries. Many regional reports on different topics in the Arab world, prepared by international organizations, research bodies, or experts, only select some examples of Arab countries as the subject of their studies. This makes this book unique, as it clearly maps the state of marriage in the Arab world by covering all Arab countries. Obviously, this has not been easy, especially amid a scarcity of studies on the state of marriage in some Arab countries, such as Somalia, Djibouti, and Comoros, or the lack of up-to-date data in conflict zones, such as Syria, Yemen, and Libya. The book overcomes this challenge by adopting a disciplined review approach for published and unpublished literature and critical analysis with the help of a research team comprised of seventeen Arab researchers, including seven lead researchers and ten authors of reference papers. For this reason, the book can be seen as an intellectual product of efforts by Arab researchers looking into the phenomenon of marriage, in addition to the efforts of the DIFI team.

Despite the cultural, religious, linguistic, and social commonalities among all Arab countries, each geographical region—such as the Gulf, the Maghreb, or the Mashreq—has something that differentiates it from others in the Arab world, especially in terms of political and economic structures. Perhaps it is important to note that the classification used in many international and regional reports to frame Arab states into sub-groups, including Mashreq, Maghreb, the Gulf, and the less developed Arab states, is somewhat flawed, as it combines criteria of both geographical region and development rates. It classifies the first three groups based on geography and spatial proximity, while grouping together Sudan, Yemen, Mauritania, Somalia, Djibouti, and Comoros based on their development rates. This type of classification—which is prevalent—makes the comparative approach irrelevant. Not only does it combine both criteria, but it also places culturally, geographically, and socially different countries in the same basket of "less developed countries."

To remedy this flaw, we had to prepare seven sub-reports, presented in the book as separate chapters. The Gulf chapter covers the six member states of the Gulf Cooperation Council. Yemen is covered in a separate chapter due to its economic, political, and security disparities. The Arab Maghreb chapter covers Tunisia, Algeria, Libya, Morocco and Mauritania. Meanwhile, the Arab Mashreq chapter covers Jordan, Syria, Iraq, Palestine, and Lebanon, considering that the Mashreq extends geographically from Mediterranean Arab countries in the west to the Iranian Plateau in the east. In some literature, Egypt and Sudan are considered part of the Arab Mashreq. However, the two countries are located in a central geographical spot between the Mashreq and the Maghreb. Therefore, in order for the analysis to be consistent with the different geographical and contextual data of the two countries, the chapters on Egypt and Sudan are separate from the Arab Mashreq chapter. As for Somalia, Djibouti, and Comoros, the three countries are covered in a single chapter, given their common geopolitical, demographic, and social factors.

A closer look into the state of marriage in the Arab Mashreq would show the many changes that have taken place in its structure, creating various types, including ones that occasionally defy religious and customary norms due to poverty, migration, war, displacement, and conflict. For example, *muta'a* ("pleasure") and out-of-court marriages have seen a significant rise in Iraq due to increasing religious trends and poor living conditions. In Lebanon, the meaning of *khatifa* ("bride kidnapping") marriage has changed, becoming a way in which the family reaches an agreement with the couple to reduce marriage costs. In Syria, the war has led to the internal displacement and emigration of millions, resulting in increased child marriages and the suffering of women, whose roles have generally changed. This is also observed in the chapter on the state of marriage in Yemen.

The multiple identity structure of the Arab Maghreb is reflected in the description of the state of marriage in this region, which has seen different successive ethnicities settle in various regions over centuries, interacting socially and culturally with the existing customs and norms. This has resulted in the differentiation of the phenomenon of marriage and marital relations, together with the related social standards and legal and cultural controls, between the north and the south, coastal and inland areas, valleys and mountains, and cities and rural areas, all within the same country.

The description of the state of marriage in Somalia, Djibouti, and Comoros includes an in-depth analysis of clan and tribal roots and the role of traditions in shaping the structure of marriage, as well as the way civil wars, fragile rule of law, and difficult economic conditions have led to a decline in traditional types of marriage and an increase in types that exclude women's right to choose their husbands, such as forced or arranged marriages, in which girls—often coming from the poorest families—are forced to marry in exchange for a high dowry.

The chapter on Egypt highlights several marriage issues, combining economic and social variables, including high rates of unemployment and delayed marriage caused by the high costs of marriage, which can cost up to a young man's salary for six years, amid higher rates of educated women. The chapter also highlights increasing migration and its effect on the institution of marriage. Meanwhile, the chapter on Sudan adopts an anthropological and social approach, addressing social rituals and popular traditions related to marriage, as well as the impact of war, conflict, and internal displacement in some regions of Sudan on the types of marital relations as women play a greater productive role. Both chapters, on Egypt and Sudan, shed light on the rise of non-traditional *urfi*, *ithar*, and *misyar* types of marriage.

In terms of language, the reader will notice that each chapter has a distinct linguistic footprint, whether of the Mashreq, the Gulf, the Maghreb, or predominantly local, such as the language in the chapters on Sudan, Yemen, and Somalia, Djibouti, and Comoros. This is because the authors of the chapters and the underlying background papers come from the region or country they wrote about.

The contexts and frameworks explaining the phenomenon of marriage in the Arab world vary, as do the challenges identified in the book. Not only does the book provide a holistic portrait of marriage in the Arab world, but it also represents a meditative intellectual invitation and raw material for researchers to gain a more

in-depth understanding of the dimensions of the phenomenon. In addition, the book represents an important introduction to shedding light on marriage for decision-makers in the Arab world, given that marriage itself serves as a gateway to fertility and reproduction, a national issue that must be addressed in response to the structural and contemporary challenges facing the institution of marriage.

Doha, Qatar
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# Acknowledgement to Ms. Noor Al Malki AlJehani

The editors of this book gratefully acknowledge the significant contributions of Ms. Noor Al Malki AlJehani, former Executive Director of the Doha International Family Institute. Her visionary initiative to address pressing challenges facing Arab families and produce a pan-Arab series of knowledge production was instrumental in the development of this book series. As the driving force behind the first book on the State of Marriage in Arab Countries, published in Arabic, Ms. AlJehani oversaw all aspects of this groundbreaking endeavor, ensuring high standards of quality, intellectual rigor, and comprehensive representation of Arab nations. This English edition continues the legacy of knowledge production established by her pioneering work.

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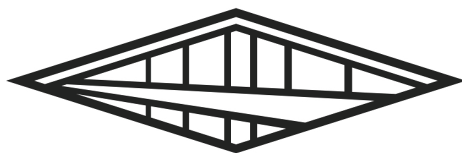

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# Editors' Note

We want to express our sincere gratitude to the Doha International Family Institute (DIFI) for translating this book into English. This book stands for the DIFI's commitment to bridging language barriers and promoting knowledge sharing, which is commendable and greatly appreciated in the globalized world. Without their support, this valuable piece of research would have remained inaccessible to English-speaking readers. Several factors prevented the publication of this book earlier, including the COVID-19 pandemic and the translation of such a large volume with the highest level of accuracy and cultural nuances. However, despite the delays and challenges, we are thrilled to present this English version to our global readers finally.

We are grateful for the diligent efforts of Hamad Bin Khalifa University Press in providing professional translation services. The team has made every effort to capture the essence of the original Arabic version while ensuring clarity and coherence for English-speaking readers. As a translation work, we must also acknowledge that it may not capture all the nuances and cultural references presented in the original Arabic version. While it may not be an exact replica, we believe that the English translation allows for a meaningful engagement with the valuable research contained in this volume.

For convenience and clarity, we have removed some text, tables, and figures. This editorial decision is made to streamline the reading experience and ensure that the English version is concise and focused. While this English translation strives to capture the essence of the original Arabic version, it is advised to consult the original Arabic text for complete accuracy and to obtain any missing information that may not have been fully conveyed in the translation.

The original research chapters for each region were prepared by one lead researcher and several other researchers who wrote the background papers for each region/country. This collaborative approach ensured that the research chapter for each region or country case study was comprehensive and well-rounded, with the lead researcher providing expertise and guidance while the other researchers contributed valuable background information specific to their respective regions or countries. As per our Arabic version, the lead researchers are shown here as principal authors, and the others as co-authors. We followed the Arabic version to present the contributor

order for each chapter. By following the contributor order as per the Arabic version, we maintain consistency and transparency in crediting the individuals involved in the research process. We contacted the lead researchers and sought their consent to publish this English version. The lead researcher for Chap. 1 passed away before the publication of this volume. We therefore sought the consent of other scholars who prepared the background papers for Chap. 1. The first editor of the Arabic version appears as the first editor of this English version of the volume.

We are thankful to our contributors for their hard work and generous support in the publication process. While the contributors have made a commendable effort to provide comprehensive information, some gaps and lapses in this volume may require further exploration or clarification. Our readers will provide us with comments, reviews, and feedback; accordingly, we will improve.

Finally, we believe that the valuable insights and contributions made in this volume will not only increase our understanding of Arab marriages but also pave the way for future research and advancements in the field. We look forward to the fruitful collaboration and growth that will come from this collective effort. We hope this volume will be useful to the many inspired voices who will continue to carry this line of research on Arab marriage forward.

Ahmed Aref
Md Mizanur Rahman

# Doha International Family Institute

The Doha International Family Institute (DIFI), a member of Qatar Foundation for Education, Science and Community Development (QF), was established in 2006. The Institute works to strengthen the family through the development and dissemination of high-quality research on Arab families, encouraging knowledge exchange on issues relevant to the family and making the family a priority to policy makers through advocacy and outreach at the national, regional, and international levels. Among the Institute's most important initiatives are the Annual Conference on the Family and the OSRA Research Grant in collaboration with the Qatar National Research Fund, an annual research grant which encourages research related to the Arab family and family policy. The Institute has special consultative status with the United Nations Economic and Social Council (ECOSOC).

To know more about the Doha International Family Institute, please visit www.difi.org.qa.

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# Chapter 1
# The State of Marriage in the Arab Gulf States: The UAE, Bahrain, Saudi Arabia, Oman, Qatar, and Kuwait

**Abdullah bin Hussein Al Khalifa, Amer Al Saleh, and Fatima Al Kubaisi**

The main objective of this chapter is to monitor, describe, and analyze the state of marriage in the Arab Gulf states (UAE, Bahrain, Saudi Arabia, Oman, Qatar, and Kuwait). The chapter focuses on providing an integrated description of the institution of marriage, while taking into account the past and current conditions of the images and types in which marriage appeared in said countries.

Since these Gulf states share some common cultural, social, economic, and environmental factors that have been key determinants of various phenomena since their establishment as independent states, marriage has interacted with these commonalities, meaning the institution of marriage has been affected by the same factors in each one of these states. Perhaps the most prominent common factor between Gulf states is how their production pattern transformed from rural production dependent on limited natural resources—which contributed to the continuity of their traditional lifestyle—to the industrial pattern directly dependent on the discovery of oil in the mid-twentieth century—which helped them step out of their local isolation and made them, in one way or another, an integral part of the global economic system, increasingly exchanging impact and effect with global events over time.

In light of this, the chapter adopts a developmental and functional approach to analyze the institution of marriage and the phenomena associated with it, based on an analytical dualism of stability and change, given that these countries have experienced two distinct eras:

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1. Pre-oil, when social and economic life was continuous and stable, with hardly any significant social changes. This is why the institution of marriage continued—in numbers and style—as it had always been in these countries.
2. Post-oil, when all these countries marched towards development, followed by continuous changes in all aspects of social, economic, and cultural life, deeply affecting the institution of marriage and all aspects of marital life.

Hence the approaches adopted by this chapter to describe and analyze all marriage-related phenomena, through this analytical dualism that looks at each phenomenon in its pre-oil state, before describing and analyzing its current state. This is based on data from marriage-related statistical reports issued by these Gulf countries or by international regional institutions. It also relies on the results of scientific studies in the Gulf discussing the issues and phenomena associated with marriage. All of this culminates in the chapter at hand, which has tried as much as possible to provide an analytical description of the institution of marriage in the past and the present. In general, it becomes clear that specific structural factors—including the Gulf states' high ranking in the Human Development Index (HDI), the rate of urban growth, and the percentage of women participating in the workforce—have reflected on both the crude and general marriage rates. Other relevant phenomena are also reflected, such as rising age at marriage, declining consanguineous marriages, increasing heterogeneous marriages, and the emergence of different types and forms of marriage previously unknown to the Arab Gulf states.

One of the most notable issues addressed by the chapter is the universality of marriage in Gulf states. In the pre-oil era, marriage was a universal phenomenon, in the sense that all members of society—men and women—were linked through marriage, but this past reality has changed. Current marriage rates show that a segment of men and women remain unmarried at older ages, possibly due to structural factors, such as expanding education, rising costs of marriage, and men's tendency to marry outside their home countries.

The structural transformations that took place in Gulf states, such as urbanization and migration (internal and external), have contributed to the transformation of marriage from the endogenous consanguineous type to a more exogenous one, with an increasing tendency to marry outside the circle of relatives in the family or the tribe, especially in urban centers. Marriages have even emerged that no longer take into account the founding values of the institution of marriage, such as heterogeneous marriages, non-Gulf brides (or what are known as cross-national marriages), and Gulf women marrying immigrants to their countries. New and unprecedented types of marriage have also emerged, such as *misyar* ("visitor's" marriage) and the like. These changes brought along a wide range of challenges and problems, forcing legislative institutions to enact laws regulating such marriages and protecting the rights of the parties involved.

One of the radical changes that have taken place is that of age at marriage. Men and women used to get married at young ages, but education and post-graduation

work, along with the rising costs of marriage, have forced many people in the Gulf to postpone marriage. It has become common for men to get married at 28, and women at 24 and older. In some cases, they could be in their fifties and still unmarried.

Marital relations have witnessed many changes, shifting from intimacy, stability, and family cohesion to estrangement, discord and family disintegration. This has resulted from the differences imposed on some families by the challenges of daily life and the shift from the extended family model to that of the nuclear family. The marriage decision, therefore, has changed from a collective decision made on the level of the extended family to an individual decision made by the person involved to meet his/her own individual needs and aspirations, often leading to the breakup of the marriage at the slightest obstacle before the nuclear family. Divorce has seen an alarming and unprecedented rise, and problems have arisen in terms of raising the children, alimony rights, and other issues, which have eventually led to the issuance of many laws and the creation of administrative structures—such as divorce or family courts—across the Gulf in a bid to combat and contain them.

The chapter also covers the issue of labor and its effect on marital life. Expanding education—especially for women—and the rising development plans in Gulf countries, which seek to end—or at least reduce—their reliance on foreign labor, have led to new legislation and the opening of the labor market to women. Gulf countries have begun to witness a continuous growth of Gulf women's empowerment in the workforce, which has extended even to the security and military sectors. The chapter notes the impact that the increasing participation of women in the workforce has had on the institution of marriage. Several studies have shown how work has had many positive effects on women and their families and societies. Yet the studies have also pointed out a wide range of problems facing working married women, affecting their marital harmony, child-rearing, and increased dependence on domestic servants.

Because migration is a phenomenon particular to the Arab Gulf, especially migrant workers, who make up 30–80% of the population, depending on each country, the authors of the chapter have taken into account the role of external migration in marriage issues, namely, the emergence of heterogeneous marriages (of mixed nationalities, religions, and languages). Internal migration in the Gulf, particularly from rural areas to urban centers, has also played a significant role in shifting consanguineous marriages to exogenous ones.

Since Arab Gulf states have only experienced limited military conflicts, such as the Iraqi invasion of Kuwait or the current war between the Arab Coalition forces and the Houthis in Yemen, this issue has been absent from the social literature on the impact of war and conflict on marriage in the region. Naturally, there is an exception in some countries in the region that have been affected by large numbers of displaced families from neighboring countries, such as Syria and Iraq in particular. According to social media, some young men from the Gulf have sought to marry girls from these families.

In general, the institution of marriage in the contemporary Gulf states has undergone radical changes, and will possibly witness further changes as a direct outcome of globalization and its implications for many social, economic, cultural, and political systems. At the moment, Gulf countries are witnessing more updates in their

systems, as well as increasing empowerment of women in the public sphere. This fulfills the urgent needs of the society while also facilitating the integration of these societies with the current changes in today's world.

## 1.1 Marriage Context

In this chapter, we try to shed light on the determinants of marriage in the six Arab Gulf countries, taking into account their cultural, historical, social, and developmental context. Naturally, these determinants and their impact on marriage issues vary depending on the circumstances and conditions experienced by the Gulf states. Needless to say, these six Gulf countries share many of the same characteristics, circumstances, and conditions that formed them and shaped their current state with its various social, economic, and political aspects. They have overcome their geographical and economic isolation from the rest of the world and integrated with the world economy and its surrounding social and technical developments, which has made them a crucial part of the world economic order.

Therefore it is only natural to take into consideration the economic, social, and cultural conditions that prevailed prior to the development and change era (particularly in the 1960s and 1970s) that resulted from the discovery of oil in these countries and their investment in social and economic development. Therefore the analytical approach to marriage in these countries requires a distinction between two distinct eras:

The first is the era preceding the discovery of oil and the investment of its revenues (1960–1970), which some researchers call the stability era.

The second is the era extending from 1970 onwards, which can be called the era of development and social change.

The reference to this analytical dualism is repeated frequently (directly or indirectly) in many social studies that have examined social issues and phenomena in the Arab Gulf over the past few decades (Al Rumaihi, 1974; Al Saif, 1990). Therefore most of the analyses we have made in this chapter are based on this dualism, as well as functional analysis (Functionalism) of the interaction and interconnection of social systems and phenomena (Ritzer, 2010). Hopefully this theoretical and desk review will lead to identification of the structural and cultural factors affecting the phenomenon of marriage.

As mentioned above, the social factors and determinants of marriage vary greatly depending on the two eras mentioned earlier: pre-oil and development, and post-oil and revenue investment in developing the social, cultural, and economic environment of the six Gulf countries. Therefore we will address these factors and determinants in two separate groups: one that highlights the social factors affecting Gulf marriages in the 1960s and 1970s (pre-oil and development era), and another that focuses on the specific social factors of marriage in the oil discovery and investment era (post-1970s), in which the Gulf states experienced the first periods of development and change.

### *1.1.1 Social Factors Affecting Marriage in the Pre-oil and Development Era*

A number of factors affecting marriage in GCC countries stem from the fabric and culture of Gulf society, with its customs, traditions, and norms that have been passed on from one generation to another. These factors continue to affect marriage, even after losing an essential part of their strength in the present time, especially among the civilized and educated segments of society, and reflect on many marriage-related issues. In this regard, the key factors affecting marriage, which were entirely dominant in the GCC's pre-oil and development era, can be summarized as follows.

#### 1.1.1.1 Parity

According to some field studies, Gulf parents search for several important qualities when their sons/daughters are getting married. One of the key qualities is the social status of the family of the groom or bride, which is considered an inherited socio-cultural status. This quality was essential when choosing a spouse during the traditional stability era, and it has continued to be essential during the era of change. High social status in the Gulf means being related to one of the well-known Arab tribes in Arabia. On the other hand, a person is considered to have low social status if he/she is not related to any of these tribes, and they are called "non-tribals" among other names, depending on the country.

In most cases, tribal families do not marry from non-tribals, regardless of their job status and wealth. Yet during the era of change there have been cases of marriage between the two sides, mainly tribal men marrying non-tribal women. The idea was that marrying down does not affect a man's status, or the status of his children, since the decline of social status is caused by the father, not the mother. Gulf society tolerates a man who marries a foreign woman, but strongly opposes a tribal man marrying a non-tribal woman. In the Gulf, it is difficult for a tribal woman to marry a non-tribal man, because when a woman marries down, it negatively affects her social status as well as her family's, since the household and the children take the father's name and status. This phenomenon has continued to be rooted among the new generation, especially among tribes. However, during this period some young men seem to commend tribal people and praise those who marry non-tribal women for their ability to break this deeply rooted social norm against the will of society (Al Aboush, 2016).

It is worth mentioning that the urbanization experienced by most Gulf communities has led to the rise of marriages between tribals and non-tribals, in contrast to the pre-oil and development era. In fact, there has been a rise of what can be described as "heterogeneous marriages" in terms of nationality, race, religion, and language.

#### 1.1.1.2 Marriage Education

In the generation of today's fathers and mothers, marriage was primarily based on the collective sense of the family, and in accordance with the wishes and aspirations of the family seniors. Therefore the type of marriage prevalent at the time gave the elderly, the grandparents, and the parents the right to determine the fate of their sons and daughters and to control their choices in marriage, which were generally predetermined in light of the prevailing culture and customs that underlined endogenous marriage in order to preserve tribal integration and ensure that wealth remained within the circle of relatives. Thus the marriage expectations of sons and daughters were shaped and formulated in light of these constraints. For them, the right choices were what their grandparents and parents saw fit in the context of the extended family. Any deviation from these expectations faced strong reactions, such as imposing *hajr* ("reserving a bride and banning her from marrying anyone else") on any girl who refused to marry her cousin. It might even escalate to violence against the rogue girl who rebelled against the traditions and customs of the tribe.

However, it is a largely different matter in the era of change. Some social studies have discovered a trend among younger generations in the Gulf who have a different outlook on marriage in the modern age. The situation has changed due to various cultural and social circumstances, and marriage has become a matter of independence among sons and daughters, who now have marriage ambitions and needs that differ completely from the needs, wishes, and requirements of their parents. This has led to issues like irreconcilable differences and divorce, which can be attributed to the fact that parents continue to prepare their sons and daughters for marriage in their own manner and based on the social circumstances that they went through in their own time, hoping their sons and daughters will play the same marital roles they did. Some parents still believe that their daughter's marital success lies in her growing accustomed to being a man's subordinate in any case, as he has the upper hand, and if she wants to live in peace, she cannot oppose him or criticize his behavior. For these reasons, during their family education, some daughters are taught the value of patience and endurance around men, while sons are taught the value of courage, boldness, power, and control over women, as well as their rightful superiority, even if it comes with mistreatment. For some, and from the very beginning, Gulf culture has robbed women of the right to criticize their husbands' behavior and attitude. As a result, some wives have become unable to continue being married to husbands who exercise their superiority with mistreatment and hostility (Almraah.net, 2011).

#### 1.1.1.3 Choice in Marriage

The issue of choice in marriage has been a subject of interest for social researchers whose studies focus on the family system and the changes that have taken place in family structure, forms, roles, functions, and inter-family relations. This interest stems from choice in marriage being the first step towards the formation of a family, affecting its continuity and compatibility, as well as its effectiveness in educating and

raising children, among other family functions in society. Some studies have even found a correlation between choice in marriage and the extent of stability, family disintegration, or divorce, which emphasizes the importance of choice in marriage and its subsequent implications for the new family's life.

It is understood that choice in marriage was made under what is known as "arranged marriage," where the seniors or the parents in the extended family chose a wife (often a cousin) for their grandson or son. This was the prevalent type of marriage in the Gulf's pre-oil and development era, given the dominant tribal nature of Gulf societies at the time, as well as the great influence of the tribe. In Oman, for example—in which modernization began from 1970 onwards—the aspects of marriage in traditional Omani society (pre-1970) and modern Omani society vary significantly. Marriages in traditional Omani society used to be based on blood kinship, and they took place within the tribe, i.e., between cousins, relatives, or members of the tribe. The agreement would be reached between the families, and the bride had no say in the marriage. Dowries at that time ranged between 100 and 300 Indian rupees. In the same context, according to another study (Al Sadani, 1984), the two parties (the bride and groom) only saw each other on the night of their wedding. An engagement would typically last for a few weeks or months, during which preparations were made for the wedding, which would be held in a series of celebrations that could last an entire week. Similar rituals continue to take place today as customs and traditions in some areas of the Sultanate.

Endogenous marriages (within the same tribe or even the same family) were the general trend in Gulf countries. Preference was given to cousins as grooms. In fact, some traditions would not allow girls to marry anyone but their cousins, in what was known as *hajr*. Under the *hajr* system, a man could reserve his cousin for himself and ban her from marrying anyone else. In some cases, a man could be criticized for not marrying his cousin, and could even be accused of incompetence for failing to convince his uncle that he was worthy of his daughter. However, this habit has declined significantly in contemporary Gulf societies, and is currently limited to a few tribes, given the social changes that have taken place in the Arab Gulf.

In the post-oil and development era, many social studies have shown that choice in marriage and its associated family systems has been greatly influenced in Gulf society. When development plans began in Gulf societies, individuals and communities found themselves faced with new circumstances. Development programs provided an opportunity for cultural friction, increased educational opportunities for both men and women, and raised income levels for individuals. Work structures changed with the emergence of new occupations, with women stepping outside their homes for specialized jobs and independent income. The programs and projects of social and economic development also helped Gulf society to open up to Arab and foreign societies through modern transportation and communication and advanced technology, leading to a decline in the power of social control and education over individuals in Gulf societies. This openness created conflict and contradictions in values, standards, thought, and behavior between generations. Under these changing circumstances, families could no longer maintain an acceptable level of social control, especially when their sons and daughters began to choose their life partners. These

families eventually granted their sons and daughters the freedom to choose their partners, provided that the choice was approved and accepted by the family. The social mobility of individuals in Gulf society during this contemporary era—based on economic changes and cultural openness—increased their mobility outside their tribal circles. The development programs implemented at the time gave individuals the opportunity to engage in social relations with other individuals and groups outside the circle of relatives, which weakened their families' involvement in their lives and limited it to a small circle. Consequently, new key trends in the family life of individuals emerged, namely a tendency among young men and women to marry outside the circle of relatives (Al Beleihy, 2015/1437). In this context, a number of studies on choice in marriage note a higher percentage of young people preferring to marry outside the family. According to these studies, 55.2% of Kuwaiti youths and 48.7% of Omani youths said they preferred to marry non-relatives (Al Nasser & Suleiman, 2007), while 61% of Saudi university students prefer to marry outside the family and do not support consanguineous marriages (Al Gharib, 2008). In addition, 53% of Qatari youths said they did not favor marrying from their tribes or groups (Al Ghanem, 2010). This confirms the emergence of a trend among Gulf youths who prefer to avoid endogenous marriages (from the tribe or the family), which could be attributed to the continuous decline of tribal influence in contemporary Gulf society. Yet there is still a significant number of youths who prefer endogenous or consanguineous marriages.

In general, there are many different criteria or considerations underlying choice in marriage. In Saudi Arabia, Al Juwair's study (1995)—which sampled 230 Saudi university students—showed that the difficulty of marriage choice is one of the key factors delaying marriage. Other factors include finishing their education and the high costs and responsibilities of marriage, as well as high dowries, low family income, and, finally, the desire to marry a Saudi woman. The study also revealed other factors that contribute to the delay of marriage to a lesser extent, namely the influence of immigrants on Saudi youths, the insistence of parents and extended family members that they marry their relatives, the lack of adequate housing, traveling abroad, and the media.

In the UAE, a study (Al Motawa'a, 1991) sampled 548 elementary, preparatory, secondary, and university students with the aim of exploring their problems, including those related to their preparation for marriage. According to the study, the most important problem for both young men and women was high dowries, as well as the inability to choose a life partner and their parents' control over their choice.

In Oman, a study conducted by the Ministry of Social Affairs and Labor (1984) revealed that 16% of women and only 3% of men were forced to get married without having a choice. However, these numbers are being reviewed based on new data since the 1980s.

In Kuwait, some social studies have addressed the issue of choice in marriage, including Al Shallal's (1998) study, which sampled 150 unmarried participants, both men and women, aged between 30 and 50 years old. The study, which aimed to identify the participants' marital preferences and the social, psychological, and economic reasons behind them, found that three-quarters of them preferred to marry a Kuwaiti

national. In terms of qualities they looked for in a life partner, religion came first, followed by family connections, strong personality, appropriate age, and success. As for social obstacles to marital choice, participants said they were mainly set by parents, in addition to failure to find the right partner in terms of social status. These obstacles rank first among the reasons behind delayed marriage in Kuwaiti society. In the same context, another study on choice in marriage in Kuwaiti society (Al Nasser, 1995) found that the majority of those sampled preferred to marry Kuwaiti nationals, and that marrying someone of another nationality had many pros and cons, including high rates of celibacy and child-rearing issues. In another study, Hussein (1987) addressed delayed marriage in Kuwaiti society. The study, which sampled 195 young men and women, partly tackled some aspects of choice in marriage. It found that failure to find the right life partner constituted a key reason behind delayed marriage. A study by Al Zhufairi et al. (2001) addressed the ways in which life partners were chosen in Kuwaiti society, aiming to find out whether the choice was voluntary or compulsory, and to identify the variables affecting the process of choosing the partner. The study, which sampled eight hundred male and female divorcees, found that 28.6% of participants got married through parents and friends, followed by kinship (18.9%), work (11.6%), friends (11.4%), and modern communication technology like the internet (10.6%), in addition to a few cases who got married through neighbors and matchmakers. The study also found that 68.1% of the participants were married with the consent of both parties, while 13.9% of marriages took place with one party being forced. The most important grounds on which the parties based their decision to marry were ranked as follows: General appearance (59.8%); Religion and morals (46.5%); Intellect and personality (33.6%); Kinship (22.3%); and Social status (20.8%).

A survey of 526 Qatari youths (189 men and 337 women) on marriage trends (Al Ghanem, 2010) found several criteria for choosing life partners, including:

1. Love: 71% preferred to marry someone they loved;
2. Religious commitment: 64.3% agreed on the need for religious commitment in their life partner;
3. Appearance: 46.8% of male participants, and 17.5% of females, agreed on the appearance criterion;
4. A university degree was one of the requirements needed in a life partner, said the participants;
5. A compatible tribal level (40%);
6. A compatible financial level (60%).

#### 1.1.1.4 High Costs of Marriage

The dowry and its associated financial costs represent the amount of money that men in Gulf societies pay to women and their families to seal a marriage contract. The

dowry is considered a cultural phenomenon of the Gulf culture and social structure. In each Gulf country, the wife's dowry and marriage costs are based on religious values stemming from the society's religious system. They are also a part of customs, traditions, and norms that are deeply rooted in the cultural system of Gulf society. This means that the dowry paid to a woman is one of the marriage conditions laid down by Islam. A small dowry and a simple declaration and celebration of marriage are part of Islamic tradition (Al Sana'ani, n.d., p. 256). However, the culture of Gulf society, and its customs, traditions, and norms, have forced individuals and families to pay exorbitant amounts of money to the wife and her family without any conditions from them. This high dowry prevailed among families in the pre-oil era, and it remained high—along with the marriage costs—even during and after the 1970s, a period that witnessed social and economic changes due to the emergence of oil and the associated radical development in all areas of Gulf societies. There are those who believe that high dowries paid by the suitor to the bride fulfill a social function and go in line with the social reality of each era. In the pre-oil era, when Gulf society was still traditional, high dowries fulfilled a social function, forcing the wife to be patient with her husband and his family, without having the right to object to how they treated her. The high dowry also served to emphasize the financial status of the husband and his family in the eyes of his wife and her family. As for the era of change, the social function of high dowries was merely to support the man and his social status before the woman and her family. Therefore keeping dowries high has reinforced the high status of Gulf men, while also making sure women feel inferior to men in terms of social status (Al Saif, 1989/1410, p. 177).

Generally speaking, the costs of marriage in the Gulf—dowries, wedding preparations, house expenses—are some of the highest compared to other societies. And despite the lack of scientific studies on the financial cost of marriage, there have been media reports on the estimated value of dowries and marriage costs in some Gulf societies. According to the website Raseef22 (Raseef, 2016), dowries in Qatar range between 50,000 and 150,000 riyals, and can reach up to 300,000 riyals in some families. In Saudi Arabia, dowries can sometimes reach 250,000 riyals, which has prompted officials to set a limit of 50,000 riyals for dowries to unmarried women. This is in addition to wedding costs and preparing the couple's house, which is covered entirely by the groom. In the UAE, costs range between 500,000 and one million dirhams (Al Sharif, 2017).

The high cost of dowries and marriage in Gulf societies has undoubtedly been one of the reasons why men are reluctant to marry, raising the general rate of celibacy and delayed marriage for GCC women over 35 years old to 35% (Al-Arabiya, 2018). In this context, a recent Saudi study has found that high dowries and marriage costs have raised the number of unmarried women in the Kingdom to four million (Al Khalaf, 2015), compared to 1.5 million in 2010. These findings are supported by an earlier study conducted by the Saudi Ministry of Planning in January 2011, which set the number of unmarried women over 30 years old at 1,529,418, while married women accounted for 2,683,547 out of the total of 4,572,231 women in the study. This prompted the intervention of official institutions and civil society organizations in order to combat the rise of dowries, which was held directly responsible for a high

rise in celibacy rates over marriage costs. In this regard, official Saudi bodies began to take serious steps to solve the crisis of delayed marriage among youths, especially with dowries sometimes exceeding 250,000 riyals (US$66,000), aside from the costs of the wedding, which could sometimes involve more than one function, costing up to 200,000 riyals (US$55,000). Husbands might also have had to cover additional costs of up to US$30,000 to meet family and tribal demands, in addition to the costs of jewelry, gold, housing, furniture, and post-marriage celebrations. Among these Saudi efforts, for example, were steps taken by government bodies to reduce delayed marriage among both men and women by addressing high dowries and limiting expenditure on weddings in some areas. In Mecca, a document setting a cap on dowries was introduced, limiting the amount for new brides to 50,000 riyals, and 30,000 riyals for women re-marrying. Other institutions in other areas of Saudi Arabia have introduced similar measures (Al Jaafari, 2017).

In Kuwait, recent official statistics indicated that the number of women who were unmarried for financial reasons had reached 30%, adding that young men were also beginning to delay marriage for financial reasons, resorting instead to foreign women, as in the majority of Gulf countries. The costs of marriage began with a dowry ranging between 4,000 and 10,000 dinars, in addition to "mandatory" gifts like perfume, diamonds, gold, and clothing, which could cost over 10,000 dinars (about US$35,000). These costs added up, taking the total cost of marriage to more than 40,000 dinars (US$140,000). A diagnostic study of the social status of youths in Kuwait (Al Sharif, 2017) found that 60% of them were unmarried, suggesting that level of income was the hidden reason. Meanwhile, 48% of Kuwaiti women blamed spinsterhood on men marrying foreign spouses, while 58% of Kuwaiti men blamed high dowries.

In the UAE, a study conducted by a charitable fund on the future prospects for single men and women found they numbered ninety-eight thousand in 2015 due to the costs of marriage. Due to high dowries and marriage costs, the celibacy rate reached 75% of women of marriage age, which prompted the authorities to intervene and limit dowries to 50,000 dirhams. However, some families do not adhere to this limit, with dowries reaching 500,000 dirhams, not including wedding costs (150,000 dirhams) and jewelry (60,000 dirhams), making a total of around US$200,000, which makes it impossible to pay off the expenses in the case of loans (Sabr, 2015).

A survey on marriage trends among youths found that the majority of male participants (69.4%) might delay marriage due to high dowries and costs (Al Ghanem, 2010). In one of the responses on the policy level, Qatar's Population Policy 2017–2022 included among several actions to increase its population "introducing dowry and wedding cost reduction in educational curricula," as well as "issuing legislation to endorse the Marriage Fund" (Permanent Population Committee, 2017). Meanwhile, Oman (*Erem* News, 2017) and Bahrain (*Al* Wasat, 2016) both had the same issue of high dowries, which reflected on the rise of delayed marriage and celibacy rates among men and women, prompting official and social responses to limit the crisis and facilitate marriage.

Several other reports have also focused on celibacy rates and linked them to exorbitant dowries in Gulf societies, showing that celibacy rates in Kuwait and Qatar

were caused by high dowries and marriage costs based on Gulf traditions, in addition to many families refusing to allow their daughters to marry immigrants. In Saudi Arabia, the celibacy rate among women of marriage age has reached nearly 45%, also due to exorbitant dowries and high marriage costs that discourage many young men from marriage. Meanwhile, in the UAE, celibacy rates reached 75% due to high marriage costs, as well as many young men marrying foreign women (Almrsal, 2017).

As demonstrated above, Gulf societies suffer the most in terms of marriage costs, high dowries, and costs related to wedding and housing preparations. However, the value of dowries varies from one Gulf country to another. Qatar and the UAE have the highest dowries, compared to Bahrain and Saudi Arabia.

To address this problem, most Gulf countries have adopted some kind of mechanism to help young people get married, such as specialized charities and NGOs. In Saudi Arabia, these charities and civil society organizations can be found all around different cities and provinces. One of the oldest of these charities is the Ibn Baz Foundation for Marriage and Family, which dates back forty years and currently helps two thousand young men and women get married every year (Ibn Baz, n.d.). Another organization is the UAE's Marriage Fund, which was established in 1992 and operates under the Ministry of Community Development to offer assistance to young people and encourage them to get married. In Qatar, the Efaf project has been offered by the Sheikh Thani Bin Abdullah Foundation for Humanitarian Services (RAF Foundation) since 2001 to encourage young people to get married. In addition, both Qatar and Kuwait offer government aid to young people seeking marriage (Al Ghanem, 2003, p. 210).

In conclusion, it can be said that despite official and unofficial efforts in Gulf societies to contain the issue of high dowries and marriage demands, the financial cost of marriage in Gulf culture continues to rise. This reality has led Gulf men to marry foreign women, in order to avoid the high costs associated with dowries and other marriage requirements (Masr Al Arabia, 2015).

### *1.1.2 Social Factors Affecting Marriage in the Post-oil and Development Era*

Development and modernization have also led to several factors that have had important and radical effects on marriage, as follows.

#### 1.1.2.1 Education and Marriage

Education is one of the structural factors that have affected life in GCC countries. Compulsory education on the one hand, and the expansion of university education and beyond (which came in the form of comprehensive development in the region)

on the other hand, created new social conditions and constituted an important factor of social and economic mobility, leaving a deep impact on many marriage-related aspects, especially among Gulf women. Recent data on married people in the region (Statistical Center for the Cooperation Council for the Arab Countries of the Gulf [GCC-STAT], Dashboard, 2018) indicate a significant rise in their levels of education. In 2015, the percentage of husbands with secondary education was 36.56% in Bahrain, 45.37% in Qatar, and 25.47% in Kuwait, as shown in Table 1.1. Meanwhile, the percentage of husbands with post-secondary education was 44.38%, 37.84%, and 53.88% respectively.

As for Saudi Arabia, Table 1.2 shows that the percentage of secondary education reached 28.68% among husbands and 27.66% among wives. Meanwhile, post-secondary education (non-degree diploma, university degree, postgraduate diploma, masters, Ph.D.) was 40.11% among husbands and 29.98% among wives.

**Table 1.1** Level of education of husbands in some GCC countries, 2015

| Level of education | Bahrain | | Qatar | | Kuwait | |
|---|---|---|---|---|---|---|
| | No. | % | No. | % | No. | % |
| Illiterate/Reads and writes | 108 | 1.89 | 23 | 1.11 | 20 | 0.18 |
| Elementary | 220 | 3.85 | 118 | 5.70 | 183 | 1.68 |
| Middle/Preparatory | 761 | 13.31 | 213 | 10.29 | 2,041 | 18.77 |
| Secondary | 2,090 | 36.56 | 931 | 45.37 | 2,770 | 25.47 |
| Post-secondary | 2,537 | 44.38 | 783 | 37.48 | 5,859 | 53.88 |
| Unspecified | 1 | 0.02 | 1 | 0.05 | 1 | 0.01 |
| Total | 5,717 | 100.00 | 2,069 | 100.00 | 10,874 | 100.00 |

**Table 1.2** Saudi population aged 15 or more, by gender and level of education

| Level of education | Male | | Female | |
|---|---|---|---|---|
| | No. | % | No. | % |
| Elementary | 410,380 | 9.94 | 382,601 | 9.26 |
| Middle | 452,849 | 10.97 | 445,156 | 10.77 |
| Secondary or equivalent | 1,183,860 | 28.68 | 1,143,280 | 27.66 |
| Non-degree diploma | 361,572 | 8.76 | 184,960 | 4.48 |
| University degree | 1,163,849 | 28.20 | 1,022,445 | 24.74 |
| Postgraduate diploma | 25,522 | 0.62 | 6,059 | 0.15 |
| Masters | 75,772 | 1.84 | 18,580 | 0.45 |
| Ph.D. | 28,464 | 0.69 | 6,491 | 0.16 |
| Other* | 425,102 | 10.30 | 923,091 | 22.34 |
| Total | 4,127,370 | 100.00 | 4,132,663 | 100.00 |

*Source* Population Characteristics Survey 2017, General Authority for Statistics, Saudi Arabia

These two tables show the rising percentage of couples with post-secondary education, such as postgraduate diplomas and university degrees, in Kuwait followed by Bahrain, Saudi Arabia, and Qatar. This means that the continuously improving levels of education among both men and women must impose a new social reality with its own implications for the institution of marriage in the region.

Despite the above, education among Gulf women continues to face a number of challenges, primarily early marriage (before the age of 18), which often results in girls dropping out of public education at an early age. This highlights the lack of equal opportunities between males and females in terms of marriage and education in Gulf societies. Males in the Gulf are more fortunate than females, because they can seek marriage at any age and educational level, whether during general education or university. Females, however, find it more difficult to seek marriage as their educational level progresses, as Gulf culture places more value on the wife's young age, which forces girls in advanced levels to accept suitors even if they are not completely satisfied with their traits and features. Girls may settle on their terms to avoid getting older and missing the opportunity of marriage. In addition, families prioritize marriage over higher education for their girls, as they believe the older the girl is, the fewer marriage opportunities she will have. The outcome is that the majority of girls are married at early levels of education in the Gulf. The education of women and their economic participation in the workforce in GCC countries is considered to be among the biggest catalysts of change in Gulf societies. Advanced education opportunities and participation in the labor market have provided women with mobility that was not as available in the past, thus allowing them to have social, financial, and mental independence. All of these educational and work-related factors combined have led to an unprecedented rate of divorce in the Gulf.

Official data from Kuwait for the year 2007 showed a direct correlation between rising divorce rates and wives' higher level of education. Where wives were illiterate the divorce rate was only 1%, but this percentage rose to 10% if the wife had primary education, 18% if she had preparatory education, and 18% if she had secondary education (Babnet, 2010).

Kuwaiti Justice Ministry statistics indicated a rise in marital disputes and divorce rates among educated couples in 2015. In the same year, the ministry's family counseling department reported that the percentage of men with preparatory education who sought the department's services reached 26%, followed by men with university degrees (23%). As for women, the percentage was 27% for secondary education, followed by 26% for university degrees (Al Qahtani, 2013).

According to a social study that analyzed the content of a Saudi website specializing in marriage, most women demand university education as a condition for their potential partners, while men demand secondary education as a minimum requirement when choosing a wife (Al Wasat, 2017).

In a study on the criteria for choosing a spouse among Omani and Kuwaiti youths, education was found to be a key factor, ranking second in importance. It was also found that women insisted more on the partner's education compared to men (Al Dhalea, 2015/1437).

In Qatar, a study carried out by Al Ghanem confirmed that 70% of young men and women demand that their partner hold a university degree (Al Ghanem, 2003, 2010; Al Nasser & Suleiman, 2007).

A study on marriage choices in Saudi Arabia revealed that young men preferred to marry educated women, but not with a higher or equal level of education compared to their own (Al Moussa, 1986/1407). Social studies have also shown that for Saudi men, the potential wife's level of education ranked lower than religion, morality, the family's social status, and family relations (Al Gharib, 2008; Al Muqbil, 2003). It was also found that the most common condition set by women in Saudi marriage contracts was that they should be able to complete their education.

Nearly thirty-five thousand male and female Twitter users from different Gulf countries tweeted using the Arabic-language hashtag #وش_شرطك_قبل_الزواج ("What's your pre-nuptial condition?"), in one of the biggest conversations about marriage conditions on social media, with participants ranging from religious scholars to cultural and social elites from the Gulf, as well as a large number of young men and women of all ages. Many married people also joined the conversation, with women speaking about the extent to which their husbands honored their premarital commitments, especially in relation to allowing them to finish their education, over which they said their husbands broke their promises (Sami, 2017).

It can be noted here that demanding education as an important premarital condition is attributed to more people seeking university education, especially women, who outrank men in the number of university students in most GCC countries. Seeking education as a criterion in potential marriage partners is also important because it serves as a point of compatibility between the spouses. The couple's educational compatibility helps increase understanding and cooperation between them. A partner's high level of education allows him/her to have a better job, which ultimately improves the family's living standards.

#### 1.1.2.2 Parental Interference in Marital Life

Since marriage, in Gulf society, is arranged and supervised by the families of the couple, the most important factors affecting it lie in marital problems resulting from the parents' interference in the couple's life and personal decisions. This interference, to which one of the spouses eventually submits, often comes from a relative, particularly the mother, whether of the husband or of the wife. The prevalence of this behavior has led to the emergence of popular proverbs, including "A mother-in-law will always be a nag, even if she descended from heaven." This interference may exacerbate existing marital problems between spouses and bring the parents into them, which allows for further interference by relatives and an escalation in the conflict between the husband and his family and the wife and her family. Each party will be forced to take their son/daughter's side, thus turning the issue from a dispute between husband and wife into a family conflict that cannot be contained or controlled, which often leads to family rifts and divorce. In this regard, many studies confirm that "parental interference in marital life" is considered one of the

leading causes of divorce in the Gulf region. In another study on marriage issues in Kuwait (2002) it was found that "parental interference" ranked third among causes of divorce. Divorce data collected by the Marriage Fund in 2000 found that 66.2% of divorce cases were caused by "parental interference." According to a study that asked three hundred divorced men and women in the Gulf about the reasons behind their divorce, "parental interference" in the couple's affairs and decisions ranked second (22.4%). Meanwhile, in an analysis of 440 Gulf men married to foreign women in 2001, which focused on the reasons why they chose to marry a foreigner, 112 said they married foreign women to avoid the interference of parents in their marital life (Al Saif, 1989/1410, p. 260).

It can also be noted that parental interference in marital life has become more frequent over the past few decades. It became associated, in particular, with women's desire to finish their education after marriage, as well as their work and monthly income. Because of that, marriage contracts began to include conditions relating to the spouses' rights in order to prevent any future disputes on the matter, allowing women to benefit from their newly granted rights.

#### 1.1.2.3 Social Media

Gulf families' use of social media networks, and their preoccupation with virtual groups and following updates, have led some spouses to lose interest in one another, whether in terms of maintaining appearance, meeting emotional needs, involvement in family decisions, or solving family problems. The use of social media has also driven some spouses to pick up unwelcome behavior regarding communicating with their partners and listening to them. In addition, these conversations with virtual groups and the search for entertainment and updates have affected some couples' interaction with their children, in terms of upbringing, education, entertainment, and health (Al Saif, 1986/1436, p. 256). The extensive use of social media, which opened the door for direct communication between men and women, has had negative effects, including unprecedented patterns of behavior and relationships. In recent years there have been several social studies and reports that documented—in one way or another—the negative effects of social media on the family (Almaaref, n.d.).

#### 1.1.2.4 Social and Economic Disparity

The economic and social status of each spouse reflects their upbringing and affects their marriage preferences and their awareness of marital duties and treatment. Their experiences in their own families constitute a frame of reference that determines their marriage choices from the very beginning, as well as their awareness of the value of marital life. Economic dealings are considered to be among the important factors in a stable marriage, which depends on each spouse's ability to understand their common economic ground and set priorities. Success in meeting each other's

needs depends on how content each of them is, as well as their ability to deal with any financial challenges that come their way (Mahgoub, 1998, p. 65).

Some disputes may arise within a family due to the couple's financial situation. Ibrahim (2002, p. 24) notes that difficult economic circumstances experienced by the spouses have a negative impact on their marital relationship, and may result in behavioral and psychological disorders for both of them. These circumstances may also make the couple more vulnerable to other life challenges. Economic struggles affect marital emotions related to warmth and hatred, and in turn affect the relationship between the spouses and their marital instability. Conger et al. (1992, p. 529) assert that economic pressures have a negative impact on marital life, making the couple more pessimistic and depressed and less emotionally stable, and therefore affecting their marital harmony.

Al Aamer (2000, p. 63) notes that the family and cultural background of each of the spouses may be among the key reasons behind their incompatibility, especially amid emerging new media and a declining family cultural awareness between spouses. Hence it was imperative to emphasize the importance of similar cultural and family backgrounds between spouses, disparities in which later become the source of many marital disputes and conflicts, which in turn lead to an atmosphere of bickering and tension in a marriage.

Fahim (2002) points out the social factors that negatively affect the life of couples, such as the interference of relatives in their lives and family matters, comparing the living standards of each other's families, comparing a wife's household management and cooking skills to those of her mother-in-law, or the wife's feelings that her husband does not take care of her the way her father took care of her family. Fahim adds that some problems lead to the breakup of a marriage or create a rift in it, such as routine and boredom, which can gradually drain a marriage of mutual passion and love, setting the scene for quarrels and marital disputes.

It should be noted here that during the pre-oil and development era, economic conditions were not of great importance when choosing a partner for marriage, given the predominance of endogenous marriages, which meant that couples seeking marriage most probably belonged to the same socio-economic segment and therefore did not take the economic factor into account as a determinant of marriage. However, this does not mean that wealthy people in the Gulf, under GCC social life prior to the oil and development era, did not have the opportunity or the ability to marry women outside their family and kinship circles. However, in the era of development and change, economic disparities began to play a clear role in marriage. Women preferred wealthy men, unless they had flaws that negated this preference, while men preferred wealthy women, unless they had other traits that could ruin the advantage of wealth. Scientific research has shown that men who belong to high-status families and have wealthy fathers prefer to marry women of the same professional, social, and economic level. And when individuals try to marry partners belonging to a high social class, it indicates another pattern of "interclass" marriage, in which individuals try to obtain the best possible benefit for themselves and their children, both financially and socially (Judith, 1983).

Some scientific studies have shown that women are more concerned with the economic level of a life partner, as they are more insistent on a man's status, occupation, and income as key factors in deciding whether or not to choose him (Rajceki & Rasmussen, 1991). But "wealth alone" should not be the determining criterion in marriage choices. It is not wise for a woman to agree to marry a young man simply because he has plenty of money. Similarly, it is not wise for a young man to marry a girl simply because she is wealthy. From an Islamic point of view, the minimum level of wealth is "sufficiency," in the sense that a man has enough to cover his marriage costs and support his wife and children to lead a decent life based on the general society to which they belong. In fact, Islam requires that a man be able to support his family in order for the marriage contract to be valid. However, the power of financial means in contemporary life has made people desperate for material wealth, with people being judged based on their wealth, not on having enough to support themselves without needing help from anyone. And with the growing role of materialism in people's lives, many men have begun to prefer wealthy women, or women who have a job that offers financial remuneration and thus contributes to their living expenses, while women prefer wealthy men (Brown et al., 1996). It should be noted that these purely material preferences contradict the predominant culture in Muslim societies, where culture and religion dictate that the husband is responsible for supporting the family. In reality, a woman's inherited wealth makes her the preference of many men, especially those who want to gain easy wealth, although it is not permissible for a man to tap into a woman's wealth beyond that which she willingly offers. A man who is completely adherent to the prevailing social culture would not favor a woman simply because she has wealth, because money should not be the only reason for marriage. Preference should be given to a woman of honor and dignity, who spends her wealth on her family without treating them like a charity. In addition, a wealthy woman who seeks marriage usually takes her time to ensure her suitor's main motive is not to take over her wealth.

## 1.2 Types of Marriage

This section tackles the types of marriage in GCC countries, including traditional types, such as arranged and consanguineous marriages and polygamy, as well as non-traditional types, such as *misyar, urfi,* civil, heterogeneous, and free marriages.

In relation to the aforementioned structural socio-economic changes that took place in each and every GCC country after the discovery of oil and investment of oil wealth in global markets, followed by the GCC countries using this oil boom to develop their social and economic structures, leading to a major shift in their lives, it has become largely possible to differentiate between two distinct eras:

First, pre-oil discovery, or prior to the 1960s; and

Second, post-oil discovery and the investment of oil revenues in modernizing socio-economic structures.

Therefore we can discuss the duality of stability as opposed to change or modernization. Each side of this duality is associated with certain types of marriage. In the pre-oil and development era in the Gulf, marriage practices took place according to a traditional pattern, mostly through arranged or preplanned marriages, where parents or grandparents played the leading role in marrying off their offspring or grandsons/granddaughters. In addition, endogenous marriages were the predominant type, as couples were directly related as cousins, often getting married at a young age. Polygamy was also prevalent among wealthy people and farmers. On the other hand, the modernization era saw the emergence of entirely different types and practices of marriage, including exogenous marriages, in which couples have no family or blood relations and the husband makes the marriage decision himself, often at a later age. The era of change also saw the decline of open polygamy. Meanwhile, other types emerged, such as *misyar* ("visitor's") marriage, which can be seen as a type of secret polygamy, in which the couple does not disclose their marriage to anyone. The era of change was also associated with heterogeneous marriages characterized by disparities, especially in terms of tribe, ethnicity, citizenship, or nationality, as opposed to the homogeneous marriages that prevailed during the pre-oil era and were characterized by tribal/ethnic homogeneity.

The following is a description of the most prominent of these types, with a focus on their reality in GCC countries.

### *1.2.1 Traditional Types of Marriage*

Perhaps the most prominent traditional types were consanguineous marriage and polygamy. The following is a demonstration of these two types in GCC countries.

#### 1.2.1.1 Consanguineous Marriages

In a consanguineous marriage, also referred to as endogenous or kinship marriage, the spouses are related by blood, as in the case of cousins. This type of marriage can be found around the world, albeit to varying degrees. It can be found particularly in the Middle East and Asia, with relatively low rates in Europe, the Americas, and Australia. It is also particular to immigrants from countries where it is prevalent, like Pakistanis in Britain or Arab Maghreb immigrants in France. In North Africa, West Asia, and South India consanguineous marriages constitute 20–50% of all marriages, with one-third of them being between first cousins (Bittles, 2011; Tadmouri et al., 2009).

Consanguineous marriages can be traced back to cultural and social roots. In some cultures the phenomenon serves as a way to preserve bloodlines, while in other cultures it acts as a way to protect wealth and keep it in the family, especially ownership of agricultural land. At present, the phenomenon is more prevalent in rural than

in urban areas. In recent decades, consanguineous marriages have seen a significant decline in many countries due to several factors, most notably the rising level of education among women; the shift from extended to nuclear families; migration from rural to urban areas; improved socio-economic status of families; women's increasing participation in the workforce in informal economic sectors; declining fertility rates, which means there are fewer cousins available for marriage; and increasing awareness of the negative effects of marrying relatives on the health of children, especially in cases where genetic diseases run in the family (Koc, 2008). Numerous studies have shown the link between consanguineous marriage and many genetic diseases (Al-Jazirah, 2000) and health problems like disabilities. Therefore some countries where consanguineous marriage is widespread have taken some preventive measures to reduce the consequent spread of genetic diseases. For example, Gulf countries like Qatar and Saudi Arabia have made premarital screening a mandatory condition in marriage contracts. However, this condition does not prevent the marriage in the event that tests show the possibility of a child having genetic diseases or disabilities; the decision is left in the hands of the couple.

In the relevant literature, consanguineous marriage is commonly measured in two ways. The first is the percentage of this type out of the total number of marriages, while the second is the inbreeding coefficient ($F$), which measures the probability of inheriting identical genes from a single ancestor (MedicineNet, n.d.). In consanguineous marriages, $F = 0.0156$, as in marriages of first and second cousins. In some societies, the inbreeding coefficient reaches its maximum number, $F = 0.125$, as in Arab societies where marrying first and second cousins is considered a cultural pattern. This applies to South India, where marriages between cousins prevail (Hamamy, 2012).

For a closer look at the reality of consanguineous marriages in GCC countries, the data below will on the one hand compare between these countries, and on the other display analyses focusing on these marriages in each of the six countries. These are all derived from data and studies from the period between 1979 and 2010.

Regarding comparisons between countries, Figs. 1.1 and 1.2 show the average rate of consanguineous marriage and the inbreeding coefficient according to studies of Gulf countries from the 1980s until the 2000s.

Looking closely at the above, the disparity between average rates of consanguineous marriage in Gulf countries can be noted, with the lowest rate in Bahrain (28.03%) and the highest in Qatar (47.25%), while the average rates for the UAE (33.77%) and Kuwait (34.35%) are closely similar, and the same is true for Oman (35.8%) and Saudi Arabia (36.21%). In this regard, it can be said with a fair degree of certainty that consanguineous marriages constituted at least one-third of total marriages in GCC countries between 1980 and 2010.

As for the inbreeding coefficient, the figure above shows a great disparity among GCC countries, with the lowest number in Bahrain (0.0107) and the highest in the UAE (0.0625). Except for Bahrain, these numbers reflect the prevalence of consanguineous marriages of first and second degree in the other five GCC countries, which all had an inbreeding coefficient above 0.0156.

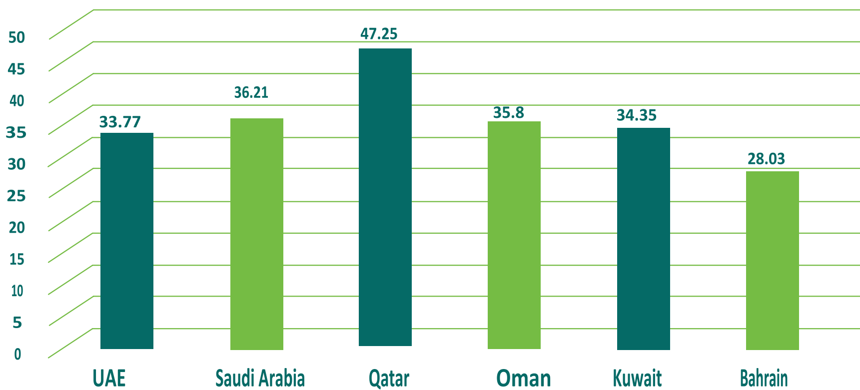


**Fig. 1.1** Percentage of consanguineous marriages

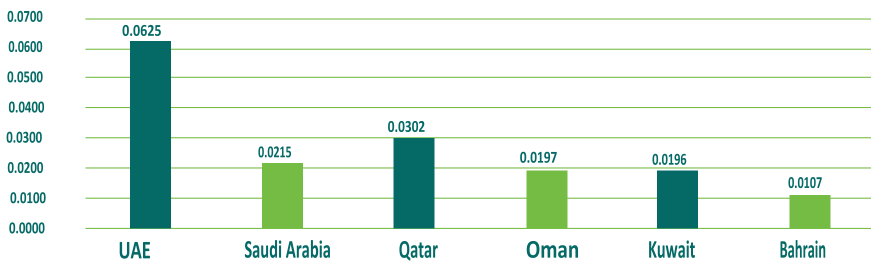


**Fig. 1.2** Inbreeding coefficient

To shed more light on the evolution of consanguineous marriage in the Gulf, the data below show the percentage of consanguineous marriages and the inbreeding coefficient in each country separately, based on available studies on the subject.

## Bahrain

Three studies have measured consanguineous marriage in Bahrain: a health survey of children, a survey of married women, and a survey of newborns (Al-Arrayed, 1994; Al-Arrayed & Hamamy, 2012; Al-Naser, 1995). The two surveys of 1989 set the rate of consanguineous marriage at 45.5% and 31.8% respectively, while the 2009 survey of newborns set the rate at 6.8%, which means the rate of consanguineous marriages in Bahrain dropped by roughly 38 percentage points between 1989 and 2009. As for the inbreeding coefficient, based on the two surveys of 1989 it was as high as 0.0166 and 0.0152 but that it dropped to 0.0003 in 2009, which confirms that consanguineous marriage is declining in Bahrain. These findings are confirmed in the study by Al-Arrayed and Hamamy (2012), which found that the rate of first cousin marriage (first-degree consanguineous marriage) in Bahrain dropped from 24 to 7% during the first decade of the twenty-first century. This could be due to health

awareness campaigns warning of the risks of consanguineous marriage, as well as increasing modernization, urbanization, education, and women's labor in Bahrain.

**Kuwait**

Three studies have measured consanguineous marriages in Kuwait (Al-Awadi et al., 1986; El-Alfi et al., 1969; Radovanovic et al., 1999). The first sampled patients at a maternity hospital in 1969; the second sampled gynecology and obstetrics reviewers in 1985; and the third was a family survey in Kuwait City and Al Jahra between 1996 and 1997.

According to the above graphs, the rate of consanguineous marriage in Kuwait reached 38.4% in 1969, dropping by 4.1 percentage points to 34.3% in 1983, which shows that the phenomenon is declining in Kuwait over time. As for the family survey covering Kuwait City and Al Jahra in 1996, it put the rate at 22.5% in Kuwait City and 42.2% in Al Jahra (almost double the rate in Kuwait City), which shows the great disparity between urban and rural areas. The high level of urbanization in Kuwait City, being the capital, is expected to have caused the low rate of consanguineous marriage in comparison with Al Jahra.

In terms of the inbreeding coefficient in the State of Kuwait, the above graph shows it reached 0.0174 in 1969, rising to 0.0219 in 1983, which confirms a high concentration of first-degree consanguineous marriages. In Kuwait City and Al Jahra, the numbers were put at 0.0139 and 0.0251 respectively, which shows that first-degree consanguineous marriages were more common in Al Jahra than in Kuwait City. Hence it is important to take into consideration the differences between urban (Kuwait City) and rural (Al Jahra) areas, as consanguineous marriages are more prevalent in the latter.

**Oman**

Two studies (Islam, 2012; Rajab & Patton, 2000) have measured consanguineous marriage in Oman. The first sampled maternity hospital reviewers between 1994 and 1997 and health reviewers in 1995. The second was a family survey conducted in 2000.

According to the above graph, the rate of consanguineous marriage in Oman reached 35.90% in 1994–1997. The health centers study of 1995 put the rate at 33%, while the third study put it at 38.5% in 2000, which shows the rate of consanguineous marriage in Oman rising over time.

As for the inbreeding coefficient in Oman, the above graph puts the number at 0.0169 in 1994–1997, rising to 0.018 in 1995, and peaking at 0.0241 in 2000. These findings demonstrate the dominance of first-degree consanguineous marriage in Oman.

Islam's study (2012) notes that consanguineous marriage in Oman will remain stable or decline slowly in future.

**Qatar**

Two studies (Bener & Alali, 2006; Sandridge et al., 2010) have measured consanguineous marriages in Qatar. The first sampled hospital reviewers in Doha in 2004,

while the second surveyed workplaces in Doha in 2008. According to the graphs below, the rate of consanguineous marriage in Doha reached 44.5% in 2004, rising to 50% in 2008, which means that consanguineous marriage in Qatar has continued to rise over time.

As for the inbreeding coefficient, the number in Qatar was 0.0271 in 2004, rising to 0.0333 in 2008, which confirms the prevalence of first-degree consanguineous marriages in Qatar.

**Saudi Arabia**

Nine studies have measured consanguineous marriage in Saudi Arabia (Al-Abdulkareem & Ballal, 1998; Chaleby & Tuma, 1987; El-Hazmi et al., 1995; El-Mouzan et al., 2007; Husain & Bunyan, 1997; Saedi-Wong et al., 1989; Swailem et al., 1988; Warsy et al., 2014; Zakzouk & El-Sayed, 1993). Some of the studies covered the entire Kingdom, while others covered certain Saudi cities or regions. The studies used various samples, including hospital and health center visitors as well as inpatients at hospitals. Others were based on surveys of families or university students. Together they covered the period between 1979 and 2005. Due to the large number of studies on Saudi Arabia, they have been organized into one graph based on time period and region where the data were collected, which to some extent allows comparisons based on years and regions.

By shedding light on the findings relating to the percentage of consanguineous marriages, it can be noted that the rate of the phenomenon in the Kingdom stood at 18.9% in 1980, compared with a figure of 40.6% for Riyadh in 1983/86. The latter rate seems closer to the reality of the phenomenon in the Kingdom, given the nature and size of the sample used in 1990 (3,211 families), whereas the 1980 study only sampled 143 hospital visitors. In addition, this is supported by the following findings. By looking into cities and regions, it can be noted that the rate of consanguineous marriage in Riyadh ranged between 31.4% in 1983/86 and 45.1% in 1989/90, with an average of 42.13% across the six studies on Riyadh, which means that more than one-fifth of marriages in Riyadh between 1980 and 2005 were between relatives.

As for the family survey of 1990, which covered the five main regions of Saudi Arabia, it found rates of endogenous marriage ranging from 35.3% in the Northern Borders to 50% in the Central Region, with an overall average of 42.95% for the five regions.

The same applied to the family survey of 2005, which covered all 13 provinces in the Kingdom. The lowest rate of endogenous marriage (24.6%) was found in Asir, while the highest was found in Riyadh (42.3%). The average rate for all thirteen provinces, according to the same survey, was put at 32.78%, which means that nearly one-third of marriages in Saudi Arabia in 2005 were between relatives.

In terms of the inbreeding coefficient in Saudi Arabia, the data show that it reached 0.0085 in 1980 and 0.0241 in 1990, which reflects the reality of consanguineous marriage in the Kingdom more accurately, in light of the following data from Saudi cities and provinces. In Riyadh, according to the six studies available on the city, the inbreeding coefficient averaged 0.0229, with the lowest figure, 0.0174, in 1990 and the highest, at 0.033, in 1980.

According to the 1990 family survey that covered the five main regions in the Kingdom, along with the cities of Riyadh and Dammam, the inbreeding coefficient averaged 0.0252, with Riyadh showing the lowest figure, at 0.0174, and Dammam the highest at 0.0312.

As for the survey that covered all thirteen provinces between 2004 and 2005, it showed that the inbreeding coefficient averaged 0.0198, with Asir showing the lowest figure, at 0.0154, and Riyadh the highest at 0.0265.

In general, these findings confirm the prevalence of first-degree consanguineous marriage.

**UAE**

Two studies (Al-Gazali et al., 1997; Denic et al., 2013) have measured consanguineous marriages in three areas in the UAE: Abu Dhabi, Dubai, and Al Ain. The first sampled health center visitors in Dubai and Al Ain between October 1994 and March 1995, while the second sampled individuals who had undergone premarital screening in Abu Dhabi in 2011. According to the above graph, the rate of consanguineous marriage in Abu Dhabi was 31.9% in 2011, while Dubai in 1994/5 saw the slightly higher rate of 32% and Al Ain had the highest rate at 37.4% in 1994–1995. These findings generally show that consanguineous marriages made up no less than one-third of all marriages in the UAE.

As for the inbreeding coefficient, the above graph puts the number at 0.0159 for Dubai, 0.0245 for Al Ain, and 0.0221 for Abu Dhabi. These findings generally show the prevalence of first-degree consanguineous marriage in the UAE.

#### 1.2.1.2 Polygamy

Polygamy is an ancient practice, in which a man is married to several women at the same time. It is deemed permissible by some religions, including Islam and a number of Christian sects like Mormonism, while other religions and cultures prohibit it. In the modern age, polygamy is legal in some countries, while in other counties it is punishable by law and may lead to imprisonment. The number of wives a man is allowed to have varies from one culture to another. In Islam, the maximum number is four, whereas Mormons in the United States and some African countries may have a lot more. The prevalence of polygamy around the world also varies depending on the dominant culture and traditions. The practice is more widespread in Africa, particularly West Africa, than in any other continent (Clignet, 1970; Wikipedia, n.d.).

According to the United Nations (2013), polygamy is still prevalent in many countries. On the national level, polygamy is legal or generally acceptable in thirty-three countries, including twenty-five in Africa and seven in Asia. In addition, polygamy is accepted by a segment of the population and considered legal for some people in forty-one countries, including eighteen in Africa and twenty-one in Asia. According to demographic and health surveys carried out between 2000 and 2010 in twenty-six countries with polygamy data, the husbands of 10–53% of women aged 15–49 had other wives (United Nations, 2011).

With the exception of Tunisia, polygamy is legal and religiously permissible in all Arab countries. In the six Gulf states, the phenomenon appears to be more prevalent than it is in other Arab countries. It may be even more widespread among the ruling and wealthy families in the Gulf, but this does not mean that it is not present among the lower classes, especially in rural areas.

To learn about the reality of polygamy, Tables 1.3 and 1.4 were created to demonstrate the total number of marriages among both nationals and immigrants in some GCC countries based on the number of wives per man between 2010 and 2015. This could only be applied to Bahrain, Kuwait, and Qatar, due to the lack of data on the other three GCC countries (UAE, Oman, and Saudi Arabia). According to the source of the data (GCC-STAT), the "additional wives" variable was classified into four categories, ranging from zero (meaning that the husband did not have any additional wives other than his current one) to three (meaning that he had three other wives in addition to his current one, and thus was married to four women in total).

From Table 1.3, which covers Gulf nationals, it can be seen that polygamy is generally more prevalent in Kuwait, followed by Qatar, then Bahrain, with the average rate of men with more than one wife between 2010 and 2015 reaching 8.13%, 7.88%, and 5.16% respectively.

Focusing on the disparity in the number of additional wives, it can be noted that Kuwait has a high rate of monogamous men, ranging between 90.14 and 92.71% in the period 2010–2015, while the rate of men with one additional wife ranged between 6.63 and 8.73% during the same period. The rate continues to drop as the number of wives increases: 0.53–0.96% for men with two additional wives, and 0.09–0.21% for men with three. These findings show that monogamy prevails in Kuwait, while polygamy remains present but limited, and that the number of polygamous men drops as the number of additional wives increases.

In Qatar, it was also noted that the number of monogamous men was high, ranging between 90.70 and 93.95% in 2010–2015, while the rate of men with one additional wife ranged between 5.54 and 8.43% during the same period, dropping to 0.32–0.77% for those with two additional wives and 0.10–0.19% for those with three.

Bahrain also saw a high rate of monogamous men, ranging between 94.06 and 95.92% in 2010–2015, while the rate of men with one additional wife ranged between 3.87 and 5.36% during the same period, dropping to 0.21–0.62% for those with two additional wives and 0.00–0.08% for those with three.

These findings show that monogamy is the prevalent type of marriage in the three countries. As for polygamy, it remains present but limited, while the number of polygamous men drops as the number of additional wives increases.

Table 1.4 shows the distribution of marriages in the three countries based on the number of additional wives per immigrant husband. The findings are not essentially different from those of nationals, as the table shows monogamy is the prevalent type of marriage among immigrants to all three countries during the same time period. The average rate of monogamy during the six years between 2010 and 2015 was put at 88.20% in Bahrain, 88.87% in Kuwait, and 91.81% in Qatar. Meanwhile, the rate of polygamy among immigrants averaged 11.80%, declining as the number of

**Table 1.3** GCC marriages by number of additional wives in 2010–2015: nationals

| Year | Number of additional wives | Bahrain | | Qatar | | Kuwait | |
|---|---|---|---|---|---|---|---|
| | | No. | % | No. | % | No. | % |
| 2010 | 0 | 4,246 | 94.06 | 1,646 | 93.95 | 9579 | 90.14 |
| | 1 | 238 | 5.27 | 97 | 5.54 | 928 | 8.73 |
| | 2 | 28 | 0.62 | 7 | 0.40 | 102 | 0.96 |
| | 3 | 2 | 0.04 | 2 | 0.11 | 18 | 0.17 |
| | Total | 4,514 | 100.00 | 1,752 | 100.00 | 10627 | 100.00 |
| 2011 | 0 | 5,548 | 95.92 | 1,776 | 93.57 | 10,681 | 91.02 |
| | 1 | 224 | 3.87 | 114 | 6.01 | 939 | 8.00 |
| | 2 | 12 | 0.21 | 6 | 0.32 | 90 | 0.77 |
| | 3 | 0 | 0.00 | 2 | 0.11 | 24 | 0.21 |
| | Total | 5,748 | 100.00 | 1,898 | 100.00 | 11,735 | 100.00 |
| 2012 | 0 | 5,987 | 94.99 | 1,878 | 91.48 | 10,062 | 92.71 |
| | 1 | 288 | 4.57 | 163 | 7.94 | 720 | 6.63 |
| | 2 | 25 | 0.40 | 8 | 0.39 | 57 | 0.53 |
| | 3 | 3 | 0.05 | 4 | 0.19 | 14 | 0.13 |
| | Total | 6,303 | 100.00 | 205 | 100.00 | 1,085 | 100.00 |
| 2013 | 0 | 5,713 | 95.06 | 1,899 | 91.65 | 10,227 | 92.35 |
| | 1 | 269 | 4.48 | 162 | 7.82 | 754 | 6.81 |
| | 2 | 25 | 0.42 | 8 | 0.39 | 78 | 0.70 |
| | 3 | 3 | 0.05 | 3 | 0.14 | 15 | 0.14 |
| | Total | 6,010 | 100.00 | 2,027 | 100.00 | 11,074 | 100.00 |
| 2014 | 0 | 5,695 | 94.29 | 1,883 | 90.70 | 10,145 | 92.69 |
| | 1 | 324 | 5.36 | 175 | 8.43 | 726 | 6.63 |
| | 2 | 16 | 0.28 | 16 | 0.77 | 64 | 0.58 |
| | 3 | 5 | 0.08 | 2 | 0.10 | 10 | 0.09 |
| | Total | 6,040 | 100.00 | 2,076 | 100.00 | 10,945 | 100.00 |
| 2015 | 0 | 5,415 | 94.72 | 1,891 | 91.40 | 10,227 | 92.35 |
| | 1 | 283 | 4.95 | 164 | 7.93 | 754 | 6.81 |
| | 2 | 17 | 0.30 | 11 | 0.53 | 78 | 0.70 |
| | 3 | 2 | 0.03 | 3 | 0.14 | 15 | 0.14 |
| | Total | 5,717 | 100.00 | 2,069 | 100.00 | 11,074 | 100.00 |

*Source* GCC-STAT

**Table 1.4** GCC marriages by number of additional wives in 2010–2015: immigrants

| Year | Number of additional wives | Bahrain | | Qatar | | Kuwait | |
|---|---|---|---|---|---|---|---|
| | | No. | % | No. | % | No. | % |
| 2010 | 0 | 397 | 89.01 | 1,156 | 94.3 | 2,875 | 85.41 |
| | 1 | 43 | 9.64 | 67 | 5.47 | 1,471 | 13.99 |
| | 2 | 6 | 1.35 | 2 | 0.16 | 18 | 0.53 |
| | 3 | 0 | 0.00 | 0 | 0.00 | 2 | 0.06 |
| | Total | 446 | 100.00 | 1,225 | 100.00 | 4,366 | 100.00 |
| 2011 | 0 | 909 | 92.28 | 1,303 | 93.41 | 7,544 | 92.85 |
| | 1 | 70 | 7.11 | 91 | 6.52 | 559 | 6.88 |
| | 2 | 5 | 0.51 | 0 | 0.00 | 20 | 0.25 |
| | 3 | 1 | 0.10 | 1 | 0.07 | 2 | 0.02 |
| | Total | 985 | 100.00 | 1,395 | 100.00 | 8,125 | 100.00 |
| 2012 | 0 | 1,138 | 90.61 | 1,324 | 89.52 | 3,079 | 88.78 |
| | 1 | 108 | 8.60 | 149 | 10.07 | 372 | 10.73 |
| | 2 | 9 | 0.72 | 5 | 0.34 | 15 | 0.43 |
| | 3 | 1 | 0.08 | 1 | 0.07 | 2 | 0.06 |
| | Total | 1,256 | 100.00 | 1,479 | 100.00 | 3,468 | 100.00 |
| 2013 | 0 | 1,321 | 90.02 | 1,404 | 90.7 | 3,586 | 88.67 |
| | 1 | 126 | 8.67 | 139 | 8.99 | 435 | 10.76 |
| | 2 | 6 | 0.41 | 3 | 0.19 | 22 | 0.54 |
| | 3 | 0 | 0.00 | 1 | 0.06 | 1 | 0.02 |
| | Total | 1,453 | 100.00 | 1,547 | 100.00 | 4,044 | 100.00 |
| 2014 | 0 | 32 | 22.85 | 1,428 | 89.42 | 3,695 | 89.23 |
| | 1 | 104 | 74.29 | 162 | 10.14 | 420 | 10.14 |
| | 2 | 4 | 2.86 | 6 | 0.38 | 22 | 0.53 |
| | 3 | 0 | 0.00 | 1 | 0.06 | 4 | 0.10 |
| | Total | 140 | 100.00 | 1,597 | 100.00 | 4,141 | 100.00 |
| 2015 | 0 | 1,138 | 92.07 | 1,506 | 91.00 | 3,586 | 88.67 |
| | 1 | 90 | 7.28 | 142 | 8.58 | 435 | 10.76 |
| | 2 | 5 | 0.40 | 7 | 0.42 | 22 | 0.54 |
| | 3 | 3 | 0.24 | 0 | 0.00 | 1 | 0.02 |
| | Total | 1,236 | 100.00 | 1,655 | 100.00 | 4,044 | 100.00 |

*Source* GCC-STAT

additional wives per man increased. This shows that immigrant men were more likely to be polygamous than nationals in the three countries.

### *1.2.2 Non-traditional Types of Marriage*

There are currently various types of non-traditional marriage, both locally and regionally. Perhaps the most prominent among them are the types known as *misyar* ("visitor's"), *urfi* ("customary"), *muta'a* ("pleasure"), and heterogeneous (mixed) marriages. This chapter will shed light on the types on which studies have been conducted to observe their social reality, such as mixed and *misyar* marriages. Due to the recent emergence of these types, as well as the lack of religious and legal recognition of some of them, they are absent from official records, which makes it difficult to study them.

#### 1.2.2.1 Heterogeneous Marriage

Heterogeneous marriage is a significant subject in sociology of the family. This sub-field of sociology focuses on describing and analyzing the shift from consanguineous marriage to marriage outside the family circle or reference group, which is represented by marriage that is heterogeneous in terms of religion, race, language, social class, nationality, or other factors. This segment of the chapter sheds light on heterogeneous marriage based on these considerations. It can be defined as marriage between non-homogeneous men and women in terms of any of the aforementioned considerations.

It is recognized that heterogeneous marriage between people of different nationalities has existed in GCC states since the 1960s as a result of economic, social, and political changes in the region, including the discovery of oil in huge commercial quantities and the investment of the resulting revenues in national development, as well as the independence of several countries and the emergence of new political entities. It was precisely this that transformed every GCC country into an attractive destination for immigrants, whether in the form of intra-Gulf migration (as in Saudis migrating to Kuwait in the early 1960s, then to the UAE and Qatar in the early 1970s, or Omanis migrating to Saudi Arabia during that time as well), or international migration, whether from the Arab world or elsewhere. With immigrants continuing to live in these countries, adapting to their local conditions and integrating with their inhabitants, heterogeneous marriages emerged as a social feature of that integration.

Heterogeneous marriages can be explained from a cultural perspective, as in the case of a man marrying a woman who comes from the same tribe but is a national of a neighboring country, for example, a Kuwaiti man of the Mutayr tribe marrying a Saudi woman of the same tribe, or a Qatari woman of the Ajman tribe marrying a Saudi man also of that tribe. In these cases, the couples are of different nationalities but are still considered heterogeneous in terms of tribal considerations. This type of marriage

abounds in border areas between the six GCC countries. Political borders between these countries have not prevented intermarriage between members of the same tribe, which is why some studies (e.g., DIFI, 2018) have called this type "cross-national marriages."

These marriages can also be explained from an economic perspective, as in the case of men marrying women of different nationalities to avoid the financial consequences of marrying a conational, especially in countries where exorbitant dowries and conspicuous consumption related to marriage prevail. This includes, to a large extent, Gulf men marrying Arab women from countries such as Iraq, Jordan, Syria, Lebanon, Egypt, and particularly Morocco (Rjeem, 2018).

Cultural contact between Gulf people and other peoples and cultures through trade and educational or diplomatic missions may have had a role in the emergence of heterogeneous marriage. This includes Gulf men marrying women from India, Pakistan, and Indonesia, or scholarship students and diplomats marrying women from the countries to which they are posted, especially the United States, Canada, and Britain (Al Saleh, 2013).

On the domestic level in the six Gulf states, urbanization and rural-urban transformation (El-Arifi, 1986) must be noted. While the rate of urbanization in Qatar, Kuwait, Bahrain, and the UAE has exceeded 60% since the 1960s, Oman and Saudi Arabia saw lower rates (20% and 30% respectively), more than doubling by 2016 to exceed 70% and 80% respectively. Hence the rate of urbanization at the present time has exceeded 80% in all Gulf countries.

Urbanization has had clear implications for social integration among the people of these countries. Tribes used to reside in their own territories based on the prevalent tribal norms, such as the reservation system, which obliged the members of each tribe to live on its allocated land, and which was abolished in Saudi Arabia from the beginning of King Abdulaziz's rule. As a result of modernization projects adopted by Gulf countries with a focus on cities—especially in the fields of education, health, training, and manufacturing—economic opportunities increased in urban areas, which led to a large rural exodus to cities. This opened the door to social coexistence among all segments of the population, and exogenous marriages (i.e., from outside the reference group, such as the tribe or clan) started to occur. Marriage options increased for both men and women, and individuals of each gender became able to choose a life partner from other tribes and clans residing in the same neighborhood or city. The current urban and social scene in most Gulf cities increasingly reflects this reality, aided by growing education opportunities at home and abroad for men and women, as well as the opening of the labor market to Gulf women, who found themselves working side by side with male citizens, allowing the formation of marital relations and the occurrence of a further shift away from consanguineous marriage.

There have been studies that tackled cross-national marriages as one of many types of heterogeneous marriages in several aspects. One such study was conducted by the Doha International Family Institute (DIFI, 2018), which examined the trends and types of cross-national marriage. The study explained that, although endogenous marriages (Qatari men married to Qatari women) represented the norm for 79% of

the total in 2015, cross-national marriage has steadily increased, reaching 21% in 2015, compared to only 16.5% in 1985.

Cross-national marriage rates are higher among Qatari women than Qatari men, except for the period between 2000 and 2005, during which the rates were higher among men. Cross-national marriage rates among Qatari women reached 12.3% in 1985, compared to only 8.7% in 2015. On the other hand, the rates among Qatari men increased steadily from 5% in 1985 to 12% in 2015.

The study addressed the social acceptance of cross-national marriages, showing that Qatari society has become more accepting of this type of marriage over the years. However, negative perceptions and resistance to cross-national marriages continue. According to the majority of those interviewed in the study, the growing acceptance is attributed to expanding education, access to technology, ease of travel, and exposure to other nationalities that make up the large migrant workforce in Qatar. Yet this acceptance varies, because Qataris are more likely to accept marriages from neighboring GCC countries than from others. An inverse correlation was also found between acceptance and geographical distance from Qatar. Since marriage is considered a family affair, and not merely a partnership between individuals, the consent of the family is crucial for the continuance of the marriage. However, the collective experiences of the study participants indicate that acceptance and consent are not uniformly expressed among families. Some families are more open and supportive of cross-national marriages, while others express rejection and resentment, which may or may not fade over time. Family acceptance also varies according to gender. The study found that the reaction to marrying a non-Qatari tends to be less severe for men than for women. The study also examined the reasons for choosing cross-national marriage. According to the participants, important determinants behind this choice included limiting the cost of marriage to other Qataris (Qatari men marrying Qatari women), similar social background, exposure to other cultures, opposition to traditional marriages, and personal characteristics.

One of the issues addressed by the study was "the quality and stability of cross-national marriage." It was found that cross-national marriages appeared to be less stable and more likely to end in divorce than marriages between Qatari citizens, with the divorce rate for this type of marriage reaching 54.1% in 2015. However, the results of qualitative interviews with cross-national married couples showed that the majority of them had a high-quality marriage. In addition, the study found that men married to non-Qatari women tended to face challenges mostly stemming from cultural differences between the spouses and the unique dynamics involved in that context or interaction. These marriages also have a large number of advantages compared to consanguineous marriages, including openness and acceptance towards other cultures, and fewer genetic disorders among children. They also cost less than marriages to Qataris.

Due to the prevalence of Gulf men and women marrying non-citizen residents or non-residents, as in the case of cross-national marriage in Gulf states, much legislation and many laws emerged several decades ago in Gulf countries to regulate their citizens' tendency to choose life partners of other nationalities (see the cases of the UAE, Bahrain, Saudi Arabia, Oman, Qatar, and Kuwait respectively—Abudhabi.ar,

n.d.; Ajel, n.d.; Gulfmigration, n.d.; Nationalkuwait, 2012). These included a list of regulations guaranteeing the rights of spouses and taking into account familial repercussions related to dependency, citizenship rights, and other matters that generally tend to restrict marriages of this type lest they have negative impacts, especially on Gulf women and their children from these marriages.

#### 1.2.2.2 *Misyar* Marriage

In some Gulf societies there is a non-traditional type of marriage known as *misyar* (Al Hujailan, 2009), or "visitor's" marriage, in which a husband visits his wife in her home or her family's home, not in his own, and they may agree to meet elsewhere.

Moreover, there is a similar type called *misfar* ("traveler's" marriage), in which men and women get married with a temporary contract for the duration of their travel or mission. This type used to be more prevalent among scholars posted abroad (Khasa, n.d.). There are undoubtedly structural factors behind this phenomenon. In this context, Al-Nasr (2011) notes that at the forefront of these factors are the growing education opportunities for both genders, the unprecedented rise in divorce rates, social expectations of marriage, high wedding costs, and the disparity between men and women.

This type of marriage has its own specialized websites on the internet (Soudfa, n.d.), as well as personal accounts on social media, with some websites and accounts specializing in serving specific Gulf communities and cities (Zaoag, n.d.). This non-traditional type of marriage has become common due to the easy supply and demand on social networks, away from the social control of family, relatives, neighbors, and friends. There are also no religious caveats in *misyar* marriage in terms of meeting sexual needs for either men or women, as long as this is done within the framework of a legal marriage, because *misyar* becomes valid upon the consummation of the marriage, as in any other nuptial contract validated by a certified marriage official, meaning that there is no specific contract for *misyar* marriage to distinguish it from other types (Al Motlaq, 2002/1423, p. 77).

Contemporary social networks have helped facilitate and spread *misyar* marriage among men and women in Gulf societies by providing cover for this non-traditional type of marriage, the requirements of which are not accepted by the dominant culture. These requirements or conditions include the confidentiality of the marriage, as well as the condition that the marriage is temporary and must terminate if it clashes with the wife's family circumstances, or if the husband's existing, traditional, marriage is destabilized. *Misyar* marriage may also be confidential due to incompatible tribal lineage between the two parties.

In addition, due to economic need and the desire to have a partner, a woman may waive important rights, such as regular overnight stays, housing, alimony, and possibly having children. These conditions are not part of the nuptial contract but are usually agreed upon between the spouses. It is likely that this non-traditional type of marriage stems from the high costs of marriage, which drive some people to resort to *misyar.*

Although *misyar* marriage has been around in the Gulf for years, there are no statistical data to indicate its extent and the circumstances in which it occurs, because *misyar* is documented as a regular marriage in which the two parties agree the conditions without mentioning them in the contract. Perhaps this is one of the reasons behind the scarcity of studies looking into the status of *misyar* couples. Moreover, most of the studies in this field have been limited to individual positions on this type of marriage.

A field study in Saudi Arabia showed that many Saudi men in Riyadh approve of *misyar* marriages. In Al Shamri's study (2013), which looked at the positions of Saudis on *misyar* in the city of Riyadh, participants were found to approve of this type of marriage, but they did mention the presence of negative positions on *misyar*, which—according to Saudis—is considered a threat to societal and familial security. Meanwhile, the participants said there were compelling circumstances that made women agree to this type of marriage, such as divorce and widowhood. In addition, *misyar* enables men to be polygamous without the associated economic costs, and they resort to it due to the high cost of dowries. The study also noted a number of negative effects resulting from this type of marriage, such as injustice, increased cases of divorce compared to regular marriages, and the unknown fate of children. It also threatens family cohesion and women's rights.

According to Al Khatib and Al Saghir's, 2009 study *Misyar marriage and its social and psychological motives from the viewpoints of women and men in Riyadh*, the magnitude of the phenomenon is unclear. The study also found that some women accept *misyar* as the most appropriate option for their family situation, and that the most important psychological and social needs that *misyar* meets for men and women is to satisfy their sexual desires and fill their emotional gaps. Omar's, 2009 study *Misyar marriage as a rational choice* concluded that the vast majority of those seeking this type of marriage are residents of cities, and particularly major ones. Meanwhile, Al Sabbar's, 2010 study on working Saudi women's attitudes towards *misyar* marriage found that *misyar* was imposed by contemporary circumstances despite its lack of women's rights.

## 1.3 Age and Marriage

Age and marriage are related in many ways. First of all, getting married depends on reaching a certain age stipulated by national laws in each country. Moreover, marriage-related adjectives, such as early, delayed, or celibate, all take into account the issue of age. Add to this the importance or preferences given by marriage seekers to the differences between spouses in terms of age and the associated social values and customs, which consider a marriage normal if the age gap is in favor of the man, not the other way around.

By looking at marriage age in light of the socio-economic changes that Gulf countries have undergone, it can be said that early marriage was preferred in traditional Gulf society, especially for girls, who were normally married off between the ages of

14 and 16. However, marriage age in current Gulf society is different, and continues to rise. In general, Gulf youths support the rise of marriage age, as indicated in many field studies. Al Nasser and Suleiman (2007) sampled 619 Kuwaiti and Omani youths, who agreed that the appropriate age for marriage is between 26 and 30 years for men and 20–25 years for women. The comprehensive annual survey conducted by Qatar University's Social and Economic Survey Research Institute in 2012 found that the preferred marriage age was 21 for women and 25 for men, while the 2017 Marriage and Divorce report issued by Qatar's Ministry of Development Planning and Statistics set the marriage age among Qataris at 26 for men and 24 for women. The rise in marriage age among women is a result of their university education, as studies have shown that women tend to postpone marriage in order to graduate. As for men, marriage is often postponed until they can find a job and secure the costs of marriage (Al Ghanem, 2003).

In Sect. 1.3 of this chapter, more of these topics will be highlighted.

### *1.3.1 Early Marriage*

UNICEF defines early marriage, or what it calls "child marriage," as any formal marriage or informal union with a child under the age of 18, which is a reality for both girls and boys, though girls are disproportionately affected (UNICEF, n.d.). In some countries, this type of marriage is also called "underage marriage" (King Abdulaziz Center for National Dialogue, 2015/1437).

According to UNICEF, nearly one-third of women aged 20–24 in developing nations were married during their childhood. Child marriage is most common in South Asia and sub-Saharan Africa; UNICEF considers the phenomenon to be less prevalent in Arab countries. However, it is believed that early marriage is a social phenomenon prevalent in GCC countries. In this regard, Hamad (2009) notes that Gulf women "suffer from early marriage and early family responsibilities."

To learn about the reality of early marriage in Gulf countries, the following indicators will be analyzed:

(A) the average age at first marriage, by gender and nationality;
(B) the marriage rate, by gender, for those aged 15–19; and
(C) the marriage rate for those aged 14–19.

The following is an analysis of these indicators, respectively:

(A) The average age at first marriage, by gender and nationality.

From Table 1.5, it can be seen that the average age of male citizens at first marriage in 2010 ranged between 25 years (Bahrain) and 28.4 (Oman). In both Kuwait and Qatar, the average age for husbands was 26.5 years. For most of these years, the rate remained stable with only slight changes. For women, the average age at first marriage in 2010 ranged between 22 years (Bahrain) and 26.1 years (Oman). In both Qatar and Kuwait the average age for wives was 23.9 years.

**Table 1.5** Average age at first marriage among citizens, 2010–2015

| Country | Year | | | | | |
|---|---|---|---|---|---|---|
| | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 |
| Kuwait—husband | 26.5 | 26.7 | 26.2 | 26.1 | | |
| Kuwait—wife | 23.9 | 24.1 | 23.0 | 23.5 | | |
| Oman—husband | 28.4 | | | | | |
| Oman—wife | 26.1 | | | | | |
| Qatar—husband | 26.5 | 26.7 | 26.2 | 26.1 | 26.5 | 26.3 |
| Qatar—wife | 23.9 | 23.9 | 23 | 23.5 | 24.1 | 23.8 |
| Bahrain—husband | 25 | 25 | 26 | 26 | 26 | |
| Bahrain—wife | 22 | 22 | 22 | 23 | 23 | |

The data also show that the average age of husbands exceeds that of wives by two to three years in all four countries mentioned in the table and in all years.

From Table 1.6 and Fig. 11, it can be seen that the average age of immigrant men at first marriage in 2010 ranged between 27 years (Bahrain) and 29.6 years (Kuwait and Qatar). It can also be noted that this rate in Kuwait and Qatar continued to decline in 2011–2015, reaching 28.7 in Kuwait (2013) and 28.4 in Qatar (2015). In Bahrain, the average age fluctuated between 27 and 28 years in 2010–2014.

As for immigrant women, the average age in 2010 ranged between 25 years (Bahrain) and 26.5 years (Kuwait and Qatar). The average age remained stable in Kuwait and Qatar with slight changes during subsequent periods. In Bahrain, the average age declined to 23 years in 2011 and rose again to 24 years in 2012–2014.

Comparing the average age at marriage between citizens and immigrants, it becomes generally clear that there is a two- to three-year difference between the average age at first marriage of male citizens and male immigrants, as well as between female citizens and female immigrants. This applies between 2010 and 2015, meaning that Gulf men and women marry at an early age compared to their immigrant counterparts.

**Table 1.6** Average age at first marriage among immigrants, 2010–2015

| Country | Year | | | | | |
|---|---|---|---|---|---|---|
| | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 |
| Kuwait—husband | 29.6 | 29.6 | 28.8 | 28.7 | | |
| Kuwait—wife | 26.5 | 26.5 | 25.7 | 26.1 | | |
| Qatar—husband | 29.6 | 29.6 | 28.8 | 28.7 | 28.9 | 28.4 |
| Qatar—wife | 26.5 | 26.5 | 25.7 | 26.1 | 26.2 | 26.0 |
| Bahrain—husband | 27 | 28 | 27 | 28 | 27 | |
| Bahrain—wife | 25 | 23 | 24 | 24 | 24 | |

### *1.3.2 Marriage Rates Among Those Aged 15–19*

Early marriage can by highlighted by examining the rate of marriage among people aged 15–19. These data can be seen as supplementing the results achieved through average age at marriage, especially since these data cannot be invoked in argument against the prevalence of early marriage as defined by UNICEF. The mean values conceal the high and low differences in age at first marriage for both men and women. Therefore a more direct picture can be provided to assess the existence of early marriage by knowing the marital status of people aged 15–19. Focusing on married men and women in this age group can shed light on the existence of the phenomenon in GCC countries better than the data on the average age at first marriage.

To achieve this, this section will analyze marriage rates in the 15–19 age group using the United Nations' World Marriage Data, which is mainly based on the Census Database and national surveys of UN member states (United Nations, 2013). Needless to say, these may be the best and most comprehensive data available to address marriage rates and compare countries. This database provides information on marriage rates in the six Gulf countries between 1970 and 2010. The number of years varies by country, as the available data cover four years for most Gulf countries, with the exception of Qatar (three years) and Saudi Arabia (five years). This allows the formation of a general picture of marriage rates in these countries based on the average of those years, in addition to providing an accurate picture of the changes that occurred in the marriage rates for each country and according to the years for which the data are available.

Before proceeding to illustrate the results related to marriage in the 15–19 age group, it must be said that there is a great disparity between countries regarding the legal marriage age for both men and women. For example, the legal age in some countries is 12 years for girls and 14 years for boys, conditional upon the consent of the parents, as in Uruguay. In Oman, the legal age is set at 18 years for both boys and girls (UNStats, 2012). The legal marriage age varies from one GCC country to another (Raseef, 2016). For example, the UAE and Oman set the minimum marriage age for both genders at 18 years, while Qatar sets the age at 16 for girls and 18 for boys. Both Bahrain and Kuwait set the minimum age for girls at 15 years. For boys, Kuwait sets the age at 17 years, while Bahrain sets the age at 18 years. Saudi Arabia has yet to set an official minimum age for marriage, although the issue has been under consideration by lawmakers for years.

By focusing on the GCC columns, a large disparity can be noted between genders in the average marriage rate among those aged 15–19, as it is generally lower for males than females in all Gulf states. The rate varies between Gulf countries, however, with Saudi Arabia having the lowest average rate among males at 0.62%, while Qatar has the highest at 3.93%. For females, the rate is lowest in Saudi Arabia, at 8.00%, rising to the highest, 21.70%, in the UAE. Thus it can be said that in the Gulf males are less likely to marry at an early age than females. This undoubtedly reflects a cultural reality among the inhabitants of the region, which is that females marry at an earlier age than males.

The situation is no different when comparing Gulf countries as a group with Arab countries and the rest of the world in terms of gender differences. The average rate for males in the Gulf is lower than that in Arab countries generally (2.05% and 2.20% respectively), but it is higher than the average for the rest of the world (1.71%). The same applies to females, in that the Gulf rate is low compared to Arab countries overall (13.50% and 15.38% respectively), and high compared to the world average (10.91%).

### 1.3.3 Delayed Marriage

Delayed marriage can be defined as the voluntary delay of marital life until after the end of the third decade of an individual's life. Others have defined it as a tendency to postpone marriage temporarily. Therefore anyone still unmarried after the age of 30 is considered to have delayed marriage (Etmstba, n.d.). One study (Morsi, 2008/1430) states that marriage delay has affected one-third of women in the Gulf, with the number of unmarried women over 30 reaching nearly two million by the end of 2006. Delayed marriage is considered a global phenomenon, but the factors behind it differ from one society to another.

To shed light on delayed marriage, we highlight below marriage data for people aged 30 or more, by gender, in Bahrain, Qatar, and Kuwait (Tables 1.7, 1.8, 1.9, and 1.10).

A reading of the data trends from 2010 to 2015 indicates that marriages in the 30–34 and 35–39 age groups are generally increasing in the three countries of the GCC-STAT study, with the likelihood of marriage higher among those aged 30–34

**Table 1.7** Marriages of male citizens aged 30–34

| | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 |
|---|---|---|---|---|---|---|
| Bahrain | 619 | 850 | 1,019 | 1,012 | 1,052 | 899 |
| Qatar | 573 | 601 | 678 | 593 | 694 | 668 |
| Kuwait | 1,845 | 3,750 | 2,054 | 2,452 | 2,541 | 2,622 |

*Source* GCC-STAT (2018). Marriage and divorce database

**Table 1.8** Marriages of female citizens aged 30–34

| | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 |
|---|---|---|---|---|---|---|
| Bahrain | 271 | 311 | 375 | 366 | 455 | 324 |
| Qatar | 161 | 187 | 162 | 160 | 186 | 179 |
| Kuwait | 785 | 946 | 765 | 918 | 960 | 867 |

*Source* GCC-STAT (2018). Marriage and divorce database

**Table 1.9** Marriages of male citizens aged 35–39

| | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 |
|---|---|---|---|---|---|---|
| Bahrain | 218 | 271 | 343 | 347 | 350 | 343 |
| Qatar | 101 | 123 | 110 | 122 | 155 | 120 |
| Kuwait | 662 | 715 | 956 | 653 | 622 | 671 |

*Source* GCC-STAT (2018). Marriage and divorce database

**Table 1.10** Marriages of female citizens aged 35–39

| | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 |
|---|---|---|---|---|---|---|
| Bahrain | 125 | 147 | 185 | 180 | 224 | 180 |
| Qatar | 57 | 78 | 81 | 81 | 98 | 76 |
| Kuwait | 478 | 467 | 585 | 460 | 435 | 471 |

*Source* GCC-STAT 2018). Marriage and divorce database

than those aged 35–39. In general, marriage in the 30+ age group is higher among male citizens that it is among female citizens.

### *1.3.4 Celibacy*

To examine the reality of celibacy in the Gulf states, the United Nations' World Marriage Data report (United Nations, 2009) was tapped, as it provides information on the marital status of each country's population by year. Here we focused on single people aged 30 or more, as they represent the target group in this section of the chapter. In addition, a graph was created for each individual Gulf country separately, because of differences between them in terms of the years for which complete relevant data were available in the aforementioned database.

The data on the rate of single men and women in Bahrain in 1991 and 2001 suggests that celibacy rates among women decline with increasing age but generally increased over the ten years. Focusing on the rate among females, it can be noted, for example, that in 1991 there were 19 single women for every 1,000 people in Bahrain in the 30–34 age group, declining to 1.8 for those aged 60–64. As for the change in the rate over time, and for the same age group (30–34), the graph shows that it increased from 19 single women per thousand in 1991 to 25.9 in 2001. The same applies to males, with a rate of 26.2 singles per thousand aged 30–34 in 1991, gradually declining among the older age groups to 3.3 single men per thousand aged 65 or more. In terms of the change over time, for the same 30–34 age group, the rate of celibacy increasing from 26.2 per thousand in 1991 to 38.2 in 2001. This applies to the remaining age groups, in all of which the celibacy rate increased between 1991 and 2001. In general, these findings show that the rate of single men is significantly

higher than that of single women in Bahrain, regardless of the year, and in all age groups.

The same generally applies in Kuwait, where the rate of unmarried women declines as their age increases. While the rate among the 30–34 age group was about 4.9 per thousand in 1970, it fell gradually to only 0.8 among the 65+ age group. The rate also increased over time in each of the eight age groups. For example, while the average rate for the 30–34 age group was about 4.9 in 1970, it increased to 32.7 in 2005. Kuwait data show the same pattern, albeit more so among males. The average rate of single males in the 30–34 age group was 16.8 per thousand in 1970, with a gradual decline with age to 3.2 and 2.2 among the 60–64 and 65+ age groups respectively.

The rates of single men show a significant increase over time, reaching 29.6 among the 30–34 age group in 2005, compared to 16.8 in 1970. The same applies in most years and for most age groups. And despite the similarities between Bahrain and Kuwait in terms of celibacy rates, the most important distinction between them is that the 2005 rates of single women are higher than those of unmarried men for the same year, while in Bahrain the rate of single men is higher than that of unmarried women.

In Oman, celibacy rates by age group and year are different from those in Bahrain and Kuwait, although they show the same pattern in terms of rates decreasing gradually as age increases, and rising gradually over the years (1993–2003). For example, in 1993 the rate of unmarried women in the 30–34 age group was 2 for every 1,000 Omanis, while it was 1.6 among Omani women over 65. The same applies in 1995 and 2003, and for single men over the three years. It is also evident that the rates of single men are almost double those of unmarried women in all years and age groups. As for the extent of celibacy in Oman, the rates are relatively lower and with substantial differences from Bahrain and Kuwait, which means that the problem of celibacy in Oman is less severe than it is in those two countries.

In Qatar, in 1986 the rate of unmarried women in the 30–34 age group was 14.4 single women per thousand Qataris, declining through successive age groups to 4.4 for the over-65 group in the same year. It can be noted that these rates have evolved over time among females, tending to increase during the period 1986–2004 in the first five age groups (30–54), but decline in the remaining three groups of 55+ years. As for celibacy rates among the male 30–34 age group, they ranged between 16.4 per thousand in 1986 and 24.2 in 2004. It is also evident that celibacy rates declined in the remaining successive age groups, from 4.2 in 1986 to 1.3 in 2010 among people aged 65 years and over. Perhaps what distinguishes celibacy rates in Qatar is that although they are higher for males, the differences between genders are smaller than in Bahrain, Kuwait, and Oman.

In Saudi Arabia, the rate of unmarried women in the 30–34 age group was 10.1 single women per thousand Saudis in 1987. The rate decreased significantly through successive age groups, to 3.8 single women per thousand in the 55–59 age group. As for time, the rate of unmarried Saudi women was highest in 1999 at about 17.3 women per thousand in the 30–34 age group, dropping to 9.6 in 2007. The same pattern applied in the 35–39 and 40–44 age groups. The rate of celibacy among the

remaining age groups generally declined between 1987 and 2007, which reflects the decline in celibacy rates among Saudi women as they get older and over time. As for single men, their rate in the 30–34 age group was 7.4 single men per thousand population in 1987, steadily declining across successive age groups to 0.7 in the 55–59 age group. This pattern is repeated over the remaining years (1996–2007). In general, these data show that Saudi Arabia and Oman suffer the least in the Gulf from the issue of celibacy among their population.

In the UAE, the rate of unmarried women in the 30–34 age group was 2.6 single women per thousand Emiratis in 1975. The rate decreased steadily through successive age groups to 1.4 of the over-65s. As for changes over the years, the data show a steady increase in celibacy rates over time in the 30–34 age group, to reach 14.7 per thousand in 2005 compared to 2.6 in 1975. The same pattern is repeated in almost all the successive age groups between 1987 and 2005. In 1995, the rate in all age groups was significantly lower than in 1987 and 2005.

The rate of single Emirati men in the 30–34 age group was 17.7 per thousand in 1975, declining somewhat gradually from 8.6 in the 35–39 age group to 4.1 in the 65+ age group. As for the evolution of the celibacy rate among Emirati men in the period 1975–2005, the data show a gradual decline during the period between 1975 and 1995 among the six higher age groups (40 years or more). In the 40–44 age group the rate declined from 5.2 in 1975 to 1.1 in 1995, and the same applies for the remaining successive age groups over these same years. In the 30–34 and 35–39 age groups, the rates were 17.7 and 8.6 respectively in 1975, and 16 and 6.6 respectively in 2005. The rate declined further in both groups to 11.2 and 3.3 in 1987 and 12.2 and 4.5 in 1995. It can also be noted that the 2005 celibacy rate increased again for almost all age groups, ranging from 16 in the 30–34 age group to 2.2 in the 65+ age group.

In light of the above, we can say that celibacy rates tend to have risen in Bahrain, Kuwait, and Qatar, while they tended to decline in Oman, Saudi Arabia, and the UAE.

### *1.3.5 Age Disparity in Married Couples*

Age disparity in favor of the husband is considered a prevalent phenomenon on the global level. The husband is usually a few years older than his wife, but the number of years may extend beyond a decade or more, as in societies in which polygamy is prevalent. Otherwise, it may be five years or less, which is the more common length. According to data from 101 countries from between 1993 and 2015 (Wikipedia, n.d.), 28% of these countries saw an average spousal age gap of three years, 25% saw two years, 14% saw four years, 15% saw five years, 6% saw six years, and 7% saw seven years. However, there are marriages with different age gaps where the wife is older than her husband (Al Khalifa, 1994), but this is less widespread than the other type.

In this regard, Casterline and colleagues (1986) conducted a study based on data from the International Fertility Survey of various cultural communities from twenty-nine countries in Eastern Europe, Asia, Africa, and Latin and Central America. The study looked at different patterns of spousal age gaps across communities. They noticed that in most communities marriages in which wives were older than their husbands, or in which husbands were older than their wives by ten years or more, were either rare or seen as undesirable. The first type (older wives) was significantly prevalent in countries in Southeast Asia such as Malaysia, Indonesia, Thailand, and the Philippines, as well as in Latin American countries such as Mexico and Costa Rica. Meanwhile, this type was found to be rare in most African countries, such as Nigeria, Guinea, Kenya, Sudan, and Mauritania. By contrast, the study revealed that the second type (husbands ten-plus years older) was widespread in the abovementioned African countries and rare in Southeast Asia, East Asia, and Central and Latin America.

A few researchers in our Gulf region have addressed the phenomenon, including Sufian (1991) in his study of the social and economic correlations of spousal age gaps in the Eastern Province of Saudi Arabia. The study was based on a cluster sample of the files of Saudi and non-Saudi families registered with healthcare centers in Khobar. With regard to the Saudis sampled, the study found a direct correlation between income and spousal age gaps, as well as an inverse correlation between the gaps in age and level of education between spouses, although the husband's income and level of education were the only two variables that reached a level of statistical significance (0.05 or less). With regard to the sample of non-Saudis, the wife's level of education was the only variable that came out as a statistically significant function (0.001). From these findings, Sufian concluded that compared to Saudi women, Saudi men were largely flexible when it came to their wives' ages, while highly educated non-Saudi women played an active role in choosing the age of their husbands.

Another study on spousal age gaps was conducted by Al Khalifa (1995), who used a stratified multistage sample of 2,732 Saudi families residing in Riyadh. The study found that spousal age gaps increased the older the husband was and decreased the older the wife was. On the other hand, the gap decreased the higher the husband's level of education, but increased the higher the wife's level of education. It also increased the higher the husband's income, but decreased the higher the wife's income. In addition, the age gap increased among nuclear families and those with larger houses, but decreased among homeowners and city-born couples.

To learn the spousal age gap in the Gulf countries, even if only roughly, the two figures below were created to highlight data on the average age at first marriage for both spouses and by nationality.

As for the average age at first marriage among citizens, it is evident that this age gap was generally around three years for most countries and in all years. The only exception was Bahrain, where the average spousal age gap was four years in 2012. In Oman, the average gap was two years in 2010. In Qatar, the average gap was also two years in 2014. In light of this, it can be said that the average spousal age gap in the Gulf falls within the most common pattern globally, i.e., three years.

As for immigrants, it can be noted that the spousal age gap was mostly three years. The only exception was the age gap among immigrants to Qatar, which was two years in 2015. In Bahrain, the gap was also two years in 2010. The average gap was five years in 2011 and four years in 2013.

Notwithstanding the foregoing, the presence of polygamy in GCC countries means there are likely many marriages in which the age gap exceeds five years.

## 1.4 Martial Relations

Marital relations constitute a form of social relations between men and women to satisfy emotional and social needs, or to achieve an economic or educational goal. The more each party works to satisfy the other emotionally and meet his/her family and social needs and expectations, the more harmony the family enjoys. This achieves a high level of marital satisfaction and emotional gratification, as all these interactions continue to support the exchange of emotions, the balance of interests, and the ensuring of justice and equality for both parties, with their interests becoming their rights, and their partners' interests becoming their duties. If one crosses a line or tries to exploit the other, the relationship collapses and harmony is replaced with misunderstanding. And so these interactions expose each spouse in front of the other, showing his/her deficiencies, which allows feelings of frustration to develop gradually, followed by feelings of anger that may escalate later, generating hostility and estrangement towards the other party and making domestic violence between spouses an inevitable reality.

In sociology of the family, there are many concepts depicting these interactions between spouses with their negative and positive aspects. On the positive side, there are concepts of marital happiness, success, and satisfaction, as well as emotional gratification, social harmony, stability, continuity, family cohesion, and similar concepts that reflect multiple—but interrelated—aspects of normal marital life.

On the negative side, other concepts reflect abnormal patterns of marital life, such as disintegration, rift, conflict, violence, tension, and marital differences.

This segment of the chapter focuses on two of these concepts: marital harmony and marital violence, because they largely cover most of the ideas and concepts that embody marital relations, with both their positive and negative sides. In addition, the concept of marital harmony is the most used in previous studies, just as the concept of marital violence is the most used in previous studies to describe and analyze the nature of domestic violence and its various associations.

### *1.4.1 Marital Harmony*

The idea of marital harmony is common to a number of concepts that address the normal conditions of marital life and are therefore used in marriage-related scientific

literature to depict the positive aspects and dimensions of marital life. Due to the importance of the concept, previous studies have dealt with it as an independent variable to learn its role and impact on multiple family issues, including the "impact of marital harmony" on the social upbringing of children, or as a dependent variable to describe family life characterized by marital harmony in order to learn the factors and variables that affect marital harmony.

And due to the popularity of the concept and its various uses and functions, there have been many definitions of it, and various measures to which it has been subjected.

Marital harmony can be defined as relative agreement between husband and wife on the vital issues related to their common life, as well as their participation in joint activities and the exchange of emotions (Al Khouly, 1990, p. 150). It is also defined by the extent of the couple's acceptance of each other and their participation in personal, social, emotional, cultural, and organizational aspects in order to achieve their common goals, continue their marital life, and confront the problems and obstacles they face in their lives (Al Anzi, 2008/1429, p. 25).

Shehata (1992) defined marital harmony as an emotional state that indicates the extent of acceptance of the marital relationship. It is also considered the sum of mutual interactions between the spouses in several aspects, including expressing emotions to each other, showing respect and trust, expressing keenness to carry on with the relationship, and sharing similar values, ideas, and customs, in addition to agreeing on how to raise their children, spend their budget, and keep each other emotionally satisfied.

There are several definitions of marital harmony (see, for example, Khalil, 1999; Al Khouly, 1990; and Al Mazrou'i, 1990). However, they converge in many of the rationales involved in the concept, such as appropriate choice of spouse, mutual acceptance, being prepared for marital life, mutual love, emotional gratification, bearing the responsibilities of marital life, the ability to solve their problems, marital stability, sacrifice and dedication to make each other happy, ensuring the continuity of the marital relationship, consistency in values, ideas, and customs, agreeing on ways to raise the children, cooperation between spouses in performing their roles, feeling happy and satisfied with life, mental comfort, acceptable social behavior, a sense of security for the children, support and assistance from the other party and the family to help facilitate problem-solving, emotional gratification and economic cooperation, meeting the demands and goals of each spouse, the ability to solve problems and help each other, successful communication and mutual love, and so on.

Several methods have emerged to measure marital harmony, based on the multitude of dimensions and diversity of meanings within the concept. These measures involve dozens of segments, each of which reflects one of the target aspects. The following is a brief presentation of a sample of previous studies from a number of GCC countries on marital harmony as a dependent variable, given that many other studies have dealt with marital harmony as an independent variable to explain many family phenomena, such as the impact of marital harmony on children—see Al Sheikh (2004), Mohamed (1998), and Al Thani (1992).

Several university studies have been conducted on marital harmony in Saudi Arabia, including one by Yaghmour (1982) that examined the link between women's work and marital harmony based on variables of the woman's level of education, the number of children, the length of the marriage in years, the husband's level of education, the length of the woman's employment in years, and marital harmony. The study relied on a random sample of couples living in Jeddah. The first group consisted of 260 wives who worked in the public and private sectors, while the second group consisted of these women's husbands (260 men). The study found the highest level of marital harmony in childless couples, where a woman's work did not exceed one year, as well as couples who had been married for less than a year, and couples who had basic elementary-level education.

Another study, which addressed issues of marital compatibility among Saudi families during the first five years of marriage (Al Hanti, 1998/1419), sampled 184 Saudi wives and 221 Saudi husbands in Riyadh. It concluded that the most common problem facing husbands and wives was the "time that spouses spend together": those who had been married for one year or less faced more problems than those who had been married for more than three years, which indicates significant marital problems in the first year of marriage. Other problems included marital roles, communication, finances, and neurotic traits in one or both of the spouses, as well as problems of sexual relations, childcare, and varying cultural, educational, and religious levels between the spouses, in addition to parental interference and jealousy.

Al Aamer (2000) focused on obstacles to compatibility between spouses in light of the cultural challenges facing Muslim families, with the aim of identifying the main obstacles to marital harmony from the husbands' point of view, as well as to explore the differences between husbands and wives in their views of the main obstacles. He sampled thirty-two husbands and wives from the Saudi city of Ha'il, and concluded that the moral aspect has a noticeable effect on marital harmony, and that some of the main obstacles to marital harmony in terms of the moral aspect—according to the viewpoints of husbands and wives—included suspicion of a spouse's behavior, a sharp disparity in the level of commitment between the spouses, a husband's drug addiction, and a husband's perversion.

The financial aspect was not found to have a strong impact on marital harmony, but its problems included wives being too demanding, husbands taking their working wives' salaries, husbands prioritizing work over their wives, husbands being unable to handle financial burdens or being misers, husbands being financially dependent on their families, and financial disparities between spouses.

Meanwhile, the cultural aspect was found to have an impact on marital harmony, according to both husbands and wives in the study. The most important cultural obstacles were the spread of modern media, the wife's low family culture awareness, severe disparities in the spouses' intellectual levels, and the husband's low family culture awareness. The cultural factors that did not represent obstacles to marital harmony, according to the study sample, were mainly illiteracy of either of the spouses or one of them having a higher level of education than the other.

The social aspect was found to have a significant effect on marital harmony, with the strongest social obstacles being the husband's disregard for his wife's feelings,

the husband being too controlling, either of the spouses having an affair, and the husband re-marrying and taking a new wife.

In Kuwait, several studies have examined marital harmony or related aspects of it. Al Balhan and Al Nasser (2007), who looked into "elements of marital happiness as perceived by Kuwaitis," sampled 935 Kuwaiti youths aged between 19 and 33, selected based on a quota sample to ensure representation of Kuwaiti society. They reached a number of results that revealed some essential aspects of social harmony, including the finding that levels of confidence and peace of mind were higher among men living in inland provinces, those who had no children, those who had higher incomes, and those who had been married for less than a year. In addition, levels of acceptance and emotional bonding were found to be higher among men living in inland provinces, and those who had no children and had been married for less than a year.

Al Balhan and Al Nasser (2007) found that sexual harmony was higher among couples with fewer children, the highest incomes, and the shortest duration of marriage. As regards achieving a level of "general marital happiness," the study found that 23% of the sample had achieved it, while expression of the presence of happiness elements was found to be higher among men living in inland provinces, who had no children, and who had higher incomes.

Al Qasha'an (2008) looked into the relationship between religiosity and marital satisfaction in a sample of 2,523 men and women from all around Kuwait, and found that religious couples were more satisfied with their marriages.

In Qatar, Al Hail (1996) studied psychosocial variables related to marital compatibility among Qatari women by sampling 399 wives, including both housewives (199) and married working women (200), and including first, second, and third wives, all of whom had at least one child. A statistically significant link was found between the wife's level of education and aspects of marital harmony in favor of the educated. The study also found a strong correlation between the husband's level of education and socio-economic level, which had a clear effect on marital harmony. In addition, the study emphasized the importance of the emotional, sensual, and moral aspects of marital harmony and relations. The respondents were also found to have concerns about the breakdown of a marriage and the loss of family life, in addition to the subsequent severe damage to children and social stigma.

Al Thani's study on "connections between perceptions of family environment and some personality traits" (1992) was based on a sample of 300 female students in their final year of secondary school in Qatar, aged between 14 and 26 years. It found that the personality traits of individual respondents varied according to their family environment with its different variables (family relations, interest in the individual's personal growth, organization, and discipline).

In Oman, Al Hana'iyah (2013) looked into factors contributing to poor marital compatibility as perceived by reconciliation committees and some of their clients in Muscat. Her study was based on two samples:

**First**: A small sample of reconciliation committee clients: 15 families comprised of 30 husbands and wives.

**Second**: A sample of members of the reconciliation committees: 12 members who were in contact with the families seeking their services.

The study showed that according to reconciliation committee members, the order of factors contributing to marital disharmony was as follows: personal; emotional; organizational; and sexual. Meanwhile, according to couples seeking the services of reconciliation committees the order came out as follows: emotional; organizational; personal; and sexual.

The study revealed fundamental differences in perceptions of marital disharmony between the two samples in terms of sexual and personal factors. The study did not find any fundamental differences among the committee clients in terms of the variables of wives' work, level of education, kinship degree, country of origin, number of children, age at marriage, or spousal age gap. Meanwhile, there were fundamental differences among the committee clients in terms of the qualitative variable and in terms of the length of the marriage in favor of those who had been married for five years or longer.

Al Jahouri (2008) examined marital compatibility among health and education workers in Oman by sampling 492 people, including 152 working husbands and 340 working wives. He found that the variables of the partner's level of education and the way they met each other affected marital harmony, and the effect was attributed to the selection made by parents and acquaintances. He did not find any statistically significant differences in terms of the spouse's age, the partner's age, the number of children, the family's residence, or the kinship degree between the two partners. Meanwhile, there were statistically significant differences in terms of the field of work.

Meanwhile Albeely and Al Mahrazi (2008) looked into the dimensions and elements of family cohesion in Oman. They sampled 5,048 participants (parents, offspring, and grandparents) and found a high degree of family cohesion in Omani families. The elements of the marital relationship were respect, gratitude, stability, participation, cooperation, communication, compassion, and intellectual compatibility. Their study also showed that the degree of family cohesion did not vary based on educational level, place of work, or place of residence but it did vary according to monthly income, number of children, and state of health. Family cohesion was also found to be higher in families with a higher level of education.

Al Ma'wali's 2009 study on marital harmony and its links to some marriage variables in the Al Batinah South region in Oman, which sampled 60 husbands and wives, found a negative correlation between marital harmony and both age and gender, as well as a positive correlation between marital harmony and educational and economic levels.

Meanwhile, Al Fahdi (2010) based her qualitative study on marital compatibility among Omani families on an intentional sample of 21 husbands and wives who were not newly married but were of different ages and jobs in the Omani cities of Muscat and Nizwa. The study demonstrated the importance of dialogue between spouses, and the need for both spouses to know methods of good conversation and how to communicate with each other. It also found that economic conditions had a

clear effect on marital harmony, spousal age gaps had a negative effect, and strong relations between spouses and their relatives had a positive effect.

In light of the above, it can be said that Gulf studies on the issue of marital harmony between spouses have identified a set of factors that positively affect social harmony, as well as factors that negatively affect marital harmony. Studies found better harmony among couples who had been married for less than a year and had no children, and where the woman had been working for less than a year. Harmony was also found among families in which the spouses shared the same background, as well as those who met through friends or by personal choice or through family, in addition to families in which both spouses were emotionally mature, as well as having social and emotional support from their families. Moreover, harmony was found among religious families and families who were compatible in terms of social and cultural traditions. Similar levels of education were also a factor, leading to higher economic levels and greater respect from the husband towards his wife.

The factors impeding and weakening marital harmony, according to Gulf studies on the subject, included a low degree of religiosity and traditional cultural background in the husband, a large spousal age gap, a sharp disparity in the spouses' levels of moral commitment, a husband's addiction to drugs, a husband's perversion, a high number of children, a demanding wife, the husband taking his working wife's salary, the husband prioritizing work over his wife, a husband's inability to bear financial burdens, the husband being a miser, financial disparity between the spouses, the husband being financially dependent on his family, the spread of modern media, the wife's low family awareness, severe disparity in the spouses' intellectual levels, the husband's low family/cultural awareness, the husband's disregard for his wife's feelings, the husband being too controlling, either of the spouses having an affair, the husband re-marrying and taking a new wife, and the spouses being suspicious of each other's behavior.

### *1.4.2 Family Disputes and Domestic Violence*

Family authority was powerful during the pre-development and socio-economic change era, due to the fundamental religious and cultural characteristics of GCC countries. A family controlled its members, modified their behavior, and inclined them towards cooperation and solidarity in their relations, which reduced family conflict and disputes with relatives, whether within or outside the home.

Once urbanization and modernization had changed the social structure during the era of change in the region, disparities and differences in profession, wealth, and lifestyle arose among family members, weakening family authority and generating a tendency towards individual independence. As a result, individuals had their own demands, separately from the family. They began to direct their own personal and family future and organize their relationships based on their own personal will, inclinations, and outlook on life. In addition, individuals began to have an outlook on others and on their future different from that of their relatives, and to chart their

paths according to their own direct personal interests. These factors allowed for different views on various issues, which largely contributed to the emergence of family disputes that could amount to estrangement, rejection of collective stances, or resorting to the family and personal matters courts that began to appear during this period in all GCC countries—not to mention the fact that some of these disputes could escalate to violent encounters where one spouse ended up killing the other.

Disputes and disagreements with parents were rare in the traditional, pre-oil era in the Gulf because fathers had absolute, complete, and unquestionable authority in their families: they made the decisions and resolved matters decisively; others had to accept their actions and not object to their views. During the era of change in the Gulf, on the other hand, individualism emerged, which meant people no longer had to abide by the instructions dictated by their fathers, and they no longer cared to consult their fathers on many issues, leading to an increase in disputes and conflicts between them. Disputes between siblings were also rare in the pre-oil era, as people were subject to family authority. When this family authority diminished in the era of change, friction increased between brothers, often due to their wives' behavior, and particularly with sisters over financial matters and inheritance. On the other hand, it was found that conflict and disagreement with paternal uncles occurred less often in the stability era, because uncles had the same social role in the family as fathers, and so the behavior of individuals towards their uncles did not differ much from their behavior towards their fathers. And when individuals left their family residences during the era of change, the uncle's social role declined, making the individual's relationship with his uncle superficial. Individuals no longer needed to consult their uncles and interact with them in public life as they had done previously done, which reduced conflict between them. As for conflict and disputes with maternal uncles, they were a rare occurrence in the stability era, as individuals rarely interacted with them since they did not live in the father's residence. However, in the era of change, when individuals left the family residence, they had more interactions with their maternal uncles, which in turn led to more disputes (Al Saif, 1990, pp. 270–280).

Social studies have also revealed that some social habits may have caused family disputes. It was found that the severity of family disputes was higher over issues relating to the marriage of sons/daughters, such as how it would be celebrated, and lack of support and financial backing when a relative got married. Disputes also occurred over death-related matters, especially with paternal uncles if they did not come to the house to offer condolences, for example, or they were late, or did not hold a funeral banquet. The severity of family disputes was also found to be higher over issues of shared housing (as in a wife living with her husband's family). Social theories have explained family disputes from various angles. For example, constructive functional interpretation is based on the culture of the society and the high regard for the elderly in family relations, whereas the symbolic interactionist theory envisages that traditional social relations change and weaken due to symbolic interaction, which generates new concepts that did not exist previously, allowing the emergence of new patterns of relationships.

The rising social status of women due to modernization, education, and work outside the household has made their roles overlap with men's roles in the family

setting, opening the door to new patterns of disputes and disparities. Meanwhile, conflict theory looks at the emergence and occurrence of family disputes as a result of conflicting material interests among family members. Perhaps the best examples of this are disputes arising over the working woman's income, whether they occur between the working wife and her husband or between the husband and the wife's family (Al Saqri, 2017/1439).

It seems that disagreements with wives are one of the major types of family dispute to have grown during the post-oil era, so much so that they have reached the state's official courts. In the pre-oil era, disputes with wives rarely occurred, because a wife's behavior towards her husband was governed by family traditions. A wife had to serve, respect, and obey her husband and not respond to insults, meaning she had to accept his treatment of her without any objection. For many household matters, a wife's main point of reference was usually her husband's mother, which reduced interaction—and therefore disputes—between husband and wife. In the era of change, when housing arrangements for couples changed as they moved from the family residence to their own independent house, interaction between spouses became direct, and the overlap in responsibilities and roles became clearer, often leading to arguments, especially when people began to shift from consanguineous to exogenous marriages. In the first type of marriage, wives were more capable of adapting to the socio-economic conditions of their husbands and their families. In the second type, in the post-oil era, wives began to seek individual independence with their husbands, away from the socio-economic conditions of the husband's family. Thus women no longer played the role of the obedient wife with their husbands and their husbands' parents, which resulted in more disputes and disagreement between spouses.

In this context, official statistics for GCC societies show that some family disputes have made it to court. According to GCC-STAT (2015), the marriage rate in 2015 was 12% higher than in 2010 but, in contrast, the number of divorce cases in the GCC reached around 51,200 in 2015, compared to 51,400 in 2012 and 34,400 in 2005, meaning that GCC countries saw one in five marriages end in divorce in 2012.

Table 1.11 shows the number of divorce certificates issued for citizens in the six GCC countries from 2010 to 2015.

To resolve the increasing number of family disputes year after year, GCC countries have issued personal status laws and established specialized family courts. This includes the UAE's Personal Status Law of 2005, which regulates engagement and marriage and subsequent divorce and separation. It also regulates child custody, paternity, legal competence, and wills, including inheritance.

Qatar established a family court in 2006, and the law gave it specific jurisdiction to look into all cases and disputes related to inheritance and family issues, including divorce, alimony, custody of children, and payments, whether to wives, children, or relatives. The main objective was to bring all family matters under one court, in order to ensure speedy justice and prevent any party to the conflict from adding to the suffering of another by filing several cases in separate courts to prolong the issue and waste money and effort.

**Table 1.11** Divorce certificates for GCC citizens

| | Year | | | | | |
|---|---|---|---|---|---|---|
| | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 |
| GCC total | 39,819 | 44,505 | 44,667 | 47,292 | 55,936 | |
| UAE | 2,488 | 2,508 | 2,351 | 2,443 | 2,778 | 2,650 |
| Bahrain | 1,403 | 1,236 | 1,458 | 1,627 | 1,555 | 1,514 |
| Saudi Arabia | 27,992 | 31,812 | 31,736 | 33,832 | 41,910 | |
| Oman | 2,604 | 3,660 | 3,421 | 3,409 | 3,502 | 3,443 |
| Qatar | 820 | 745 | 835 | 816 | 803 | 807 |
| Kuwait | 4,512 | 4,535 | 4,866 | 5,165 | 5,388 | 5,305 |

*Source* GCC-STAT (n.d.)

In Oman, family matters are subject to the provisions of the Sharia-based Personal Status Law (promulgated by Royal Decree No. 32 of 1997), which regulates the different rights and responsibilities of both men and women. Article 282 of the law states that "non-Muslims apply their own personal status provisions unless they request the application of the provisions of this law."

In Bahrain, the Director of the Courts Department at the Ministry of Justice, Islamic Affairs and Endowments announced that family courts at all levels would begin to look into Sharia cases as of 10 September 2017 (Akhbar Al Khaleej, 2017).

In Saudi Arabia, personal status courts were established in 2007/1428 to look into cases of marital disputes, divorce, disobedience, the *khul'* form of divorce, custody of children, alimony, visitation rights, violence, inheritance, and many other cases related to families and women. Kuwait also issued Law No. 12 of 2015 to establish a family court.

The promulgation of these laws in all GCC countries between 1997 and 2017 clearly indicates the emergence of many marriage-related social issues that needed to be resolved and limited by law.

Many Gulf studies have been carried out to diagnose these issues in terms of their nature and causes. Al Juhani (2005) found that the most common marital disputes in Saudi Arabia were those related to spousal treatment, absence of the husband, staying out late, a bad relationship between the families of the spouses, family interference, the wife having a bad relationship with the husband's family, not wanting to live with the husband's family, emotional indifference between spouses, the husband's consumption of alcohol or intoxicants, the husband's mood swings and temper, and his failure to support the family.

Most of these causes were confirmed by another field study, conducted by Al Maliki (2001), who sampled 310 divorced women in the UAE. He found that the reasons for divorce included the husband's moral perversion and consumption of alcohol and drugs, as well as unsatisfactory marital relations and parental interference.

A third study (Khider, 2012) came to the same results on the causes of divorce in Kuwaiti society from the point of view of divorced women, including the husband's lack of responsibility, abuse and corruption, family interference, and the lack of housing.

In another study on divorce, sampling 175 divorce experiences in Qatar, Al Ghanem (2003, p. 210) found that reasons for divorce included incompatibility or lack of understanding, ongoing disputes, family interference, poor spousal treatment, inability to cover family expenses, lack of responsibility, and the wife's wish for independent housing.

Al Rashid (2017) also confirmed that marital imbalance in Kuwait was caused by psychological, social, and economic factors, such as marital communication methods, different levels of ambition and personality, lack of flexibility, difficulty controlling anger, lack of interest in each other, and partner embarrassment.

Other Gulf studies have examined issues related to the repercussions of divorce and family disputes. Shehata et al. (2016) pointed out the issues that divorcees and their children suffer from, including physical and health problems such as hypertension and digestive issues, as well as psychological problems such as depression, fear of re-marrying, and a sense of failure and frustration, along with economic problems and tension in social relations.

## 1.5 Work and Marriage

Work is considered to be a social phenomenon that has been associated with humans for as long as they have existed and has since intersected with many of the surrounding human phenomena. Survival and remaining active required humans to work hard in order to fulfill their sensual and social needs. In addition, humans' output from work is what shaped their social status and identified many of their social and class-based relationships with those around them.

And perhaps one of these is marriage. Gulf men, especially during the era of development and change in contemporary Gulf societies, have not usually sought marriage until they have secured a livelihood through work, they being primarily responsible for covering the dowry and supporting their wives, along with all the associated expenses. Women's participation in work was expected as part of traditional life in the region. Productivity in rural societies was determined by the division of traditional labor assigned to each person based on their age and gender. Women worked within the homogeneous traditional context of rural communities, in which everyone knew each other.

As urbanization expanded and populations moved from rural areas to urban communities following efforts to achieve comprehensive development in the GCC, each country experienced significant mobility and merging between different social segments and areas within the six countries. People no longer knew each member of their community, and work became mostly limited to men, while large segments of women stayed at home as housewives. As educational opportunities opened up across

GCC states, women were gradually able to engage in work outside their homes, with rates increasing at the present time to levels unprecedented for the GCC. Women's engagement in new jobs has become more noticeable by the day, going beyond typical women's work in education and health to also include the security and military sectors. Gulf countries' governments have pushed for these radical changes to reduce the risks of dependence on foreign labor and to invest in local human resources and potential.

While women's work within the framework of traditional Gulf life did not cause any trouble or additional burdens on married Gulf women, as all members of their extended families contributed equally to productivity and household chores based on their age and gender, this changed completely later on. With urban expansion, the extended family turned into a nuclear one, mostly limited to a husband, wife, and their minor children. This left married women to bear all the household burdens, in addition to their work outside the home. It also meant that married Gulf women working outside the home faced myriad challenges that reflected on many considerations related to marriage, stability, and marital harmony.

Below is a brief review of social studies in the six Gulf countries that have tackled different aspects of the work phenomenon in relation to marriage.

First of all, it is worth mentioning that these studies addressed specific issues in married women's relationship with work. One focused on evaluating the factors that motivate women to work and the reality of the female workforce within the overall national workforce. A second highlighted the problems and challenges resulting from married women's labor, and a third focused on the role of work in empowering married women and raising their social status.

Al Zhufairi (1996) focused on the reality and motives behind women's work in Kuwait and found that these motives were not all economic, as in some other societies. He showed that other motives, in addition to the financial aspect, included self-fulfillment, securing the future, achieving personal goals, and psychological motives such as proving their ability to produce and work, all of which are real incentives for women to work outside the home. His study also showed the openness and acceptance within Kuwaiti society of women's work outside the home, allowing them the freedom to choose their specialization and the type of work that suits them. This freedom, however, remains restricted by conditions including avoiding work associated with men, as Kuwaiti women have no desire to engage in men's professions and trades, such as mechanics or electricians, and they tend to take jobs that do not require contact with men.

Despite the general agreement that responsibility for the family is shared between men and women, there is a general and almost unanimous agreement on the roles of men and women in the home, as in all other traditional societies. Al Zhufairi's study confirmed that hiring maids/ servants plays a clear role in encouraging women to work and facilitating their family lives. The absence of servants/maids, however, does not stop many from carrying out their work, which provides them with faith in the future, self-confidence, and financial independence.

A study by Al Falassi (2001) on the status of Emirati women working in the Ministry of Labor and Social Affairs found that Emirati women constituted 36.6%

of employees at the ministry. This rate rose with the rise of female graduates. It also found that the women:men employment ratio had stood at 167:64 in the past five years, that Emirati working women's contribution increased from 3.4% in 1980 to 13% in 1995, and that the proportion of female employees at the ministry rose to nearly 40% in 1998. Women's interest in working at the ministry is due to criteria consistent with their tendencies, including the office work pattern, the limited working hours, and a preference for government work over other sectors, in addition to the limited relationships within a confined geographical and institutional framework. The study underscored the limited number of women in leadership positions, with only one woman for every seven men, or a ratio of 12.5–87.5%. In administrative managerial positions, there was only one woman for every 24 men, or 4–96%. The study also highlighted factors affecting female workers at the ministry, including customs, traditions, values, and avoiding interaction with men, in addition to men's view of working women and their blocking of all openings that might make women demand work, as well as the impact of the geographical factor, according to which women working away from their families is considered unacceptable.

A study by the Supreme Council for Women in Bahrain (2014) addressing the reality of Bahraini women in the media sampled 62 Bahraini women working in public and private media organizations in Bahrain, both foreign and Arabic, including press, TV, broadcasting, public relations, and advertising agencies. Broken down by marital status, the sample came out as follows: 46% married, 42% single, 37% married with children, and 60% without children. In terms of the nature of their work, the study showed that 37% of Bahraini women in the media held leadership positions within their organizations, while 55% of the respondents faced difficulties in their media work, most notably long working hours.

A study by the Arab Women Organization in cooperation with the Supreme Council for Women (2013) on the reality of the workforce in government organizations in Bahrain found that women made up 47.8% of public sector employees in 2011, compared to 52% men, which constitutes a high rate compared to other GCC countries.

A study on the problems faced by working women in Kuwaiti society (Al Wasat, 2015a, 2015b) found that around 87% of women work one shift until 2 pm, while 9% work one shift until 4 pm, and 3% take on a double shift. This means that women largely prefer one shift ending at 2 pm in order to have time for family obligations (if married) or to enjoy their social life (if single). The study indicated that women's representation varied according to job category. For example, the rate of women in the 'officer' category was 84%, compared to 64% for men. Meanwhile, 13% of women worked as 'head of department' or 'supervisor', and only 1% as 'administrative manager' and above. The study attributed the high rates of women in lower job categories to their social status and prioritizing their families, which affected their work and promotion prospects.

The study found that with regard to working women bearing responsibility, 80% of women noted that working women's capabilities and ability to bear responsibility and hold public positions were ignored, and 72% of men agreed. It also indicated that 65% of husbands were understanding of their wives' working and helped them with

managing household tasks and raising the children. Forty-nine percent of women agreed with this, giving an overall rate of 52%, whereas 17% of men and 12% of women disagreed, for an overall rate of 14%, which shows that husbands were understanding of their wives' work circumstances.

A survey on women's work in the UAE (Family Development Centers, 2016) asked respondents what they thought about the state's support for working women through its laws on maternity leave, and how fair it was in its support of women. It found that 46% thought these laws effective, as they provided sufficient support to working women, and considered the existing labor laws in place as fair, while 54% of respondents thought the laws to be weak and unfair to working women.

In terms of the second issue addressed by studies on married women's work, namely, the problems and challenges arising from it, several Gulf studies have revealed a host of negative aspects. Al Rashidi (2006), who examined positive and negative aspects of women's work, concluded that women's work was marred by drawbacks resulting from their inability to balance work and household demands due to poor planning and for personal reasons.

In terms of marital relations, the changing status of working women, their feeling of independence, having the freedom of choice, and their liberation from family and social constraints, have given rise to a sense of self-reliance and desire for control, which can harm marital relationships and therefore become a source of rifts on the women's side. This can result in men developing feelings of jealousy of their wives doing well and succeeding at work, which is evident in the high level of marital disputes of different forms, including psychological divorce. This is where the two spouses live in the same house but have no intimacy, yet their fighting increases, turning their marriage into an empty shell and a formal relationship that only continues due to the pressure of norms and the spouses' fear for their reputation and social status. Rising divorce rates across Arab societies are thus a clear indicator of disturbed family and marital relations, and serve as a warning of grave consequences for family and community stability, as divorce has a negative ripple effect in relation to the upbringing and future of the children. Working women's neglect of their husbands and being occupied for long hours at work followed by exhaustion at home, as well as their need to rest during this free time and inability to communicate with their husbands, all lead to creating a distance between the two, which negatively affects their mental state. Al Rashidi (2006, p. 7) points to the results of a study conducted on working married women, who reported a number of these negative effects. Eighty-four percent of respondents said "My absence upsets my husband when he is at home"; 42% said "My husband loses his temper when I talk about my work problems"; 23% said "My husband feels hurt when I leave him alone during severe illness"; 22% said "My husband worries when I postpone having another child"; 12% said "I get on my husband's nerves when I want to have a say in important family matters"; and 9% said "My husband gets angry when I ask for his help with household tasks like cooking, washing the dishes, and doing laundry."

To study the social obstacles facing women working in the health sector, Al Zahrani (2010/1432) sampled 400 female hospital workers in both the public and private sectors in Jeddah, Saudi Arabia. Her findings showed that children's needs

affect working women's performance, and that hospital work doubles their roles in hospital and at home. It also showed that contact with men at hospitals and during nightshifts constitutes a difficulty for female workers. A large number of the respondents complained that they faced harassment from male coworkers. They also blamed the stigma associated with female healthcare workers on the belief that their work does not conform with the moral values of Saudi society.

Regarding job satisfaction among female hospital workers, it was found that creating shift schedules based on their personal and social circumstances was one of the factors contributing to their satisfaction, whereas the night shift system forced them to give up their work at the hospital. In addition, lack of involvement in decision-making affected female workers' job satisfaction.

A study on the problems faced by working women in Kuwaiti society (Al Wasat, 2015a, 2015b) found that 63% of female employees face unease, harassment, and implicit or explicit verbal sexual harassment. The study warned against the negative impact on their marriages and raising their children, especially with regard to financial disagreements between working women and their husbands.

It found that 44% of men and 17% of women said women were constantly subjected to harassment, while 26% of men and 48% of women thought there was active harassment of working women, bringing the total of those who thought harassment occurred to 74% of men and 52% of women, for an overall total of 63%. The results also revealed key differences between men and women's opinions on the extent of harassment that women are subjected to, attributing this to women being ashamed to mention the harassment they experience; even if what is said does not refer to them specifically, they either forget it or ignore it and do not bring it up with other female colleagues, whereas men usually speak about what they notice or hear with their colleagues.

In terms of working women's financial relationship with their husbands, the study concluded that around 48% of men and 33% of women believed it had a negative impact on their marital lives. Meanwhile, 43% of women and roughly 30% of men thought women's work and salaries had no effect on their relationships, which means that 53% thought that women's work had a negative impact on marital harmony, while 49% thought it had no impact at all.

As for children, 54% of men believed women's work negatively impacted child-rearing, while 27% of women denied this, given that men linked it to other factors, notably the availability of maids/servants. Other surveys have shown that women's work raises the negative impact of maids by 93% for men and 82% for women, with an average of 87%.

The study also showed that 92% of men thought women did not contribute to the family's financial burdens, while 8% of men thought women contributed by 25% or less. Meanwhile, 84% of women said they contributed to financial burdens in good faith and at their own initiative, and a further 16% of women admitted to contributing at the husband's request. The study suggested several reasons for the differences between men and women in terms of financial contributions, including men's shame over such contributions and having different understandings of family financial burdens. Women see these burdens as including their personal expenses,

which should be covered by their husbands, but men see these personal expenses as having nothing to do with family burdens.

In a study on women's work in the UAE (Family Development Centers, 2016) 47% of respondents said women's absence from the home due to work was among the reasons for family problems, while 46% considered women's work essential at the present time. In addition, 52% stated that women's work affected their care, duties, and role in the family, while 40% thought women's work had a negative effect on their familial duties. Meanwhile, 8% said women's work did no harm and did not affect their main familial duties; 47% said women's absence was among the reasons for family problems; and 37% said their absence from the home was the main reason for familial problems.

The third area of study focused on the advantages of married women's work, and its role in empowering them and raising and strengthening their social status. Abdelfattah (1990) sought to identify the level of job satisfaction depending on psychological needs, as well as the link between psychological needs and teaching job satisfaction among women working in Dubai's elementary schools. Her study found differences between married and unmarried teachers in terms of their personal and social satisfaction, which was greater among experienced married teachers. There were also differences in terms of psychological needs related to submission, order, reviews, autonomy, control, self-blame, and empathy, which were also greater among experienced married teachers.

Al Otaibi (1993/1414) attempted to identify the familial and social impact of work outside the home by educated married women with children on marital relations and child-raising. She sampled 365 educated working and non-working mothers, and found no difference in the performance of the two groups in any aspect related to participating with husbands in decision-making. Her study also showed that women working away from home had neither a negative nor a positive impact on their marriages or understanding of each other's burdens or participation in housework. Regarding the impact of women's work on childcare and nutrition, the study found no difference between the performance of educated working and non-working women and that both were inclined to bottle feed their babies. It also found that working women spent less time with their children due to the nature of their work than non-working women.

As for the impact of women's work on the social upbringing of their children, the results showed that women's work contributed to their reliance on maids to raise the children. The study also found that working women were more likely to guide and direct when addressing children's mistakes. As for the impact of their work on their view of pregnancy, the results showed that their work had a negative impact on the size of the family and a positive impact on the use of contraceptives.

Al Souyan (2000/1421) conducted a comparative study on the impact of wives' work on their participation in family decision-making, sampling 385 working and non-working wives from Riyadh with various levels of education. The study revealed the active impact of the wife's age variable on her participation in decision-making on some family-related issues, like deciding the number of children and seeking the wife's approval when making certain purchases, meaning that the older the wife, the

more the husband consults her, which reflects the wife's increasing experience and maturity with age.

The study also showed a correlation between the wives' education and their husbands' approval of their work outside the home. However, there was no correlation between the wives' educational level and their participation in family decisions relating to the children's education, upbringing, and naming. A link was found between the nature of the wives' work and their husbands' keenness to consult them and approval of their work outside the home. Meanwhile, there was no link between the nature of the wives' work and their stance if their husbands did not consult them. In addition, the study noted the role of the wives' work conditions in increasing understanding between spouses. There was no statistical evidence of a connection between the variable of wives' work conditions and their husbands' consulting them. The study revealed that spouses make decisions together regardless of the length of their marriage. It also found a statistically significant correlation between the length of the marriage in years and husbands' acceptance of their wives' taking the initiative to establish social relations with other families. There was also a statistical correlation between the number of children and husbands' consulting their wives when making certain purchases. The study found no link between wives' participation in family decision-making and a number of other variables, including the wives' work, their employment level, their family status, and their husbands' economic and social status.

Al Rashidi's study (2006) on the positive and negative aspects of women's work found advantages that included increasing nationwide economic development and benefiting from experienced and educated women, in addition to "Saudizing" female jobs. Women's work fills their free time, especially with the availability of new technology that helps save time and effort on household chores. Work also gives women a sense of value to the community as they become an active pillar in the country's development. The study found a host of other advantages and disadvantages related to women's work, including raising the family's income, increasing the level of their welfare, and plugging income gaps for many families. In addition, women's work added to the family's economic power, enabling them to achieve a better life.

Al Sulaimi (2008), who sampled 400 working, married Saudi women, found a link between a family's socio-economic variables and the economic role of working women and marital harmony. She also found statistical differences in the economic role of working women in terms of some socio-economic family variables. However, there were no statistical differences in marital harmony between working women who contributed and did not contribute to household expenses.

Al Aan and Al Zhafri (2012) showed that Omani working women have fulfilled their psychological and social needs. They found that the women's most fulfilled human need was self-acceptance, while the least fulfilled was mental security. They showed that family needs were the most fulfilled, and social responsibility the least. Moreover, their results indicated differences in psychological needs based on the total salary of the working woman. It was also found that the level of fulfillment among women working in the public sector was higher than it was among women working in the private sector. Meanwhile, levels of need were not affected by other

variables like age, experience, number of children, or educational qualifications. The authors concluded their study with a number of recommendations and suggestions that fed into meeting working women's needs, contributing to their development, and tapping their abilities.

These studies generally confirm that women's work has strengthened their social status and power to an extent that led to them being involved in making family decisions with their husbands, meaning that husbands' decisions are no longer unilateral. They also generally show the ability of working Gulf women to contribute to the workforce while largely avoiding any negative impact on their families.

Studies on the work of married women in the Gulf have made several recommendations and offered strategic views targeting the difficulties they face that limit their engagement in the labor market. There is no doubt that addressing these difficulties would lead to increased participation by Gulf women in the workforce, which will—in the medium and long run—help lessen and alleviate the near-total dependence on non-national workers, both male and female. Among these studies is that of Al Rashidi (2006), which confirmed that overcoming the problems related to women's work will require extensive, diligent effort and the participation of several parties in the community. It will also center on developing women's personality and the concept of work. In addition, it will require work to change stereotypes about the roles of women and men in family life, as well as the drafting of new laws on women's work that take into consideration their family responsibilities.

All of this would contribute to creating a positive atmosphere for dealing with the negative aspects associated with women's work, including:

1. Female employees should be allowed to start work slightly later than official working hours in all government departments, even if only by one hour, so that their guardians can drive them to work.
2. Proper means of transportation, such as metro stations, should be established.
3. Female employees should work fewer hours so that their work day ends before men's and they can return home and finish their household tasks.
4. Women should not be assigned night shifts.
5. Maternity leave should be extended to three months and women should be granted breastfeeding breaks after their return to work in order to properly nourish and raise their children; nurseries should also be established at the workplace.
6. Young women in universities should be educated about the importance and goals of their work, besides the material gains.
7. Ministries of labor and social affairs should contribute to increasing women's charities to achieve social and economic development.
8. The hierarchical structure of female employment should be amended by creating jobs with shorter hours and allowing greater flexibility for attendance and absence, in addition to part-time and full-time employment.
9. If women are seeking work and income to help their husbands with family expenses, it is recommended that husbands receive salary increases so as not to need their wives to work; there should also be a salary increase based on the number of children.

Al Sulaimi (2008) made a set of recommendations on the importance of preparing women for marriage and for the labor market. The most notable was to design compulsory guidance programs for young brides-to-be to help them learn the importance of managing their future families' financial income, and ways to deal with husbands and achieve marital happiness. Training programs should also be held for working wives to learn the effect of their economic role on marital happiness and harmony. Al Sulaimi also suggested producing TV programs aimed at creating general awareness among working wives about the importance of their economic role and its impact.

The study by Bahrain's Supreme Council for Women (2014) also concluded with a set of recommendations on providing mothers working in the media with a suitable working environment and hours that suit the specific nature of women who respect their family commitments as mothers. These included not having them work late at night or being placed on a shift-based system, in order to enable them to carry out their various tasks and duties to the best of their abilities.

The study by the Arab Women Organization in cooperation with the Supreme Council for Women (2013), on the reality of the workforce in government institutions in Bahrain, also concluded with a set of recommendations seeking to find a qualitative balance in fair government appointments to select national competencies among men and women, as well as to bridge the gap within ministries and institutions where there is a clear workforce imbalance. Its recommendations included finding fair systems and methods to allow career progression for men and women based on their qualifications and experience, as well as encouraging women to continue to work and providing them with support to balance their family and job duties.

The study on problems faced by working women in Kuwaiti society (Al Wasat, 2015a, 2015b) focused on overcoming difficulties arising from married women's work, such as extending the period of childcare to four years, facilitating unrestricted family care leave for working women, allowing them to enjoy a partial salary, amending working hours for wives and mothers and replacing them with either set hours per day or full workdays three times a week, building childcare centers for preschool children near workplaces, and extending leave for married working women who have children.

The Family Development Centers study (2016) on women's work in the UAE emphasized, in its recommendations, the importance of establishing nurseries in all government institutions, lowering the retirement age for women, amending maternity leave to serve working women, amending retirement laws to allow women to carry out their principal duties of caring for their children until they reach school age, and reducing dependence on maids and the consequent negative impact on children and families in general.

## 1.6 Migration and Marriage

Migration is considered one of the demographic processes (fertility, mortality, and migration) with the deepest impact on the population in all six Gulf countries. In terms of volumetric impact, the rate of immigrants to GCC countries ranged between 29% (Oman) and 89% (UAE) in 2010 (Table 1.12). The rate of immigrants to Gulf countries has continued to be substantial: in 2016, the rate ranged between 37% (Saudi Arabia) and 70% (Kuwait). Some sources indicate that the rate of immigrants in Qatar and the UAE currently stands at approximately 80% of the total population (Ana Hawa', n.d.).

Immigrants in the GCC continue to constitute a demographically, socially, and economically distinct segment from the indigenous population of the six countries. Analysis and comparisons between citizens and immigrants in terms of demographic issues and socio-economic indicators reveal a wide range of differentiation between the two groups.

Perhaps the most important issue in this context is that the presence of such large numbers of immigrants has provided an opportunity for social mergers through marriage between citizens and immigrants. As we noted earlier in this chapter, this has resulted in the passing of a number of statutes and laws to regulate such marriages in all Gulf countries.

The impact of international migration to GCC countries is not limited to what has happened during the past six decades. In the pre-oil and development era beginning from the 1960s, Gulf peoples mixed with others in neighboring countries through the migration of people seeking a livelihood from the east (India and Southeast Asia), north (Iran, Iraq, and the Levant), and west (Egypt, North Africa, and the Horn of Africa). In addition, there were *hajj* and *umrah* pilgrimage groups that flocked to Mecca and Madina from all corners of the Islamic world over the centuries. This affected the cultural, demographic, and urban blending of these two cities as they embraced immigrants from Muslim countries who settled there and never returned home after performing their pilgrimages. Thus these segments became a large part of the population and urban scene in Mecca and Medina (Al Khalifa, 1989/1410).

**Table 1.12** Rate of immigrants to GCC countries as percentage of total population, 2010–2016

| Country | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 |
|---|---|---|---|---|---|---|---|
| UAE | 89 | – | – | – | – | – | – |
| Bahrain | 54 | 51 | 50 | 51 | 52 | 53 | 53 |
| Saudi Arabia | 31 | 32 | 32 | 32 | 33 | 36 | 37 |
| Oman | 29 | 39 | 42 | 44 | 43 | 44 | 45 |
| Qatar | – | – | – | – | – | – | – |
| Kuwait | 64 | 65 | 65 | 66 | 68 | 69 | 70 |

*Source* GCC-STAT

Internal migration has also been ongoing in the six Gulf countries, especially since the 1960s. The implementation of comprehensive development projects in the GCC resulted in rural-urban migration, with the population moving to promising urban centers to improve their economic and social conditions. This, perhaps, is what distinguishes these trends from the internal migration patterns experienced by the peoples of the region prior to the era of comprehensive development, when tribes would move from one territory to another, for either environmental or economic reasons (Ibn Bishr, 1982), as in the migration of Arab tribes from central and northern Najd to Iraq due to famines and droughts that hit the area in the past century, or as a result of occasional tribal conflicts that forced some tribes to relocate.

Either way, internal migration from villages to cities contributed to social blending with the urban dwellers, and it became possible for people to marry outside of their group or tribe. This led to a shift from consanguineous marriages to exogenous marriages, allowing city residents to marry outside their family circle or tribe. On the other hand, this shift also contributed to the rise in divorce rates. While endogenous marriage was associated with rare divorces in the pre-oil era, exogenous marriage resulted in unprecedented rates of divorce, and customs and traditions such as reserving a cousin for marriage no longer played any role in family cohesion and protection.

Marriages between citizens and immigrants constitute one of the phenomena most associated with the effect of migration on marriage. To identify the reality of marriage between citizens and immigrants, we look into the rates of this type of marriage in the Gulf per thousand people during the period between 2001 and 2016. The rate of these marriages has been calculated based on marriage contracts in which one of the spouses is a citizen and the other is an immigrant. It is found that the rate of these marriages is declining, and has ranged between 0.05 per thousand people in Saudi Arabia in 2016 to 1.16 in Kuwait in 2009. The substantial differences between GCC countries by year: Kuwait is ahead of all other GCC countries in terms of the high rate of marriage between citizens and immigrants in all years, except for 2001, when Bahrain topped the list with a rate of 1.05, compared to 0.84 in Kuwait. It can also be noted that the rate peaked in Kuwait in 2009, reaching 1.16 per thousand people, before dropping gradually to reach 0.81 in 2015.

Qatar ranked third in terms of the highest rate between 2001 and 2009, reaching 0.39 and 0.27 per thousand respectively. The rate peaked at 0.58 in 2004, before dropping gradually and eventually reaching 0.19 in 2015. Oman ranked second in 2010 with a rate of 0.37, gradually dropping to 0.19 in 2015, then rising slightly to 0.24 in 2016. As for the UAE, the rate peaked at 0.15 in 2002, before dropping steadily to 0.07 between 2007 and 2010. In Saudi Arabia, the rate was 0.16 in 2011, before jumping to 0.51 in 2014 and then dropping to its lowest at 0.05 in 2016. It must be noted here that the rate of marriage between citizens and immigrants not only reflects a general trend towards these marriages, but also largely reflects the official laws that regulate them. These laws are known to be generally strict, albeit more tolerant towards men marrying immigrant women than towards women marrying immigrant men, and perhaps the graph above highlights this issue.

The ratio of men married to non-citizens vs. women married to non-citizens, it can be noted that this ratio has increased significantly in Kuwait, where the average in 2001–2015 was about 239 Kuwaiti men per hundred Kuwaiti women. The ratio ranged from 206 Kuwaiti men per hundred Kuwaiti women in 2001 to 330 Kuwaiti men per hundred Kuwaiti women in 2008. In general, this means that there is one Kuwaiti woman married to a non-citizen for every two Kuwaiti men married to non-citizens. Bahrain ranked second with an average ratio of 174 Bahraini men married to non-Bahraini women per hundred Bahraini women married to non-Bahraini men. The ratio was 67:100 in 2002 before rising to 329:100 in 2008. In Oman, the average ratio was 102 Omani men married to non-Omani women per hundred Omani women married to non-Omani men. The ratio ranged between 93.38:100 in 2011 and 83.22:100 in 2014, before rising to reach 128.11:100 and 136.95:100 in 2015 and 2016 respectively.

In Saudi Arabia, the average ratio was no more than 62 Saudi men married to non-Saudi women per hundred Saudi women married to non-Saudi men. The ratio shows a gradual decline, to 19.69:100 and 34.95 in 2014 and 2016 respectively. Despite the limited number of years for which data are available on nationality-based heterogeneous marriages in Saudi Arabia, it can be said with a fair degree of certainty that there are far more Saudi women married to non-Saudi men than Saudi men married to non-Saudi women. It can also be said that Saudi women are more likely to marry non-citizens than their Gulf sisters. This can be attributed to cultural and geographical factors, as Saudi Arabia has long borders with all five GCC countries—while the rest of these countries have borders only with Saudi Arabia, except for Oman and the UAE—thus allowing families and tribes residing in those areas to marry citizens across the border. On the other hand, the inter-population migrations that occurred in the countries of the region in the 1960s and 1970s also formed cultural factors, which could explain why Saudi women tend to marry non-Saudis. It is familial and tribal homogeneity that explains these observed differences in ratios.

## 1.7 Marriage Amid the Conflict and War

The social life system in societies under raging war and conflicts is exposed to many changes that affect all aspects of life, and marriage is no exception. This dimension of marriage literature has significantly captured the attention of researchers, who have studied the impact of war on family and marriage demographics, including issues of fertility and early marriage. One study (Cetorelli, 2014) on the impact of the 2003–2011 Iraq war on fertility showed that low fertility rates, which existed before 2003, were further depressed during the war. Most of these low rates were among less educated women, which could have also been a result of poverty. The study indicates the possibility that birth control among married people has won significant consideration through the availability of family planning services since the regime was changed and the curfew ended.

On the other hand, the period after 2003 witnessed a sudden change in fertility among younger people. After the beginning of the war, fertility among teenagers saw a sharp increase due to the spread of early marriages, which came in reaction to the harsh security situation and a rise in conservatism across Iraq. Among the impacts of the war that directly reflected on marriage was the lack of security, especially the actual and anticipated risks of sexual harassment of women, along with the return of sectarian, tribal, and other conservative forces. This prevented many women from taking part in public life or even leaving the house without being accompanied by a male relative. In this context, the rise in women's willingness to accept early marriage due to the lack of alternatives is understandable. Families under these pressures considered early marriage the best way to protect their girls and the family honor. The study (Cetorelli, 2014) also notes an increase in early marriage after 2011 as a result of the new escalation of sectarian violence and rebellion following the departure of the last remaining US troops. It is worth mentioning here that the war-driven move towards early marriage raises concerns, as it is well known that women who marry as teenagers tend to settle for lower living conditions and face higher risks of infant mortality when giving birth, as well as deteriorating health conditions for themselves and their children. The harmful impact could double if we take into consideration the reality that these phenomena are common among women with lower levels of education. In contrast, the spread of early marriage and childbirth among women of secondary or higher education was relatively low and never saw an increase in Iraq after 2003.

As for the Gulf, there are no statistics or information on the subject, simply because none of the six countries has ever experienced conflicts or bloody wars that reflected on the institution of marriage, except for Kuwait, which was invaded by Iraq in the 1990s; however, no studies were found to have been carried out on the impact of war on marriage there. Moreover, there have been no studies on the impact on marriage of the involvement of the coalition forces, which included the majority of GCC countries, in Yemen three years ago.

Nevertheless, some Gulf countries have seen a large influx of families due to violence taking place in neighboring countries, particularly in Syria and Iraq, and Palestine before that. According to social networks, a growing number of young Gulf men have been marrying women from these families under the influence of internet websites and social media that have promoted this type of marriage since war broke out in these countries (Ajel, 2015). To date, there are no official statistics in any Gulf country reflecting the extent of these marriages or their characteristics that could be used to survey their reality and different interactions.

## 1.8 Conclusion

This chapter has dealt with marriage in the Arab Gulf countries (UAE, Bahrain, Saudi Arabia, Oman, Qatar, and Kuwait), focusing on presenting a comprehensive description of the marriage institution taking into account previous and current shapes and patterns of marriage in these countries.

Gulf countries share common social, cultural, economic, and environmental factors that were the basic determinants of the phenomena that have emerged there since their establishment as independent states. Marriage, therefore, has interacted with these common factors in all Gulf countries without exception, and the marriage institution was influenced in each Gulf country by the same factors.

Among the most notable common factors in Gulf countries is the shift away from rural production patterns, which depended on limited natural resources and contributed to the continuity of a traditional style of life, to industrial production patterns that are directly dependent on the discovery of oil in the middle of the last century. These conditions helped Gulf countries to abandon their domestic isolation and made them, one way or another, an integral part of the global economic system, which led to these countries exchanging impacts and influences with the global course of events.

This chapter built a developmental and functional approach to explain the marriage institution and related phenomena depending on the analytical duality of stability and change. It also took into account how these countries went through two main eras:

First: The pre-oil era, when social and economic life was continuous and stable, with hardly any significant social changes, which is why the institution of marriage continued—in numbers and style—as it had always been in these countries; and Second: The post-oil era, when all these countries marched towards development, followed by continuous changes in all aspects of social, economic, and cultural life, deeply affecting the institution of marriage and all aspects of marital life.

Hence the approaches this chapter relied on to describe and analyze all the phenomena related to marriage through an analytical duality, which looked at each phenomenon as it existed prior to the oil boom and then described and analyzed its current condition through marriage-related statistical reports from Gulf countries and international regional institutions, as well as the results of scientific studies across Gulf countries, to discuss marriage-related issues. All of this work has culminated in this chapter, which has tried as much as possible to offer an analytical description of the past and present state of the institution of marriage.

Perhaps the most striking aspect covered by this chapter relates to the universality of marriage in Gulf countries. During the pre-oil era, marriage was a universal phenomenon, meaning that all community members, men and women, were linked by marriage. This old reality has changed, and current marriage rates show that a segment of men and women remain unmarried until a much later age due to structural factors like expanding education opportunities, high marriage costs, and men's tendency to marry from outside the country.

These structural changes in Gulf countries, like urbanization and internal and external migration, have contributed to changing the types of marriage from endogenous and consanguineous to exogenous, increasingly moving away from the circle of relatives within the family or tribe, especially in urban areas. Other marriage types have emerged without taking into consideration many of the values needed as a foundation for the marriage institution. Heterogeneous marriages have also emerged, and marrying non-Gulf women has become popular among men, and vice versa. Moreover, new, unprecedented types of marriage have also emerged, including *misyar* ("visitor's") and *misfar* ("traveler's") marriages, among others. With these changes have come a host of challenges, and legislative authorities have issued laws to regulate these marriages and preserve the rights of the parties involved.

Other radical changes include the marriage age. People of both genders previously used to marry at an early age. Factors like education, work, and high marriage costs have led many in Gulf countries to postpone marriage. It has become common for men to get married at the age of 28 and women at 24 and older.

Marital relations have also undergone many transformations, including shifts from family intimacy, stability, and cohesion, to estrangement, disharmony, and disintegration. This has been caused by disagreements resulting from the challenges that some families face in daily life, as well as the transformation from the extended family model to that of the nuclear family, and the fact that marriage and its continuation have changed from being a collective decision made by the extended family to an individual decision aimed at meeting individual needs and aspirations, which often leads to the breakdown of the marriage at the slightest obstacle within the nuclear family. This has led to unprecedented divorce rates, as well as the emergence of problems related to child-rearing, alimony, and other matters, giving rise across the Gulf to legislation to combat and contain these challenges.

The chapter also observed transformations in terms of work and how it reflects on marriage, as higher education among women and the Gulf countries' expansion of development projects and attempts to minimize the foreign labor force have all led to the enactment of legislation and the opening of the labor market to the female workforce. Gulf countries continue to expand efforts to empower Gulf women to work, even in the security and military sectors. The chapter also observed the consequences of increasing women's participation in the labor market on the marriage institution. A number of studies have noted the positive effects of women's work on their lives, families, and communities. However, they also found a wide range of problems arising from married women's work, affecting marital harmony, child-rearing, and dependence on maids/servants.

Given that migration plays a special role in Gulf countries, with labor migration accounting for around 30% or more of the population in most of these countries, the chapter took into account the role of external migration in marriage, which has given rise to heterogeneous marriages in terms of nationality, religion, and language. Internal migration and rural-to-urban relocation have also had a profound effect on the shift from consanguineous and endogenous marriages to exogamy.

In general, the marriage institution in the contemporary Gulf countries has been subjected to radical changes that could increase even more as a result of globalization and its repercussions on social, economic, cultural, and political systems. Gulf countries are currently undergoing further modernization to adapt to pressing societal needs, which will facilitate the integration of these communities within today's global developments.

## References


Abdelfattah, K. (1990). *Psychological studies of ambition and personality*. Nahdet Misr Publishing Group (in Arabic).

Al Aamer, O. (2000). The obstacles of compatibility between spouses in light of the cultural challenges facing Muslim families. *College of Education Journal, 15*(12). United Arab Emirates University (in Arabic).

Al Aani, M. A., & Al Zhafri, S. S. (2012). *The psychological and social needs of the Omani working woman*. Sultan Qaboos University (in Arabic).

Al Anzi, F. (2008/1429). *The role of modes of thinking, life partner selection criteria, and some demographics in achieving marital compatibility among a sample from Saudi society.* Unpublished Ph.D. thesis, Umm Al Qura University, Faculty of Education, Department of Psychology (in Arabic).

Al Balhan, I., & Al Nasser, F. (2007). *The components of marital happiness as perceived by young Kuwaitis*. Kuwait University (in Arabic).

Al Baqmy, N. (2004/1425). *The link between work pressures and marital compatibility among working wives*. Unpublished master's dissertation, King Saud University, College of Education, Department of Psychology (in Arabic).

Al Beleihy, H. (2015/1437). *The link between social media use and the wife's family responsibility.* Unpublished master's dissertation (in Arabic).

Al Dhalea, M. (2015/1437). *Cultural change and marital choices.* Unpublished master's dissertation, Qassim University, Department of Sociology and Social Services, Faculty of Arabic and Social Studies (in Arabic).

Al Fahdi, S. N. (2010). *Marital compatibility among Omani families: Mechanisms, components, and manifestations: A qualitative study*. University of Nizwa (in Arabic).

Al Falassi, R. M. R. (2001). *The status of Emirati women working in the Ministry of Labor and Social Affairs.* The Emirati Ministry of Labor and Social Affairs (in Arabic).

Al Ghanem, K. (2003). *Divorce in Qatari Society*. Qatar University (in Arabic).

Al Ghanem, K. (2010). *Youth attitudes towards marriage issues: A pilot study on a sample of Qatari youths.* The Qatar Supreme Council for Family Affairs (in Arabic).

Al Gharib, A. (2008). Views of Saudi university students on consanguineous marriage. *College of Arts Journal, 20*. King Saud University (in Arabic).

Al Haidari, S. (2012/1434). *A proposed model from the perspective of family therapy to achieve marital compatibility: A descriptive study applied to family counseling offices in Riyadh and Al Ahsa.* Unpublished study (in Arabic).

Al Hail, A. H. (1996). *A study of some psychosocial variables related to marital compatibility among Qatari women.* Master's dissertation, Ain Shams University, Faculty of Education (in Arabic).

Al Hana'iyah, M. Y. U. (2013). *Factors contributing to poor marital compatibility as perceived by those in charge of reconciliation committees and those who frequent them in the Governorate of Muscat.* Unpublished master's dissertation, University of Nizwa, College of Arts and Sciences, Department of Education and Humanities (in Arabic).

Al Hanti, N. (1998/1419). *Issues of marital compatibility among Saudi families during the first five years of marriage in light of some variables.* Unpublished master's dissertation, King Saud University, College of Education, Department of Psychology (in Arabic).

Al Hujailan, A. (2009). *Selected texts on* misyar *marriage.* Dar Al-Safa for Publishing, Distribution, and Printing (in Arabic).

Al Jahouri, H. H. (2008). *Marital compatibility among a sample of health and education workers in the Sultanate of Oman in light of some variables.* Unpublished master's dissertation, Yarmouk University (in Arabic).

Al Jar Allah, W. (2009/1431). *The social, economic, and cultural characteristics of spouses and their relation to marital compatibility.* Unpublished master's dissertation, Imam Muhammad Ibn Saud Islamic University, Social Science College, Department of Sociology and Social Services (in Arabic).

Al Juhani, A. (2005). *Marital disputes in Saudi society from the perspective of the Social Counseling Unit's female callers.* Master's dissertation, Naif Arab University for Security Sciences (in Arabic).

Al Juwair, I. M. (1995). *Delayed marriage among university graduates: Effects and treatment* (1st ed.). Obeikan Library (in Arabic).

Al Khalifa, A. (1994). *Age differential among married couples in Saudi society.* Paper presented at the thirteenth session of the World Congress of Sociology, Bielefeld, Germany.

Al Khalifa, A. H. (1989/1410). *The effect of social factors on the population distribution in Riyadh* (Field study). Crime Research Center (in Arabic).

Al Khalifa, A. H. (1995). Social factors affecting the spousal age gap. *Journal of Social Sciences, 1.* Kuwait University (in Arabic).

Al Khalifa, A. H. (2000/1421). *Dimensions of crime and criminal justice systems in the Arab world* (p. 277). Naif Arab University for Security Sciences (in Arabic).

Al Khalifa, A. H. (2010/1432). *Scientific research and human development in Arab Gulf and Maghreb countries.* Research submitted at the Fifth Gulf-Maghreb Conference, Organized by the University of Tlemcen, in Cooperation with King Abdulaziz Foundation for Research and Archives (Darah), on 28–30 November, 2011 (in Arabic).

Al Khalifa, A., Al Subaei, M., & Al Nimer, H. (2011/1433). *The nature of the hypothetical sectarian dialogue in Saudi society and its implications for national cohesion: A socio-analytical study* (p. 48). Prince Naif Chair for National Unity Studies, Imam Muhammad bin Saud Islamic University (in Arabic).

Al Kharif, R. M. (2009). UN annual human development report pleases some countries and infuriates others! *Ma'refa*, *137* (in Arabic).

Al Khathlan, I. (2012/1434). *Some social factors and their relation to marital compatibility: A study on a sample of Saudi wives in Riyadh.* Unpublished master's dissertation, King Saud University, College of Arts, Department of Sociology and Social Services (in Arabic).

Al Khatib, S., & Al Saghir, H. (2009). *Misyar marriage and its social and psychological motives from the perspectives of women and men in Riyadh* (p. 48). King Saud University, Research Center for Female Scientific and Medical Colleges (in Arabic).

Al Khouly, S. (1990). *Marriage and family in a changing world*. Dar Al Marefa for Publishing (in Arabic).

Al Ma'wali, N. H. (2009). *Marital compatibility and its relation to some variables among newly married couples in Oman's Al Batinah South governorate.* Research project, University of Nizwa, College of Arts and Sciences (in Arabic).

Al Maliki, A. (2001). *Divorce in the UAE: Causes, trends, risks, and solutions.* Field study, Emirates Center for Strategic Studies and Research (in Arabic).

Al Mazrou'i, S. S. (1990). *Marital compatibility and its relation to the personality traits of the children.* Master's dissertation, Ain Shams University, Faculty of Arts (in Arabic).

Al Motawa'a, M. A. (1991). *Issues of youth in a changing society.* United Arab Emirates University (in Arabic).

Al Motlaq, A. (2002/1423). *Misyar marriage: A critical jurisprudential and social study.* Dar Ibn Laboun for Publishing and Distribution (in Arabic).
Al Moussa, S. M. (1986/1407). *Marital selection in the Saudi family.* Master's dissertation in sociology, Imam Muhammad Ibn Saud Islamic University (in Arabic).
Al Muqbil, A. N. (2003). *The required qualities when choosing a wife.* Master's dissertation in sociology, Imam Muhammad Ibn Saud Islamic University (in Arabic).
Al Nasser, F. (1995). Kuwaiti attitudes towards the phenomenon of marrying non-Kuwaiti women. *Annals of the Arts and Social Sciences, 5*(104). Kuwait University (in Arabic).
Al Nasser, F., & Suleiman, S. (2007). Marital selection criteria among youths in Gulf society: A comparative study of Kuwaiti and Omani youths. *Journal of Gulf and Arabian Peninsula Studies, 33*(127). Kuwait University (in Arabic).
Al Obeidi, I., & Al Khalifa, A. (1992). Some familial and social determinants of delayed marriage among girls: A field study. *Journal of Social Sciences, 20*(1–2). Kuwait University (in Arabic).
Al Otaibi, B. M. M. (1993/1414). *The familial and social impact of work (outside the home) by educated married women with children.* Master's dissertation, Imam Muhammad Ibn Saud Islamic University (in Arabic).
Al Qasha'an, H. (2008). The relationship between religiosity and marital satisfaction in a sample from Kuwaiti society: A comparative study between males and females. *The Journal of Childhood Studies, 41*(39). Ain Shams University, Faculty of Graduate Studies (in Arabic).
Al Rakad, S. (2002). Trends and determinants of age at first marriage in the Syrian Arab Republic, 1993–2009. *Arab Family Health and Population, 5*(14), 1–24 (in Arabic).
Al Rashid, M. (2017). Marital imbalances in Kuwait: A social study of gender differences and the impact of demographic factors. *Journal of Social Sciences, 45.* Kuwait University (in Arabic).
Al Rashidi, A. (2006). *The positive and negative aspects of women's work.* King Abdulaziz University. www. kau.edu.sa\files\362\18905-3rd-conf-2006 (in Arabic).
Al Razzaq, W. (2008/1430). *Elements of marital compatibility from the perspectives of married and unmarried female students at the College of Education in King Saud University in the light of some psychological and cognitive variables.* Deanship of Scientific Research. King Saud University, Research Center for Female Scientific and Medical Colleges (in Arabic).
Al Rumaihi, M. G. (1974). *Oil and social change.* Institute of Arab Research and Studies (in Arabic).
Al Sabbar, A. I. (2010). *Working Saudi women's attitudes towards* misyar *marriage.* Published master's dissertation, King Saud University (in Arabic).
Al Saghir, S. (2007/1428). *Marital compatibility in Saudi society*. Ministry of Social Affairs, Social Care and Development Agency, National Center for Studies and Social Development (in Arabic).
Al Saif, M. I. (1990). *Social change and kinship: A socio-anthropological study in the Onaiza community.* National Guard, Jenadriyah Heritage and Cultural Festival (in Arabic).
Al Saif, M. I. (2015/1436). Marital family upbringing and its link to the issue of divorce. *Social Journal, 9*(256) (in Arabic).
Al Sana'ani, M. I. A. (n.d.). *Subul Al Salam: Sharh Bulugh Al Maram min Adillat Al Ahkam* In H. Al Husseini (Ed.) (Vol. 3). Imam Muhammad Ibn Saud Islamic University, Faculty of Sharia (in Arabic).
Al Saqri, H. (2017/1439). *Social traditions and kinship disputes.* Unpublished master's dissertation, Qassim University, Department of Sociology and Social Services (in Arabic).
Al Shallal, K. (1998). Marital choice preferences and obstacles in Kuwaiti society. Kuwait University. *Annals of the Arts and Social Sciences, 18.* Academic Publication Council (in Arabic).
Al Shamri, R. (2013). *Saudi attitudes towards* Misyar *marriage in Riyadh: A field study.* Master's dissertation, Naif Arab University for Security Sciences (in Arabic).
Al Sheikh, A. M. A. (2004). *Marital compatibility and its relation to parental care methods for children and their psychological compatibility.* Master's dissertation, Zagazig University (in Arabic).
Al Souyan, N. I. N. (2000/1421). *The impact of a wife's work on her participation in family decision-making: A comparative study.* Master's dissertation, King Saud University, Department of Social Studies (in Arabic).

Al Sulaimi, I. A. A., (2008). *The economic role of the Saudi working female head of family and its link to marital compatibility.* Master's dissertation, Umm Al Qura University, Faculty of Education for Home Economics (in Arabic).

Al Tajer, Z. (2013, October 23). Women working in government institutions represent 47.8%, with a gender gap of 4.5%. *Al Wasat*, *4065*. http://www.alwasatnews.com/news/821801.html (in Arabic).

Al Thani, H. J. (1992). *Connections between perceptions of family environment and some personality traits among a sample of female high school students in Qatar.* Master's dissertation, Faculty of Education, Ain Shams University (in Arabic).

*Al Wasat*. (2015, September 5). 63% of female Kuwaiti government employees face harassment. *Al Wasat, 4747*. http://www.alwasatnews.com/news/print/1023224.html (in Arabic).

Al Zahrani, S. K. (2010/1432). *Social obstacles facing women working in the health sector.* Master's dissertation, King Abdulaziz University, Department of Sociology and Social Services (in Arabic).

Al Zhufairi, A., et al. (2001). *The social and psychological causes of divorce in Kuwait during the early 2000s.* Field study. Kuwait University, Center for Gulf and Arabian Peninsula Studies (in Arabic).

Al Zhufairi, A. M. (1996). A field study to measure the attitudes of Kuwaiti women in the field of work outside the home. *Journal of Gulf and Arabian Peninsula Studies, 21*(80). Kuwait University (in Arabic).

Al-Abdulkareem, A. A., & Ballal, S. G. (1998). Consanguineous marriage in an urban area of Saudi Arabia: Rates and adverse health effects on the offspring. *Journal of Community Health, 23*(1), 75–83.

Al-Arrayed, S. (1994). Consanguinity in the State of Bahrain. *Symposium on medical genetics in the setting of Middle Eastern populations* (pp. 97–101). King Abdul Aziz City for Science and Technology.

Al-Arrayed, S., & Hamamy, H. (2012). The changing profile of consanguinity rates in Bahrain, 1990–2009. *Journal of Biosocial Science, 44*(3), 313–319.

Al-Awadi, S. A., Naguib, K. K., Moussa, M. A., Farag, T. I., Teebi, A. S., & El-Khalifa, M. Y. (1986). The effect of consanguineous marriages on reproductive wastage. *Clinical Genetics, 29*(5), 384–388.

Al-Gazali, L. I., Bener, A., Abdulrazzaq, Y. M., Micallef, R., Al-Khayat, A. I., & Gaber, T. (1997). Consanguineous marriages in the United Arab Emirates. *Journal of Biosocial Science, 29*(4), 491–497.

Al-Haj, M. (1988). The changing Arab kinship structure: The effect of modernization in an urban community. *Economic Development and Cultural Change, 36*(2), 237–258.

Al-Naser, Y. E. (1995). The role of consanguineous marriage on infant and child mortality in Bahrain. In M. A. F. El-Hazmi (Ed.), *Medical genetics in the setting of Middle Eastern populations* (pp. 102–118).

Al-Nasr, T. J. (2011). Gulf Cooperation Council (GCC) women and *misyar* marriage: Evolution and progress in the Arabian Gulf. *Journal of International Women's Studies, 12*(3), 43.

Albeely, T., & Al Mahrazi, R. (2008). *The dimensions and components of family cohesion in the Sultanate of Oman.* Medina Publishing (in Arabic).

Arab Women Organization in cooperation with the Supreme Council for Women. (2013, October 23). Women working in government institutions represent 47.8%, with a gender gap of 4.5%. *Al Wasat*, *4065.* http://www.alwasatnews.com/news/821801.html (in Arabic).

Bener, A., & Alali, K. A. (2006). Consanguineous marriage in a newly developed country: The Qatari population. *Journal of Biosocial Science, 38*(2), 239–246.

Bittles, A. (2011). *The global prevalence of consanguinity*. Retrieved June 2011, from http://www.consang.net

Casterline, J. B., Williams, L., & McDonald, P. (1986). The age difference between spouses: Variations among developing countries. *Population Studies, 40*(3), 353–374.

Center for Research on Tibet. (n.d.). *Papers on Tibetan marriage and polyandry.* Case Western Reserve University, Center for Research on Tibet. Retrieved April 30, 2018, from https://case.edu/affil/tibet/tibetanSociety/marriage.htm

Cetorelli, V. (2014). *The effect on fertility of the 2003–2011 war in Iraq*. https://doi.org/10.1111/j.1728-4457.2014.00001.x

Chaleby, K., & Tuma, T. A. (1987). Cousin marriages and schizophrenia in Saudi Arabia. *The British Journal of Psychiatry, 150*(4), 547–549.

Chia, R. C., Chong, C. J., & Cheng, B. S. (1986). Relationship of modernization and marriage role attitude among Chinese college students. *Journal of Psychology, 120*(6), 599–605.

Clignet, R. (1970). *Many wives, many powers: Authority and power in polygynous families.* Northwestern University Press.

Denic, S., Aden, B., Nagelkerke, N., & Essa, A. A. (2013). β-Thalassemia in Abu Dhabi: Consanguinity and tribal stratification are major factors explaining the high prevalence of the disease. *Hemoglobin, 37*(4), 351–358.

Doha International Family Institute [DIFI]. (2018). *Marrying out: Exploring dimensions of cross-national marriages among Qataris* (1st ed.). Doha International Family Institute.

El-Alfi, O. S., Bahig, A. H., Abdul Salam, T., & Shaath, R. (1969). Birth weights in Kuwait, and their relation to consanguinity and to birth order. *Journal of the Kuwait Medical Association, 3*, 227–231.

El-Arifi, S. A. (1986). The nature of urbanization in the Gulf countries. *GeoJournal, 13*(3), 223–235.

El-Hazmi, M. A., Al-Swailem, A. R., Warsy, A. S., Al-Swailem, A. M., Sulaimani, R., & Al-Meshari, A. A. (1995). Consanguinity among the Saudi Arabian population. *Journal of Medical Genetics, 32*(8), 623–626.

El-Mouzan, M. I., Al-Salloum, A. A., Al-Herbish, A. S., Qurachi, M. M., & Al-Omar, A. A. (2007). Regional variations in the prevalence of consanguinity in Saudi Arabia. *Saudi Medical Journal, 28*(12), 1881–1884.

Family Development Centers. (2016, March 31). The reality and challenges of women's work. In H. Abuzaid (Ed.), *Study: 47% believe women's work is behind family issues. Emarat Al Youm.* https://www.emaratalyoum.com/local-section/other/2016-03-31-1.883955 (in Arabic).

General Authority for Statistics. (2017). *Population characteristics survey*. Riyadh.

Hamad, N. A. (2009). Issues of child protection in GCC countries. *Social Studies Series, 53*(182) (in Arabic).

Hamamy, H. (2012). Consanguineous marriages. *Journal of Community Genetics, 3*(3), 185–192.

Husain, M. A., & Bunyan, M. A. (1997). Consanguineous marriages in a Saudi population and the effect of inbreeding on prenatal and postnatal mortality. *Annals of Tropical Paediatrics, 17*(2), 155–160.

Hussein, A. G. (1987). Delayed marriage in urban society in Kuwait: Applied study. *Social and Labor Studies Series.* Special issue (Issues from the reality of Arab society in the Gulf: Delayed marriage, dowries, idleness, and drugs) (in Arabic).

Ibn Bishr, U. A. (1982). *Unwān al-majd fī taʾrīkh Najd* [A history of Najd]. Investigation by Abdul Rahman ibn Abdul Latif ibn Abdullah Al Sheikh. King Abdulaziz Foundation for Research and Archives (Darah). Edition: 1982–1983/1402–1493 (in Arabic).

Ibn Issa, I. S. (1948/1368). *A history of some incidents in Najd*. Al Yamamah Publications (in Arabic).

Islam, M. M. (2012). The practice of consanguineous marriage in Oman: Prevalence, trends and determinants. *Journal of Biosocial Science, 44*(5), 571–594.

Khalil, M. B. (1999). *The concept of the self and spousal treatment methods and their relation to marital compatibility: Field study*. Zagazig University (in Arabic).

Khider, K. (2012). Causes of divorce in the Kuwaiti society from the perspective of divorced women. *Jordan Journal of Social Sciences*, 5(3) (in Arabic).

King Abdulaziz Center for National Dialogue. (2015/1437). *Underage girls' marriage.* Unpublished study (in Arabic).

Koc, I. (2008). Prevalence and sociodemographic correlates of consanguineous marriages in Turkey. *Journal of Biosocial Science, 40*(1), 137–148.

Larson, G. J. (Ed.). (2001). *Religion and personal law in secular India: A call to judgment*. Indiana University Press.

Ministry of Development Planning and Statistics. (2017). *Marriage and divorce in Qatar: Review and analysis* (in Arabic).

Ministry of Social Affairs and Labor. (1984). *Pilot study on the attitudes and views of Omani citizens towards the average dowries in the sultanate*. Department of Statistics (in Arabic).

Mohamed, H. S. A. (1998). *Marital compatibility and its relationship to aggression among children aged 10–12 years*. Master's dissertation, Ain Shams University, Institute of Postgraduate Childhood Studies (in Arabic).

Morsi, M. (2008/1430). *Delayed marriage among girls: Social and economic factors*. Naif Arab University for Security Sciences (in Arabic).

Neter, J., & Wasserman, W. (1974). *Applied linear statistical models*. Richard D. Irwin Inc.

Omar, A. M. A. (2009). *Misyar marriage as a rational choice*. King Saud University (in Arabic).

Permanent Population Committee. (2017). *Qatar's population policy, 2017–2022* (in Arabic).

Qassem, N. H. (1988). *The foundations of husband selection among university students*. Master's dissertation, Ain Shams University, Faculty of Arts (in Arabic).

Radovanovic, Z., Shah, N., & Behbehani, J. (1999). Prevalence and social correlates of consanguinity in Kuwait. *Annals of Saudi Medicine, 19*, 206–210.

Rajab, A., & Patton, M. A. (2000). A study of consanguinity in the Sultanate of Oman. *Annals of Human Biology, 27*(3), 321–326.

Ritzer, G. (2010). *Sociological theory* (8th ed.). McGraw Hill.

Rizk, K. (1989). A comparative study of female university students' attitudes towards choosing a life partner. *Faculty of Education Journal, 12*, 361–388. Damietta University (in Arabic).

Saedi-Wong, S., Al-Frayh, A. R., & Wong, H. Y. (1989). Socio-economic epidemiology of consanguineous matings in the Saudi Arabian population. *Journal of Asian and African Studies, 24*(3–4), 247–251.

Sandridge, A. L., Takeddin, J., Al-Kaabi, E., & Frances, Y. (2010). Consanguinity in Qatar: Knowledge, attitude and practice in a population born between 1946 and 1991. *Journal of Biosocial Science, 42*(1), 59–82.

Shehata, A. (1992). Preferred husband traits among university students. *Faculty of Arts Journal*, *8*, 1–25. Menoufia University (in Arabic).

Shehata, A., et al. (2016). *A study of divorce and its effects and repercussions on the Qatari family*. Family Consulting Center (in Arabic).

Shryock, H. S., Siegel, J. S., & Larmon, E. A. (1973). *The methods and materials of demography*. US Bureau of the Census.

Social and Economic Survey Research Institute. (2012, 2017). *Annual Omnibus Survey: A survey of life in Qatar* (in Arabic).

Statistical Centre for the Cooperation Council for the Arab Countries of the Gulf (GCC-STAT). (n.d.). https://gccstat.org/en/

Statistical Centre for the Cooperation Council for the Arab Countries of the Gulf (GCC-STAT). (2018). *Marriage and divorce statistics*. http://dp.gccstat.org/ar/DataAnalysis?tJlU7u0epUCRwUo9BGWHgQ (in Arabic).

Sufian, A. J. (1991). Socioeconomic correlates of age difference between spouses in the Eastern Province of Saudi Arabia. *Sociology and Social Research, 75*(3), 164–169.

Supreme Council for Women in Bahrain. (2014, May 23). 37% of Bahraini women in the media are in leadership positions and 55% of them face difficulties. *Al Wasat, 4277* (in Arabic). http://www.alwasatnews.com/news/print/888494.html

Swailem, A. R., Serenius, F., Edressee, A. W., & Ohlsson, A. (1988). Perinatal mortality in a Saudi maternity hospital. *Acta Paediatrica, 77*(s346), 57–69.

Tadmouri, G. O., Nair, P., Obeid, T., Al Ali, M. T., Al Khaja, N., & Hamamy, H. A. (2009). Consanguinity and reproductive health among Arabs. *Reproductive Health, 6*(1), 17.

United Nations, Department of Economic and Social Affairs, Population Division. (2009). World Marriage Data 2008 (POP/DB/Marr/Rev2008).

United Nations, Department of Economic and Social Affairs, Population Division. (2013). World Marriage Data 2012 (POP/DB/Marr/Rev2012).

Warsy, A. S., Al-Jaser, M. H., Albdass, A., Al-Daihan, S., & Alanazi, M. (2014). Is consanguinity prevalence decreasing in Saudis? A study in two generations. *African Health Sciences, 14*(2), 314–321.

Why does Torah Law allow polygamy? www.chabad.org

Yaghmour, H. (1982). *The impact of educated Saudi women's work on marital compatibility.* Unpublished master's dissertation, University of Jordan, Faculty of Education (in Arabic).

Zakzouk, S. M., & El-Sayed, Y. (1993). Hearing impairment in low birth weight Saudi children. *Saudi Medical Journal, 14*(1), 40–43.

## Online Resources

Abudhabi.ar. (n.d.). *Marriage contracts between Emirati female and foreign male*. Retrieved April 30, 2018, from https://www.abudhabi.ae/portal/public/ar/homepage/family/marriage/marriage-contracts-between-emirati-female-and-foreign-male;jsessionid=NKIKvD2604-_mRD-SqMupYFxdRdxAwIyuTvYiI8XxlFTxY8

Abul Hasan, S. (2015). *Due to high dowries, foreign women win in Kuwait*. Masr Al Arabia. Retrieved April 30, 2018, from https://masralarabia.net/%D8%A7%D9%84%D8%B9%D8%B1%D8%A8-%D9%88%D8%A7%D9%84%D8%B9%D8%A7%D9%84%D9%85/679261-%D8%A8%D8%B3%D8%A8%D8%A8-%D8%BA%D9%84%D8%A7%D8%A1-%D8%A7%D9%84%D9%85%D9%87%D8%B1-%D8%A7%D9%84%D8%A3%D8%AC%D9%86%D8%A8%D9%8A%D8%A9-%D8%AA%D9%83%D8%B3%D8%A8-%D9%81%D9%8A-%D8%A7%D9%84%D9%83%D9%88%D9%8A%D8%AA

Abuzaid, H. (2016, March 31). Study: 47% believe women's work is behind family issues. *Emarat Al Youm*. Retrieved April 30, 2018, from https://www.emaratalyoum.com/local-section/other/2016-03-31-1.883955

*Ajel*. (2015). "Benefactor" trades in marrying off Syrian women in the kingdom. *Ajel* online newspaper, 2015. Retrieved April 30, 2018, from https://ajel.sa/local/1510576 (in Arabic).

*Ajel*. (n.d.). New regulations for marriage between Saudis and foreigners. *Ajel* online newspaper. Retrieved April 30, 2018, from https://ajel.sa/local/1797941

*Akhbar Al Khaleej*. (2017). *Family courts to begin processing Sharia lawsuits on 10 September*. Retrieved April 30, 2018, from http://akhbar-alkhaleej.com/news/article/1086832

Al Aboush, Q. (2016). New marriage conditions in Gulf countries. *Foochia*. 28 July 2016. Retrieved April 30, 2018, from https://www.foochia.com/weddings/108214

Al Ittihad. (2010, April 18). *Emirati women... between spinsterhood and marrying non-Emirati men*. Alittihad.ae. https://www.alittihad.ae//article/22070/2010/

Al Jaafari, H. (2017, March 15). Jizan sets dowries to end youth discouragement towards marriage. *Sada* online newspaper. Retrieved April 30, 2018, from https://www.slaati.com/2017/03/15/p729521.html

Al Khalaf, S. (2015, August 18). Saudi... dowry value capped in #Jeddah. *Alarabiya.net*. Retrieved 30 April 2018, from http://www.alarabiya.net/ar/saudi-today/2015/08/18/جدة-في-الزواج-مهر-قيمة-تحديد-السعودية-في-مرة-لأول

Al Maani. (n.d.). *Arabic definition of xx ("Spinster")*. Retrieved April 30, 2018, from https://www.almaany.com/ar/dict/ar-ar/%D8%B9%D8%A7%D9%86%D8%B3/ (in Arabic) [English/Arabic: https://www.almaany.com/en/dict/ar-en/%D8%B9%D8%A7%D9%86%D8%B3/]

Al Murshid, B. (2005, August 22). *Misyar* marriage—Solution or injustice for women? *Al Yaum*. Retrieved April 30, 2018, from http://www.alyaum.com/article/1303518

Al Qahtani, F. (2013, January 16). Divorce in Gulf countries: A danger sweeping through society (2–2). *Al Sharq*. https://www.sauress.com/alsharq/677417

Al Saleh, K. (2013, January 5). No bar to students marrying foreign women provided they have Interior Ministry's approval… deterrent penalties for violators. *Sauress*. Retrieved April 30, 2018, from https://www.sauress.com/alsharq/661441

Al Sharif, A. (2017, March 23). Marriage costs in the Gulf. *Al-Madina*. Retrieved April 30, 2018, from https://www.al-madina.com/article/515173/

Al Tajer, Z. (2013, October 23). Women working in government institutions represent 47.8%, with a gender gap of 4.5%. *Al Wasat*, 4065. Retrieved April 30, 2018, from http://www.alwasatnews.com/news/821801.html

*Al Wasat*. (2015, September 5). 63% of female Kuwaiti government employees face harassment. *Al Wasat*, 4747. Retrieved April 30, 2018, from http://www.alwasatnews.com/news/print/1023224.html

*Al Wasat*. (2016, updated 2017). *Marrying foreign women: Because of high dowries or globalization?* Retrieved April 30, 2018, from http://www.alwasatnews.com/news/1180276.html

*Al Wasat*. (updated 2017). *Experts: Early marriage in Kuwait a major cause of divorce*. Retrieved April 30, 2018, from http://www.alwasatnews.com/news/1198482.html

Al Yaqut, J. (2000, September 9). Interview with Dr. Sheikha Al-Arrayed: Consanguineous marriage innocent of most genetic diseases. *Al-Jazirah*. Retrieved April 30, 2018, from http://www.al-jazirah.com/2000/20000909/mt1.htm

*Alarabiya*. (2013, January 11). Growing interest among Saudis in *urfi* and *misyar* marriage. *Alarabiya.net*. Retrieved April 30, 2018, from http://www.alarabiya.net/articles/2013/01/11/259909.html

Almaaref. (n.d.). *The advantages and disadvantages of using social networks*. Almaaref.org. Retrieved April 30, 2018, from https://www.almaaref.org/books/contentsimages/books/zad_almobalegh/zad_alrahma_fe_shahr_allah/page/lesson14.htm

*Almrsal*. (2017, April 3). The Arab countries with the highest spinsterhood rates. *Almrsal*. Retrieved April 30, 2018, from https://www.almrsal.com/post/470651

Ana Hawa'. (n.d.). UAE population, natives and foreigners. *Ana Hawa* online magazine. Retrieved 30 April 2018, from https://www.ana7waa.com/uae-population.html

Babnet Tunisie. (2010, November 10). Divorce rates rise in GCC countries. *Babnet*. Retrieved April 30, 2018, from https://www.babnet.net/rttdetail-30562.asp

Cambridge English Dictionary. (n.d.). *Definition of "spinster"*. Retrieved April 30, 2018, from https://dictionary.cambridge.org/dictionary/english/spinster

Center for Research on Tibet. (n.d.). *Papers on Tibetan marriage and polyandry*. Case Western Reserve University, Center for Research on Tibet. Retrieved April 30, 2018, from http://case.edu/affil/tibet/tibetanSociety/marriage.htm

DataBank: World Development Indicators. (n.d.). The World Bank. Retrieved 30 April 2018, from http://databank.worldbank.org/data/reports.aspx?source=world-development-indicators)

Definition of F (coefficient of inbreeding). (n.d.). MedicineNet. Retrieved April 30, 2018, from https://www.medicinenet.com/script/main/art.asp?articlekey=3367

*Erem News*. (2017, August 6). Oman: Popular demands against high dowries to facilitate marriage and end spinsterhood. *Erem News*. Retrieved April 30, 2018, from https://www.eremnews.com/entertainment/society/940158

Family Court. State Information Service. (2018). Retrieved April 30, 2018, from http://www.sis.gov.eg/section/110/117?lang=ar

Freeman, F. (n.d.). *Why does Torah law allow polygamy?* Chabad.org. Retrieved April 30, 2018, from https://www.chabad.org/library/article_cdo/aid/770990/jewish/Why-Does-Torah-Law-Allow-Polygamy.htm

GCC-STAT. Dashboard. (2018). Dp.gccstat.org. Retrieved April 30, 2018, from http://dp.gccstat.org/en

Google. (n.d.). Books.google.com.sa. Retrieved April 30, 2019, from https://books.google.com.sa/books?isbn=9796500179674

Google. (n.d.). *Misyar* marriage. Retrieved April 30, 2018, from https://www.google.com/search?q=misyar+marriage&oq=misyar+marri&aqs=chrome.0.0j69i57j0i457j0l7.2018j0j9&sourceid=chrome&ie=UTF-8

Hamouda, S. (2018). *Study on delayed marriage age*. Retrieved April 30, 2018, from https://vb.elmstba.com/t208265.html

http://elibrary.mediu.edu.my/books/2014/MEDIU6098.pdf. Retrieved April 30, 2018, from https://sabq.org/AMSfde

Ibn Baz charity project. (n.d.). Retrieved April 30, 2018, from http://www.alzwaj.sa/?goto=1&id=1

Ismail, J. (2017, May 7). Reducing marriage costs… increasing social cohesion. *Al Bayan*. Retrieved April 30, 2018, from http://www.albayan.ae/across-the-uae/news-and-reports/2017-05-07-1.2939092

Khasa, M. (n.d.). Saudi Arabia: *Misfar* marriage follows *misyar* and tourist marriages. Yemeni Council. Retrieved April 30, 2018, from https://www.ye1.org/forum/threads/230956/

Khodeiri families with origins tracing back to indigenous Arab tribes. Alnssabon.com. (2018). Retrieved April 30, 2018, from http://www.alnssabon.com/showthread.php?p=207798

Larson, G. (2001). *Religion and personal law in secular India*. Indiana University Press.

Law No. 12 of 2015 to establish the Family Court. Retrieved April 30, 2018, from http://www.gcc-legal.org/LawAsPDF.aspx?opt&country=1&LawID=4152

Ministry of Justice, Islamic Affairs and Endowments. (n.d.). *Bahraini Citizenship Law of 1963 and amendments*. Retrieved April 30, 2018, from http://www.moj.gov.bh/default1d49.html?action=article&ID=872

Nationalkuwait. (2012). *The new Justice Ministry law for marrying foreign women*. Various contributors. Retrieved April 30, 2018, from http://www.nationalkuwait.com/forum/index.php?threads/246997/

Oxford Dictionaries. (n.d.). *Spinster: Definition of spinster in English*. Oxford Dictionaries: English. Retrieved April 30, 2018, from https://en.oxforddictionaries.com/definition/spinster

Parents' interference in married life. Retrieved April 30, 2018, from http://forum.mn66.com/t293142.html#.Tze6DIGZOKw

Population Division. (2011). *Population facts*. United Nations Department of Social and Economic Affairs, Population Division. Retrieved April 30, 2018, from http://www.un.org/en/development/desa/population/publications/pdf/popfacts/PopFacts_2011-1.pdf

Proving paternity through DNA tests. (2018). Ahlalhdeeth.com. Retrieved April 30, 2018, from http://www.ahlalhdeeth.com/vb/showthread.php?t=190860

Public Prosecution. (n.d.). *The UAE Personal Status Law*. Government of Dubai, Public Prosecution. Retrieved April 30, 2018, from https://www.dxbpp.gov.ae/NewsPage.aspx?ID=835&Type=5 (in Arabic and English).

Raseef. (2016, November 2). From 10 to 20 years of age: The legal marriage age in the Arab world. *Raseef22*. Retrieved April 30, 2018, from https://raseef22.net/article/80851-%D9%85%D9%86-10-%D8%A5%D9%84%D9%89-20-%D8%B9%D8%A7%D9%85%D8%A7%D9%8B-%D8%B3%D9%86-%D8%A7%D9%84%D8%B2%D9%88%D8%A7%D8%AC-%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86%D9%8A%D8%A9-%D9%81%D9%8A-%D8%A7%D9%84

Regulation on marrying foreigners, Law No. 21 of 1989. (n.d.). http://www.almeezan.qa/LawView.aspx?opt&LawID=2555.../21. Retrieved April 30, 2018, from http://gulfmigration.eu/database/legal_module/Qatar/National%20Legal%20Framework/Rights%20and%20Obligations/4.1%20Law%30marriage%20to%20foreigners%2021%201989_AR.pdf

Rjeem. (2018). Retrieved April 30, 2018, from http://www.rjeem.com

*Sabq*. (2014, March 2). "Personal status"... Family lawsuits end in a week, with rulings enforced. *Sabq* online newspaper. Retrieved April 30, from https://sabq.org/AMSfde

*Sabr*. (2015, April 26). Study: 60% of Kuwaiti youths abstain from marriage... and the reasons are financial. *Sabr* online newspaper. Retrieved April 30, 2018, from http://www.sabr.cc/2015/04/26/181661

Sami, E. (updated 2017, October 1). The most common conditions in marriage contracts in Saudi Arabia. *Almrsal.com*. Retrieved 0 April 3, 2018, from https://www.almrsal.com/post/535294

*Saraya News*. (2009, January 21). The definition and causes of spinsterhood. *Saraya News*. Retrieved April 30, 2018, from http://www.sarayanews.com/index.php?page=article&id=6098

Saudi women's dowries increase with a new condition... what is it? Retrieved April 30, 2018, from https://www.annahar.com/article/674112

Soudfa. (n.d.). *Socializing, chatting, and marriage*. Soudfa.com. Retrieved April 30, 2018, from https://www.soudfa.com/?gclid=Cj0KCQjw2pXXBRD5ARIsAIYoEbeyJS3lHG8H4_gLkIYVclNg41pS3WRleVNMdauxcYXJlTceIsvErnsaAgkWEALw_wcB

SpringerReference. (2018). Retrieved April 30, 2018, from http://www.nd.edu/~rwilliam/stats2/l11.pdf

SpringForward. (n.d.). Retrieved April 30, 2018, from http://spring-forward.unwomen.org/ar/countries/oman

Supreme Judiciary Council. (n.d.). Supreme Judiciary Council, Qatar. Retrieved April 30, 2018, from http://www.sjc.gov.qa/lawlib/Court_family/court_family/laws/22-2006/index1_2wph.htm

UNICEF. (n.d.). *Child marriage*. Retrieved April 30, 2018, from https://www.unicef.org/arabic/protection/24267_25755.html [English: https://www.unicef.org/protection/child-marriage]

United Nations Statistics Division. (2012). *Table 23—Demographic yearbook 2012: Marriages cross-classified by age of groom and age of bride for the latest available year between 2003 and 2012*. United Nations Statistics Division. Retrieved April 30, 2018, from https://unstats.un.org/unsd/demographic/products/dyb/dyb2012/notes/notes23.pdf

Wikipedia. (n.d.). *List of countries by age at first marriage*. En.wikipedia.org. Retrieved April 30, 2018, from https://en.wikipedia.org/wiki/List_of_countries_by_age_at_first_marriage

Wikipedia.org. (n.d.). *Polygamy*. Retrieved April 30, 2018, from https://ar.wikipedia.org/wiki/%D8%AA%D8%B9%D8%AF%D8%AF_%D8%A7%D9%84%D8%B2%D9%88%D8%AC%D8%A7%D8%AA (In Arabic.) [English: https://en.wikipedia.org/wiki/Polygamy]

Williams, R. (2015). *Multicollinearity*. Springer Reference. Retrieved April 30, 2018, from http://www.nd.edu/~rwilliam/stats2/l11.pdf

World Development Indicators. (n.d.). The World Bank. Retrieved April 30, 2018, from https://data.worldbank.org/products/wdi

Yabeyrouth. (n.d.). *The reasons behind the emergence of misyar marriage*. Yabeyrouth.com. Retrieved April 30, 2018, from https://www.yabeyrouth.com/5433-%D8%A3%D8%B3%D8%A8%D8%A7%D8%A8-%D9%86%D8%B4%D8%A3%D8%A9-%D9%88%D8%B8%D9%87%D9%88%D8%B1-%D8%B2%D9%88%D8%A7%D8%AC-%D8%A7%D9%84%D9%85%D8%B3%D9%8A%D8%A7%D8%B1

Yazan, B., et al. (2013). *Intermarriage (linkage and marriage) between the Rashaida tribe and some of the ruling families in the Gulf countries. Which of them are valid?* Kuwait National Network. Retrieved April 30, 2018, from http://www.nationalkuwait.com/forum/index.php?threads%2F256369%2F

Youm7. Retrieved 30 April 2018, from http://www.youm7.com

Zaoag Multaqa Al Quloob. (n.d.). Zaoag.org. Retrieved April 30, 2018, from https://zaoag.org/?TR=6&gclid=Cj0KCQjw2pXXBRD5ARIsAIYoEbcO-2njHX2VjwoLhd35NBna2a9uvtSTurd5gKoU8o5GNVVcpiiD7U8aAt1QEALw_wcB

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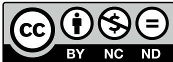

# Chapter 2
# The State of Marriage in the Arab Maghreb: Tunisia, Algeria, Libya, Morocco, and Mauritania

**Mokhtar El Harras, Mounir Saidani, Hicham Ait Mansour, and Mohamed Ould Hmeyada**

Existing literature suggests that marriage in the Arab Maghreb region continues to be the prime institution governing the cohabitation of men and women, despite increasing rates of celibacy, permanent celibacy, and divorce, as well as a rise in critiques of the institution of marriage. And although various forms of marriage are emerging, or re-emerging under new circumstances, it is certain—to date—that the institution of marriage is perpetually and widely reproduced in the consciousness and practices of individuals. In the process, it fosters the close domestic and public connection between two families, regardless of the prevalence of individuality in society.

While the countries of the Maghreb have distinct historical and societal characteristics stemming from their diverse historical experiences, they also share some common characteristics. For example, the Amazigh ethnic groups constitute a shared population base across the Maghreb countries. Furthermore, these nations enjoy a mosaic identity that was forged over the centuries as different ethnic groups came

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to inhabit North Africa, interacting socially, culturally, and politically with the pre-existing norms, customs, and modes of social organization. The geographic settlement patterns of these different groups resulted in the variation of the social, legal, and cultural criteria governing marital relations in the different regions across and within countries of the Maghreb. These differences can be found between north and south; the coast and the inland; plain and mountain; city and countryside; and areas ruled by Islamic law and those where customary law prevails.

The Maghreb countries have witnessed a steady rise in their populations over the past six decades. Nonetheless, the turn of the twenty-first century revealed the first indicators of a transformation in demographic patterns, mainly in terms of a decrease in fertility rates due to the increase in the average age at first marriage, coupled with the rise in the rate of educated women, increasing proportions of women working outside the home, high rates of women's use of contraception, and high urbanization in all Maghreb countries. This transformation has reduced the size of the family in Maghreb societies, while at the same time allowing for the emergence of optimal conditions for communication between spouses and higher levels of welfare for families.

In tandem with the decline in the rate of children under the age of 15, the rate of economically active individuals (15–65) in the population pyramid has increased. Consequently, there has been higher demand for jobs as well as a rise in the percentage of individuals of marriage age. However, the imbalance between the rising demand for employment and the limited opportunities offered by the economy have resulted in people delaying marriage or even opting not to marry at all. It has also motivated more youths to seek to migrate, with rising numbers of migrants marrying from the countries they migrate to rather than from their places of origin. In these cases, the rise in the percentage of unmarried individuals is not due to personal choice but to strenuous socio-economic circumstances, including unemployment, high dowries, and prolonged education.

The general census has revealed an increase in the percentage of citizens above the age of 65. Given that average life expectancy at birth is generally higher among women than men, and that marriage for men of that age group is easier than it is for their female counterparts, the rate of widows and divorcees is particularly high among women of this age group.

The ability to get married is premised upon joining the labor force and securing income-generating work, but this condition is currently rarely met in Maghreb societies for people under the age of 25. In this light, it becomes clear why marriage rates start to pick up at the age of 25, and why a lot of marriages, if not the majority of them, occur after the age of 30. In some cases, women's increased participation in the labor force delays marriage, and in others, family planning has to maneuver around non-accommodating work conditions for most women. It is evident that the stage when women join the workforce is also the same stage when they are engaged in childbirth and child-rearing.

There are different marriage types in Maghreb countries, including traditional marriages, which are marked by a vertical hierarchy whereby the wife is supposed to obey her husband, while he possesses—in most cases—sole decision-making powers.

In such marriages in Maghreb societies, it is common for women to be economically dependent on their husbands. They deploy a traditional division of labor whereby women are obliged to take care of the house and raise the children, while the husband is responsible for working outside the home and for economically supporting his family. These traditional marriages occur within a delimited geographical, ethnic, and social space, and are rarely the result of prior acquaintance between spouses except when they are related (i.e., cousins).

*Urfi* ("customary") marriages still exist, particularly in remote rural areas, as well as amongst some religious groups who deploy this kind of marriage to legalize what is otherwise an unlawful association with the opposite sex. The increasing popularity of this type of marriage is due to the acceleration in individuation, increasing social differences, the rising average age of marriage, and the economic difficulties associated with legal marriages.

Another type is secret marriage, which is defined based on its confidentiality. It is a common form of marital practice in Mauritania and is based on a legal contract between a man and a woman who agree to conduct it in secret, and have witnesses keep it undisclosed. This marriage takes place away from the social sphere of both the husband and the wife to ensure its secrecy. This practice is widespread among well-off men, senior officials, and merchants, and has started to attract some middle-class men, but it is less frequent among young men. These men select their secret wives from among the young women who live in informal urban neighborhoods or from the Bedouins inhabiting rural areas. Like women married under an *urfi* contract, women in secret marriages encounter massive obstacles to register their marital status and legally prove their marriage to their husbands.

Heterogeneous marriages are more susceptible to conflicts and tensions, which makes them generally fragile since each culture and civilization has its own vision and unique approach in managing family matters. The issue is further complicated with the presence of children, where the conflicts revolve around child-rearing and upbringing. Furthermore, this type of marriage in Maghreb societies has economic motives, especially for women. Association with a foreigner, particularly one of European or Gulf origin, affords an opportunity of social mobility, not only for the woman, but for her entire family.

The mechanisms governing consanguineous marriage suggest that it can be classified as a type of traditional marriage, since the relationships are predefined, and the youths have limited choice of their spouses. This form of marriage was particularly popular among extended families, in which grandparents lived with their married children and their grandchildren. Nonetheless, current forms of marriage are becoming increasingly individualistic, or at the very least increasingly relieved of familial and tribal determinants.

Exchange marriages were common in the past, especially in Libya, but they are now a rare occurrence, although a few cases can be found in Morocco. They are based on the principle of exchange, in which an individual marries his sister off to a young man in exchange for marrying the latter's sister. It aims to consolidate ties and alliances between families and tribes as well as within the same kinship unit.

Polygamy is a legally and socially recognized marriage pattern in the Maghreb. It is perceived to be an acceptable social solution in certain situations, such as celibacy and delayed marriage, etc. Additionally, it acts as a guarantee for the continuity of men's centrality and prominent place in the social system. Therefore, with the exception of Tunisia, where polygamy has been banned, the legislator has maintained the possibility of polygamy in family law. Yet some restrictions also apply, including the requirements of equity between wives, the ability to support the family, and, in some cases, the restriction of a contractual condition made by the first wife requiring that her husband not marry another.

The legal age of marriage in Maghreb countries ranges between 18 and 20 years, depending on the country. However, people below the legal age can still get married at the discretion of a judge. The concerns of some families regarding their daughter's future, and their fear of social stigma if their daughter's marriage is delayed, motivates them to marry their daughters off immediately after puberty. Similarly, poorer families tend to marry their daughters off early due to poverty and to their lack of access to further education.

Early marriage has negative implications for reproductive health, the social and educational conditions of girls, child mortality under the age of five, and maternal mortality. It contributes considerably to population booms, as well as to entrenching illiteracy and poverty. It also subjects young women to the risk of contracting sexually transmitted diseases (STDs), and to physical, psychological, and sexual violence. Additionally, the age gap between spouses, particularly in cases of early marriage, remains high.

The question of marital consent is thrown into sharp relief when it comes to the marriage of underage girls, as well as the extent to which her will is respected when it comes to consenting to the marriage and to intimate relations with the husband. It appears that traditional standards continue to prevail and are a priority in marriage choice, which is usually made by fathers with or without the consent of their sons and daughters. All Maghreb laws emphasize freedom of choice and consent to marriage.

Domestic violence has become a widespread phenomenon in all Maghreb societies, affecting different social and age groups without exception, as well as women with different levels of education. However, its prevalence among couples with no or a low level of education is much higher than among their more highly educated counterparts. It also varies according to women's ability to seek refuge and to reach security, judicial, and social services. Maghreb women are also victims of economic violence, which deprives them of their own economic resources or of the freedom to use them at will.

When it comes to the relationship between marriage and work, it can be noted that for the most part Maghreb women still leave the task of work and economic support to their husbands, while they tend to manage the household. While women's work outside the home has gained more traction, it is still generally considered to be a dereliction, undermining a woman's role as a mother and a wife. Stereotypes are still framed in light of traditional values that value men according to their income and economic prowess, and women in terms of their reproductive and domestic functions.

Internal migration has brought marriages in urban and rural areas closer together, especially in areas closer to the city. The majority of rural people in the Maghreb tend to be acquainted with their spouses prior to marriage. Furthermore, dowries in the countryside have also increased like those in the city. Due to the influence of urban culture, the geographic space for marriage has expanded among rural immigrants. They are no longer confined to the earlier boundaries of marriage within the village or the tribe. In addition, the migration of husbands to the city without their wives leads some of them to commit adultery, often leading to contracting STDs and even HIV, and later transmitting the infections to their wives. This is the case in most of the Maghreb countries, particularly Morocco, Tunisia, and Algeria.

The political and military unrest in Libya has produced a myriad of transformations, resulting in an overall context that poses high risks to marriages. As a result, some social bonds have disintegrated while others have strengthened. Furthermore, many young men are engaged in military and paramilitary operations, resulting, at least temporarily, in their exit from the marriage market.

## 2.1 Marriage Context

The study of marriage, based on determinant emotional and social relationships, ultimately leads to the study of the society as a whole. Marriage contributes a crucial vantage point for assessing the relative continuity of inherited social structures and relationships. Likewise, it enables us to grasp the totality of the transformations and changes that affect society due to both internal and external factors. Through marriage, a transition is realized: from the spontaneous and carefree nature of childhood and adolescence to the more responsible and mature stage of life. By opting for marriage, individuals achieve a balance between their personal desires on the one hand and requirements for social stability, security, and peace on the other.

We use the term “marriage” here to denote a lawful association between two people of different sexes resulting in the establishment of a family unit. Marriage is therefore held in high esteem by most societies. It is regulated via laws and norms approved by society, and individuals are expected to abide by them.

Published research and statistics attest that in the Arab Maghreb region marriage continues to be the prime institution governing the cohabitation of men and women, despite increasing rates of celibacy, permanent celibacy, and divorce, as well as a rise in critiques of the institution of marriage. And although various forms of marriage are emerging, or re-emerging under new circumstances, it is certain that the institution of marriage is perpetually and widely reproduced in the consciousness and practices of individuals. The continuing hold of the institution of marriage is due, in part, to the social, material, and emotional resources it provides. On the other hand, it is also a result of the important role marriage plays in the social imaginary and in child-rearing and upbringing.

In this chapter, we aim to outline the general features of the institution of marriage in Maghreb societies. We seek to highlight the changes in its patterns, standards,

and modes of organization. We look at these changes in relation to the transformations happening to society at large, analyzing their basic determining demographic, social, economic, or legal factors. Taken together, these aspects allow us to approach marriage as a product of social change, and at the same time as one of the vehicles for introducing such change. Marriage crystallizes the impact of public policies, and of the pressure placed by civil organizations on policy makers to ensure better living conditions for women and families, and to enable the institution of marriage to better serve individuals and society. The interaction between state and civil society contributes significantly to shaping marriage, the forms of change it undergoes in the wake of globalization, and individuals' attempts to preserve the cultural identity of society. Although marriage seemingly binds two individuals, its actual practice reveals a connection between two families and an institution (i.e., marriage) that is deeply entwined with public and domestic order.

Maghreb societies are underpinned by numerous similarities, including religion, language, and ethnic identity, notwithstanding their nuanced differences and distinctions. As such, they share many rituals, beliefs, and customs and traditions. Yet they are governed by different political systems, and the relationship between the state and society varies among them, particularly on the legislative, political, and symbolic levels.

In terms of methodology, we have adopted both a quantitative and a qualitative method. We provide extensive local, national, and international statistical data, but we also analyze texts pertaining to marriage in the five Maghreb societies. We have made sure that all these data and texts are relatively recent. In light of the reference document, we employed in our research a variety of publications, including books and articles, academic dissertations, ministry reports, and documents by international organizations and NGOs. Although the study is primarily concerned with marriage, we took great care in delineating the historical, demographic, economic, and social context where marriage takes place or does not take place. We believe that incorporating marriage in this general context allows for a deeper and more comprehensive understanding of the phenomenon. As such, it permits a more accurate interpretation of the marital situation in the Maghreb.

In light of the differences and peculiarities of each Maghreb country, we do not offer a holistic and general analysis of the marital practices of the Arab Maghreb as a single analytical unit. Instead, we opted to analyze each country separately, particularly since one cannot always find the same kind of data for all of the countries. However, we were keen to draw attention to similarities in circumstances and marital practices, offering a comparison, in each section, between the different Maghreb countries. Therefore, we believe the reader of this chapter will be able to form a nuanced understanding of the state of marriage in Maghreb societies.

There is a general consensus that the status of women needs to undergo serious legal revisions, especially with regard to legal provisions pertaining to marriage. Progressive forces in Maghreb societies demand the universalization of basic education for both sexes. They also demand that they be allowed to continue their education, calling for youth to be assimilated professionally and socially. Marriage is a watershed moment in the lives of women, who are often forced to drop out of their

educational tracks or leave their jobs in order to dedicate their time to their home and children. Most women are subjected to such coercion without having the means to resist these pressures that quash their ambitions and jeopardize their autonomy.

The strong dynamism of women's associations, particularly in Tunisia, Algeria, and Morocco, and their political activities on behalf of married women have affected public opinion. This has created a new political context conducive to the introduction of legal and social reform projects that aim to change the status of women, preserving their civil and economic rights in the family and society while opening up new horizons for further gains.

### *2.1.1 Historical Framework: Commonalities and Differences*

The countries of the Maghreb discussed in this chapter all have unique experiences shaped by distinct historical events. They also share numerous similarities that connect them together, including the Amazigh ethnic groups who constitute a shared population base across the Maghreb countries. Furthermore, these nations all enjoy a mosaic identity that was forged over the centuries as different ethnic groups came to inhabit North Africa. In the process, these groups interacted socially, culturally, and politically with the pre-existing norms, customs, and modes of social organization. We believe that clarifying this shared context is essential for elucidating the similarities and differences in marriage types in these societies. Consequently, in the following paragraphs we sketch the historical milestones we think are encapsulated in the different marriage types.

#### 2.1.1.1 Mauritania

Mauritanian society is distinguished by the presence of "a socio-cultural hybrid of several Arab and African affiliations, for it is located between black Africa and the Maghreb, granting it a rich and diverse cultural and historical advantage." Almost 95% of the population were nomads until the country's independence in 1960. The ensuing droughts and desertification drove people to the newly founded cities in search of stability. Over the years, urban dwellers increased to form around 70% of the population, according to the population census of 2013.

The Mauritanian social fabric is comprised of four main ethnic groups (Al Mughairi, 2006):

1. White Moors (*bidhanes*), who form the majority of the population;
2. Halpulaar (Fulani);
3. Soninke; and
4. Wolof.

Mauritanian society, then, is multiethnic and multicultural. Each one of these groups has its own language, distinct social system, unique traditions, and local

identity despite the fact that they all subscribe to the same branch of Sunni Islam (Maliki). This cultural diversity is evident in marriage practices.

Marriage in these groups has the following characteristics:

(a) **White Moors (*bidhanes*)** (Sidi Yehia, 2002): tribal norms and standards are given particular importance in the process of choosing a spouse and starting a family. The tribal system still exercises significant influence in social life and social organization as a whole. It is considered to be a crucial code for regulating traditional behavior rooted in a social hierarchy that dictates the choice of a spouse based on family lineage and social status.

(b) **The various Afro-Mauritanian groups (Halpulaar, Soninke, Wolof)**: the social structure is characterized by a clear hierarchy between masters, slaves, and white-collar workers. The social system relies on both extended families and closed hierarchical ranks whose laws strictly prohibit marriage outside of one's rank. Consequently, the social hierarchy is the central criterion when choosing a spouse, for any breach of the rank system results in severe punishment by the collective (Ould Hmeyada, 1996a, b).

#### 2.1.1.2 Morocco

Morocco is not so much a homogeneous society, ethnically and culturally, as it is distinguished by its diversity and multiplicity. Different ethnic communities settled in Morocco in pre-Islamic times, such as Vandals, Romans, Phoenicians, Jews, and Goths. The Islamization of the country formed a crucial turning point in its history, ushering in the emergence of a new political, social, and cultural formation. It was comprised, at first, of political leaders who had escaped persecution in the Mashreq—particularly descendants of the Prophet Muhammad. Later, soldiers and Arab tribes who settled in the desert and plains bordering the Atlantic Ocean became part of this formation. Because of the slave trade, a significant percentage of the inhabitants of Morocco are of African origin. All of these different groups were later joined by the Andalusians who were expelled from Spain to the Maghreb, and especially to Morocco, adding a new civilizational aspect to this region.

As such, the Moroccan identity is forged by cultures of diverse origins that were grafted on to a shared and deep-rooted Amazigh culture. The latter adapted successfully, by-passing any potential contradiction between Islam and Amazigh identity. Competition for resources between Arabs and the Amazigh resulted in a geographic redistribution. The Arab tribes settled primarily on the plains and in the desert, while the Amazigh lived in the Rif and Atlas mountain chains. This ethnic and geographic dichotomy was later fortified by other dichotomies on the legal (religious vs. customary law), political (Blad al-Makhzen vs. Blad Siba), and geographical (Plain land/mountains) dimensions. All of these issues had implications for marriage types and marital relations.

Although some remnants of this duality still exist, the same religious identity and the same basic political values now unite Amazigh and Arabic speakers. Despite some diversity in appearance and details, "the same structures of family, kinship,

and patriarchy are still shared by all of them" (Valensi, 1969) (Hicham Ait Mansour, background paper). Furthermore, they both prioritize the group over the individual. Ongoing cultural, social, and trade exchanges have also contributed to reducing differences and strengthening feelings of integration (Waterbury, 1975). There is no doubt that the northern parts of Morocco exhibit a clearer European influence, while the southern parts of the country reveal its African identity (Berque, 1974).

#### 2.1.1.3 Algeria

Algeria is characterized by its geographic diversity, with coasts, mountains, and deserts, along with different climates, styles of individual and communal living, and deep-rooted cultural heritage. As in Morocco, Amazighs are the country's indigenous people. They left behind archaeological artifacts that can be utilized in writing Algeria's ancient history. Some of the main ethnic groups in Algeria are: Amazigh (these include both the Kabyle people and the Mozabites—the latter are Ibadi Muslims); Tuareg (people who reside in southern Algeria); and the Arabs, whose first wave was led by Uqba ibn Nafe, while the second and more numerous wave came with the Banu Hilal and Banu Tamim tribes. These different groups intermingled through shared work as well as intermarriage, producing the Algerian identity and culture we know today. Amazighs, Phoenicians, Byzantines, Arabs, Andalusians, Turks, the French, and others, all participated in forging this identity.

Islam's arrival in Algeria brought about radical social, cultural, and religious changes that have profoundly defined Algerian society as we know it now. Amazighs overwhelmingly converted to Islam. In the fifteenth century, a large wave of Andalusians, expelled from Spain, brought to Algeria their customs, lifestyles and know-how. They helped to modernize the economic, political, and social systems that existed in Algeria at the time.

During the Ottoman era (1516–1830), the rulers recruited their soldiers from across Europe and Asia. Upon settling in their new home, these soldiers of diverse origins married Algerian women. As a result, the Kouloughlis came into existence: individuals born to Turkish fathers and Algerian mothers. Some of these individuals continued to live in Algeria until very recently. As for the French occupation, it lasted for 132 years (1830–1962). During this period, Algerian society had to confront questions about its real identity and culture, forcing the collective to carve out mechanisms for defending the local identity and culture (UNESCO, 2009a).

#### 2.1.1.4 Libya

For a long time, Libya's large size played an influential role in attracting people of diverse origins to settle in it. Settlements were particularly concentrated on the coast and also in dispersed locations in Libya's vast desert. The country also functioned as a passageway for pilgrims going to Mecca from the Maghreb countries, and some of them eventually became local inhabitants. There were also people coming

from Egypt and the Levant, and even some Circassians and Chechens, who settled in Libya. Moreover, people came from sub-Saharan Africa and settled in southern Libya, in addition to the Kouloughlis, who came to be rulers of the country, forming the Karamanli dynasty (Abousowa, 2010). The modern era witnessed the addition of yet another group who came to the country in the context of waves of European colonial settlement, which introduced radical changes to manners and customs and propelled the growth of urbanization (Hemeida, n.d.).

These different factors posed challenges to the unification of the country, with its large size and the presence of a strong tribal element who continued to adhere to the Bedouin communal lifestyle and expectations, leading to the dominance of tribal logic in numerous aspects of modern Libyan social life (Wannas, 2017, pp. 130–135).

Against the backdrop of this historical trajectory, Libya's "Arab Spring" crisis, starting in 2011, was far from surprising. Its repercussions led to "the disruption of society's equilibrium, the destruction of social and tribal structures, and especially the evocation of previous tribal and regional tensions and feuds… and struggles between different groups and regions" (Wannas, 2012) (Mounir Saidani, background paper). As such, Libya is currently witnessing the intensifying presence of armed militias, coupled with the state's inability to control the entire country.

#### 2.1.1.5 Tunisia

Tunisia, on the other hand, lies at the crossroads of multiple civilizations and cultures, whose effects have accumulated over more than three thousand years. It overlooks the Mediterranean Sea, just 140 km away from Sicily. Yet it also belongs to Africa, the Arab Maghreb, and the Arab and Muslim worlds. This contributes to making Tunisia a unique social and cultural amalgam. As in Morocco and Algeria, the Amazigh's cultural heritage constitutes the primary foundation on which Muslim and Mediterranean cultural components were added over time. As such, Tunisian society became a heterogeneous mix of Amazigh, Phoenician, Arab, Turkish, European, African, Islamic, Jewish, and Christian elements. The totality of these influences is evident in architecture, heritage, music, dress, cooking methods, customs and traditions, and even language—which is essentially Arabic, but with an extensive Euro-Mediterranean vocabulary incorporated into it (UNESCO, 2009a).

The majority of the population tended to settle in coastal areas away from hot desert winds, since the country lacks major, or even medium, mountain barriers like those in Algeria and Morocco. The rest of the population is concentrated around dispersed water sources inland. Therefore the settlement pattern is uneven, extending to the desert's frontiers. This dual pattern of population settlement extends over centuries of Tunisian history, with very little change in the wake of the Ottoman occupation, the French protectorate, or independence. As a result of increasing migration, the percentage of urban dwellers rose to more than two-thirds (67.7%) of the population, according to the 2014 population census.

Tunisia and Libya share the same official language and have comparable locations on the eastern side of the Arab Maghreb; the majority of their populations subscribe

to the same religion; and they share many traditions and customs—not to mention having a shared border that stretches for 459 km, and adjacent territorial waters. Yet they are quite different as a result of the divergent historical experiences that each country underwent. Their differences were thrown into sharp relief in the wake of each country's respective independence, with the ensuing emergence of diverging political, legislative, legal, and executive systems, and a distinct relationship between state and society emerging in each of the two countries. These striking differences extend to the sphere of public policy and civil society.

In keeping with the abovementioned historical insights on marriage, we highlight in the following pages crucial features of the societal context of marriage in the Arab Maghreb. We rely, as much as possible, on statistical indicators and other pivotal sources through which we can emphasize the different determinant forces of marriage. We focus on the following:

1. **Demographic determinants**: These include growth in overall population, changing fertility rates, age structure, average life expectancy at birth, average age at first marriage, and expressed attitudes towards marriage.
2. **Economic determinants**: Depending on the impact of economic circumstances on demographic behavior, and the ensuing impact on marriage and family size, we will seek to determine the GDP per capita and economic growth rate, turning to other factors that help in discerning the nature of the economy.
3. **Social determinants**: These include three rates: labor force participation, employment, and unemployment.
4. **Family and legal determinants**: These relate to the transition from the extended to the nuclear family as well as the legal chapters and clauses pertaining to marriage as set out in family laws in the Arab Maghreb.

### *2.1.2 Demographic Transformations*

All Maghreb societies have an increasingly growing population, especially since gaining their independence. For example, neither Algeria nor Morocco had a population of more than nine million in the 1950s. This number has grown noticeably since the beginning of the 1990s, reaching thirty-four million in Morocco and thirty-nine million in Algeria in 2015, after just sixty-five years. It seems that demographic growth in Morocco was slightly higher than that in Algeria until the 1980s, but things began to change in the early 1990s and population growth became higher in Algeria than in Morocco. The gap continued to widen until 2015. We believe that the family planning policy enacted by Morocco was the biggest contributor to reversing that earlier trend.

The total population of Mauritania, Tunisia, and Libya showed a marked increase in population, particularly for Tunisia and Libya. Mauritania maintained relative stability in its population number until the 1970s. Its total population increased from 660,000 in the 1950s to around four million in 2015. As for Tunisia, its population grew from 3.7 million in the 1950s to eleven million in 2014. In Libya, the population

grew from one million in the 1950s to six million in 2015. This population growth influences the standard of living, and reflects a decline in the mortality rate, coupled with an increase in the birth rate, improvements in the population's health, and an improvement in living conditions—including nutrition, accommodation, hygiene, and so on. It is also attributable to a decline in women's age at first marriage up to the end of the twentieth century. The latter contributed considerably to an increase in fertility rates. As for the stabilization of population growth in Libya between 2010 and 2015, it is due primarily to the civil war and its effects on marriage and family life in general.

#### 2.1.2.1 Demographic Transition

In the third millennium, the first indicators of demographic transformation began to emerge, particularly in Tunisia, Morocco, and Libya. They had somewhat different causes, most notably the decline in fertility rates due to higher age at first marriage, high rates of women's education, the participation of increasing proportions of women in work outside the home, rising rates of women's use of contraceptives, and the high rate of urbanization in all Maghreb countries without exception.

However, what is the relative importance of different age groups in the Maghreb countries? The answer to this question can be discovered in the data found in the following table (Table 2.1).

In all Maghreb countries except for Mauritania, the rate of children under the age of 15 is conspicuously low, in contrast with the high rate of people between 15 and 65 years old. This results in less pressure on the labor market and more demand for the right to education, housing, and healthcare, as well as other services. These rates also lead to more marriage candidates. However, the imbalance between the demand for jobs and the limited opportunities offered by the economy not only delays

**Table 2.1** Population structure of the Maghreb countries between 1980 and 2014

| Country | Year | Under 15 (%) | 15–64 (%) | Over 65 (%) |
|---|---|---|---|---|
| Libya | 1980 | 48 | 49 | 2.8 |
| | 2014 | 29 | 67 | 4 |
| Mauritania | 1980 | 45 | 52 | 2.8 |
| | 2014 | 41 | 56 | 3 |
| Tunisia | 1980 | 42 | 54 | 3.9 |
| | 2014 | 24 | 69 | 7.5 |
| Algeria | 1980 | 46 | 50 | 3.44 |
| | 2014 | 28 | 66 | 5.37 |
| Morocco | 1980 | 43 | 53 | 3.28 |
| | 2014 | 27.8 | 66 | 6.27 |

*Source* World Bank Database: Development Indicators (2017)

or permanently prevents marriage, it also leads to more youths seeking migration, lower wages, and even political instability (Zagaglia, 2013). Seeking marriage thus becomes relatively difficult, raising the rate of migrants marrying in their countries of destination rather than of origin.

Conversely, there is a significant increase in the over-65 age group, except in Mauritania, where this rate has only increased slightly. Given the steady increase of this ageing group in the population pyramid of Maghreb countries, this development is expected to place an increasing burden on pension funds and social and health coverage, especially since by late 2015 the average life expectancy at birth was close to 75 years in Morocco, Algeria, and Tunisia, and around 60 years in Mauritania. Since the average life expectancy at birth is generally higher for women than for men, and marriage after the age of 65 is easier for men than for women, the rate of widows and divorcees is particularly high among women.

We also see the demographic transition of Algeria and Morocco through low fertility (World Bank Database: Development Indicators, 2017). The fertility rate changed from seven children per woman in 1960 to four children in Morocco and fewer than five children in Algeria in 1990, and approximately 2.5 in both countries in 2014. This change shrank the size of families in both countries, while also making way for better communication between spouses and a higher quality of marital life.

The fertility rates in Mauritania, Libya, and Tunisia over the past six decades show their gradual and significant decline, especially in Tunisia and Libya during the 1990s. In 2014, the rate was two children per woman in each of Tunisia and Libya, down from seven and six, respectively, in 1960 (World Bank Database: Development Indicators, 2017). While Mauritania has maintained a relatively stable fertility rate during these decades, its rate has gone down from six children per woman in 1960 to four children in 2014. Since women are the primary caretakers of children in Mauritania, the continued formation of relatively large families weighs on women and makes their marital life more difficult, especially amid the gradual transition towards a nuclear family structure, as well as the increasing rate of women working outside the home and men continuing to resist taking part in housework.

#### 2.1.2.2 Marital Status

However, we continue to wonder about the weight of married status compared to celibacy, divorce, and widowhood. In order to clarify this, we present the following table (Table 2.2).

The data above show that nearly half of those legally eligible for marriage are "married," except in Libya, which has a lower rate of married people compared to the other countries. Libya's rate of married people is also equal to that of single people (46.8%). According to these data, war conditions have reduced the number of marriage seekers. Furthermore, all the countries in the table have a particularly high rate of single people, and a relatively high number of widowed people who may never remarry. It must be noted, however, that there are differences between the two genders in this regard. 47.5% of men were married, while 53.9% of women were. The

**Table 2.2** Marital status in the Maghreb

| Marital status | Country | | | | |
|---|---|---|---|---|---|
| | Algeria (%) | Libya (%) | Morocco (%) | Tunisia (%) | Total (%) |
| Married | 52.1 | 46.8 | 55.0 | 53.9 | 50.5 |
| Living together | 0.2 | – | 0.5 | 0.2 | 0.1 |
| Divorced | 1.9 | 2.0 | 1.6 | 3.2 | 1.0 |
| Separated | 0.4 | 1.2 | 0.2 | 0.4 | 0.2 |
| Widowed | 3.2 | 3.2 | 2.2 | 4.3 | 4.1 |
| Single | 42.2 | 46.8 | 40.5 | 37.9 | 44.1 |

*Source* World Value Survey. Selected samples: Algeria 2014, Libya 2013, Morocco 2011, Tunisia 2013

gap widens further when it comes to celibacy, with 50.9% of men remaining single, compared to 36.6% of women. As for widowhood, the gap between the two genders doubles, with the number of widowed women being eight times that of widowed men (7.5% of all women compared to 0.9% of men) (World Value Survey, 2013).

As for Mauritania, which was not included in the global research, we list rates from the 2013 census, which showed closely similar rates of married and single people (44% and 45%, respectively), thus marking the lowest rate of married people in the Arab Maghreb. It also found that marriage rates increase faster among women than they do among men in the 35–39 age group, after which they begin to slow down. Regarding widowhood in Mauritania, it starts appearing among women from 40 to 44 years of age, while among men it only starts to appear from 60 to 64 years (RGPH, 2013).

One field study on the family in the Maghreb, which sampled people aged 40 or older, showed that the number of single-person households was greater among women than it was among men. This demonstrates the difficulties divorced women and widows of this age group face when they want to remarry. It also confirms the decline in seeking marriage, as the main concern shifts to preserving the family's honor and protecting those of its members who are most fragile and vulnerable to violations of their dignity (CERED, 1991).

#### 2.1.2.3 Living with Parents

Living with parents, or taking up independent housing, are among the key elements affecting marital life. The first includes a set of constraints, such as sharing living spaces, taking part in family budgeting, collective intervention in child-rearing, sharing housework among the extended family, and facing difficulties in enjoying privacy and intimacy. Meanwhile, opting out of living with parents by forming a somewhat independent nuclear family depends on its members' lifestyle, decisions, and choices. Today, independent living has become prevalent, but it has yet to become available to all married couples.

According to the Table 2.3, more than three-quarters of married men/women (78.5%) do not live with their parents, with some variations from one country to another. This is mainly due to the changes that these societies are experiencing in intergenerational relations. It can also be attributed to the daily life challenges faced by extended families including competition for the parents' resources among the sons and their wives. A distinct example in this regard can be found in Tunisia, where living with parents happens significantly less often (only 8.5%). We also note that only one-fifth of the respondents said they lived with their parents.

We can point out here, if we take Morocco as an example, that living with parents occurs more in rural environments than in urban environments, and more with the parents of the husband than with the parents of the wife. Furthermore, residential separation often goes with proximity of residence, in order to combine independence of family life with the availability of support when needed. This tendency to form nuclear families in independent housing units while maintaining proximity to the parents occurs in rural areas twice as much as it does in urban areas. Living with one parent also occurs when the other passes away, and since the average life expectancy of mothers is higher than that of fathers, this living situation occurs more with mothers than it does with fathers (CERED, 1996, pp. 69–72). However, the worsening unemployment and housing crises and the shrinking incomes of married sons/daughters forces some of them to return to their parents' houses. Opting to do this relieves the married sons/daughters of the costs of independent housing, and contributing to daily expenses is often less costly than covering them separately. Moreover, parents may help take care of the children and can also receive the different forms of support they need. As such, it is not an extended family in the traditional sense (i.e., an institution that grows in a normal, spontaneous, and natural manner), but rather a new extended family emerging from specific circumstantial, economic, and social pressures, and by the will and choice of its members.

**Table 2.3** Rate of married respondents living with their parents

| Living with parents | Country | | | | |
|---|---|---|---|---|---|
| | Algeria (%) | Libya (%) | Morocco (%) | Tunisia (%) | Overall (%) |
| Yes | 27.6 | 21.8 | 21.8 | 8.5 | 20.2 |
| No | 71.9 | 75.9 | 77.9 | 90.3 | 78.5 |
| No answer | 0.5 | 0.4 | 0.3 | 1.1 | 0.6 |
| Don't know | – | 1.9 | – | – | 0.7 |

*Source* World Value Survey. Selected samples: Algeria 2014, Libya 2013, Morocco 2011, Tunisia 2013

### *2.1.3 Economic Factors*

Gross Domestic Product (GDP) is a key indicator of the performance of an economy and its ability to provide employment opportunities for the economically active groups in a society. By this indicator, we find that Maghreb economies have witnessed relative stability as of the new millennium, but their growth has remained weak and less cost-effective since then, ranging between 2 and 4.5%, unlike in the 1990s, which witnessed a clear fluctuation in growth rates (World Bank, World Development Indicators, 2017). These economies were affected and fell short of absorbing high unemployment rates, especially since GDP per capita—despite a slight increase over the past twenty-five years—has not risen above $1,000 per year. Libya, however, is an exception. Its oil revenues brought the rate to $30,000 per capita per year, but this increase was lost in the aftermath of the Arab Spring and the civil war. As such, these economies have remained incapable of securing a minimum number of job opportunities, let alone achieving the welfare of the largest segment of society and ensuring decent living conditions for young people. These conditions have had a direct impact on marriage.

However, the 1990s remain the worst decade in terms of economic growth in the Maghreb. It was marked by high rates of unemployment that had a great impact on living conditions, especially among the youth. Based on the GDP rate in Tunisia, Libya, and Mauritania, the economies of these countries have had stable economic growth post-1990 (World Bank, World Development Indicators, 2017). They also saw slight surges, especially Mauritania, where the growth rate jumped to 18.86% in 2006. In Libya, the growth rate changed significantly in the course of eight years from 13% in 2003, with a sharp drop between 2010 and 2011 to −62%. The common denominator among these three economies is the continuous fluctuation in growth, from −4% (Mauritania) in the 1990s to +18.86% in 2006, the highest growth rate on record for the country. The beginning of the millennium was the period when these economies began to witness increasing growth, while from 2011 onwards social, political, and economic developments had a negative impact on growth, which fell to −1.91% in Tunisia. In terms of function, these economies remain unable to create job opportunities for the economically active group in society, which directly affects unemployment rates and individual incomes. There is no doubt that such economic data, which respond to the aspirations of only a limited group of young people seeking work, largely explain delayed marriages and the growing number of single people in Maghreb societies.

### *2.1.4 Labor Force Participation*

The labor force participation index is based on the active population: individuals who are employed or seeking employment. It measures available supply in the labor market and the capacity of potential candidates for the production process. It is

calculated by determining the percentage of those involved in the labor force out of the total active population. This indicator is used to understand the economic behavior of different groups towards the labor market. The rate of women's participation in the workforce, which varies according to family status and level of education, is used by demographers to determine their expectations regarding the fertility rate.

#### 2.1.4.1 Labor Force Participation in Algeria and Morocco

Based on the previously mentioned definition of the labor force participation index, we will seek to determine the rate of participation in four of the Maghreb countries; Mauritania was not included in the process. We will take into account the index's development between 1990 and 2010, and how it varies according to age group, as well as how it applies to women's participation in the workforce.

First of all, we will attempt to define the advantages of this participation in Algerian society. The labor force participation rate in Algeria has remained stable for the past twenty-six years (ILO, Indicators of the Labor Market (KILM), 2017). However, it declined among youths aged 15–24 between 2000 and 2016. This is reasonable given the rising rates of enrollment in education among this age group. As for the other groups, especially ages 25–34 and 35–44, there has been an increase in labor participation rates for both men and women.

With regard to women, the labor participation rate increased from 13.8% in 1990 to 24.4% in 2016 in the 25–34 age group, when women face increasing social pressure to get married. It is well known that the higher the rate of participation in the workforce, the lower the fertility rate, or the later women decide to get married or have children. In the 35–54 age group, the rate also changed, from 8.2% in 1990 to 18.1% in 2016. This all confirms the high rate of women's participation in the workforce for all age groups, except for women aged 15–24, who show a slight decline.

Seeking marriage is mainly associated with a high rate of participation in the workforce by taking up income-generating work. However, this association only applies to a limited extent among youths under 25 in Algeria. As such, we understand why marriages begin to increase from the age of 25, and why many—if not most—are delayed until after the age of 30. In some cases, the increased participation of women in the workforce results in the postponement of marriage. In other cases, it makes family planning more in line with the conditions of work.

In Morocco, the labor participation rate has declined among young men and women aged 15–24, while remaining relatively stable in the 25–34 and 35–54 age groups. As for women's participation, the rate increased from 29.4% in 1990 to 33% in 2016 in the 25–34 age group, and from 26 to 30.5% in the 35–54 group (ILO, KILM, 2017). The rate of women's participation in the workforce varies according to their family status and level of education.

#### 2.1.4.2 Labor Force Participation in Libya and Tunisia

This section discusses labor force participation rates in Libya and Tunisia. The labor force participation rate in Libya has been relatively stable over the past three decades, with only slight changes. It shows that the 15–24 age group contribute the least to the workforce, which is understandable, given their studies and training at this age. Meanwhile, men and women in the active 25–34 age group contribute the most, at a rate of 66.7% (ILO, KILM, 2017). However, women's labor force participation reached 39.3% in 2016 among the 25–34 age group. Most marriages take place during this phase of a woman's life. Data on women's labor force participation indicate remarkable progress between 1990 and 2016 among all age groups.

In Tunisia, the labor force participation rate was similar to that in Libya for the 25–34 age group, reaching 67.2% in 2016 (ILO, KILM, 2017). In the 15–24 age group, the rate declined from 41.2% in 1990 to 34% in 2016. The decline in this age group is attributable to enrollment in education, which—for some—may extend to higher levels. Meanwhile, the participation rate in the 35–54 age group remained stable, changing slightly from 56% in 1990 to 58.9% in 2016. As for women's participation, the same decline trend was recorded for the 15–24 age group, reaching 22.4% in 2016. For the 25–34 and 35–54 age groups, the rate increased to 44.3% and 26.5%, respectively, in the same year.

However, the available statistics on the increasing participation of women aged 25–54 in the workforce are unable to distinguish between single and married women. Yet it can be inferred that conditions for the participation of married women in the workforce in Maghreb societies are not easy at the moment, as they are poorly qualified. They also face low wages for "women's jobs" and a gradual loss of family support when working outside the home. In addition, they do not have enough access to nurseries and childcare facilities.

It is worth noting that the phase during which most women enter the "marriage market" and become most occupied with raising their children is the same as that in which they participate the most in the workforce. Therefore, it seems that for working women, there is a close connection between marriage (and the associated family formation and child-rearing) and participation in the workforce, directly or indirectly, in order to help meet the needs of the family. Once children grow older and become able to work and earn an income, many mothers withdraw from the labor market (starting from the age of 55, according to the data provided above). As such, they become partially or completely dependent on their sons and daughters, while other wives and mothers continue to work, whether because they wish to or because they are forced to do so.

### *2.1.5 Unemployment Indicators*

The unemployment indicator is used to assess the performance of the economy and the labor market in particular. It is measured by the number of unemployed people

out of the total workforce. It is also of indisputable importance in particular when researchers seek to form a general picture of the labor market with regard to the total active population.

The unemployment rate is higher among Algerian youths than it is among adults. It declined from 41% in 1991 to 30.6% in 2016, while adult unemployment declined from 21.1% in 2000 to 6.8% in 2016 (ILO, KILM, 2017). The rate of unemployment among young women in Algeria was 48.5% in 2016, down from a record high of 78.6% in 2000. Meanwhile, youths accounted for 65.7% of the unemployed in 1991, declining to 43.2% in 2016, whereas for young women a percentage of female unemployment stood at 63% in 1991, declining to 43.2% in 2016 (ILO, KILM, 2017).

The rate of unemployment in Morocco remained stable among young people between 1991 and 2016, at 18% and 19%, respectively. The rate of unemployed young people out of the total unemployed declined from 45.2% in 1991 to 32.4% in 2016. The rate of unemployment among young women also maintained relative stability, slightly increasing from 16.5% in 1991 to 17.6% in 2016. The rate of unemployed young women out of the total unemployed declined from 45% in 1991 to 27% in 2016 (ILO, KILM, 2017).

The unemployment rate in Libya is very high among youths, compared to the rate among adults. It increased from 43.9% in 1991 to 50.2% in 2016, while the rate was limited to 15.3% among adults. As for the rate of unemployment among the youth population, it increased from 13.9% in 1991 to 17.8% in 2016. Meanwhile, the rate of youths among the total unemployed population declined from 51.5% in 1991 to 36.5% in 2016 (ILO, KILM, 2017).

Female unemployment in Libya remained stable between 1991 and 2000 at 63%, but increased to 69.3% in 2016. Unemployment affected 21.6% of adult women in 2016, above the stable rate of 19.6% in 1991 and 2016. The female youth unemployment rate increased from 9.7% in 1991 to 15.8% in 2016. As a proportion of the unemployed, the rate for young women declined from 59.9% in 1991 to 40.2% in 2016 (ILO, KILM, 2017).

In Tunisia, the youth unemployment rate remained stable between 1991 and 2016. The same applied to the rate among adults, which also remained stable over the two and a half decades. As in Libya, the unemployment rate among youths was much higher than it was among adults, though the rate of unemployment among the youth population declined from 13.8% in 1991 to 11.8% in 2016. Meanwhile, the rate of youths among the total unemployed population declined from 53.1% in 1991 to 33.7% in 2016 (ILO, KILM, 2017). It is generally noted that unemployment among Tunisian women, whether young or adult, is largely similar to that among the total active population. With the exception of the proportion of women among the total unemployed population, which fell from 58.6% in 1991 to 30.9% in 2016, we note remarkable stability on all other levels.

The above data clearly show that unemployment primarily affects youths and women. It is also clear that the different political and economic conditions of Maghreb societies between 1991 and 2016 made unemployment rates rise steadily (in the case of Libya), decline (in the case of Algeria), or remain relatively stable (as noted in Morocco and Tunisia). However, such differences in unemployment rates between

the countries of the Maghreb do not mean that the socio-economic status of young men and women either encourages or hinders marriage. Rather, it generally does not affect marriage, even with some variation between one society and another.

### *2.1.6 Family and Legal Determinants*

The social changes that have occurred in Maghreb societies have greatly affected the family institution, albeit to varying degrees from one country to another. They have reduced the roles and values of the extended family—which involved controlling the fate of the sons/daughters—in favor of a relational space with less control over men and women and their marriage choices under a traditional structure governing the mechanisms of family formation (Mernissi, 2005). As a result, the parental role has become restricted, as has the power of the extended family, which used to see such practices as a violation of the prevailing value system (Ait mansour, Background Paper). Premarital emotional relations have grown, becoming an indication that the relationship between men and women is no longer governed by inherited customs and norms.

In terms of legislation, Maghreb societies have witnessed many changes in their family laws and policies. But while the family institution has undergone social changes in terms of beliefs, values, and ideals, it remains subject to laws that preserve the specificities and religious framework of Maghreb society. These laws are also based on certain international conventions compatible with the principles of the Universal Declaration of Human Rights as well as women's and children's rights.

The decision to issue the Personal Status Act on Tunisia's Independence Day in 1956 helped add a progressive touch to personal status laws governing marriage. These reforms were characterized by "superiority, coercion, and statism (Mahfoudh Dhorra, 2008)." To understand them, they must be examined through the lens of the social and historical context in which they were made, which was marked by conflict between state and society throughout the pre-colonial, colonial, and post-colonial periods (Gafsia, 2008). During the latter, the French colonial legacy lived on through women's liberation movements, which called for the revolutionization of the Personal Status Act in favor of gender equality.

Regarding Libya's Personal Status Act, civil and religious courts were merged in 1969, and Law No. 10 of 1984 was issued to regulate marriage, divorce, and related matters. Norms were also recognized as rules of conduct, with chapters partially deriving from the Maliki school of Sunni Islam. In addition, the Charter on the Rights and Duties of Women in Jamahiriya Society was approved in 1997.

Libyan law sets the minimum age for marriage at 20 years for both men and women. However, marriage below this age can take place at the discretion of a judge. According to Article 17 of the 1984 law, wives are obligated to provide physical and psychological comfort to their husbands, while bearing domestic and childcare responsibilities. In return, they benefit from financial support from their husbands and have full control over their personal incomes, as well as their material

and financial assets. This indicates that the law was based on official and authoritative modernization orders. However, in the past two years this modernization has been divided between legislative and political modernization on the one hand, and bottom-up proposals from individuals, groups, and families on the other.

In Algeria, the Family Law of 2005 played a major role in changing the country's value system. Polygamy was made subject to many restrictions. The law has also given rise to the emergence of individualism resulting from growing gender equality, which may lead to the dissolution of family and social relations (Massoudi & Bin Qaffa, 2013).

In Mauritania, marriage is regulated under a legal contract in accordance with Islamic Sharia law, with the aim being the formation of a family. The conditions of marriage for both men and women include eligibility to marry and being at least 18 years old. Additional conditions may be agreed upon in the marriage contract. For example, conditions may include the man "not being already married to another woman," "not being absent for more than [a certain period of time]", or "not preventing her from continuing her studies or work (Hmeyada, Background paper)."

Legally and socially, marriage is prohibited in cases of kinship, engagement, breastfeeding, and the completion of another marriage contract. It is also prohibited for women to marry non-Muslim men, and for men to marry women of non-Abrahamic religions. In addition, men cannot marry women who are seriously ill or who are still in the three-month period following a divorce. Furthermore, polygamy is only legal "if certain conditions are met—such as willingness and fairness—and if the husband has the approval of an existing wife who had set monogamy as a condition of marriage (Official Gazette of the Mauritanian Islamic Republic, 2001)."

These articles, included in the Mauritanian Personal Status Code of 2001, constitute an official and structured framework for the institution of marriage on the legal level. However, social practices and other types of marriage continue to take place by virtue of existing marriage-related practices, traditions, and exchanges.

Notably, in Morocco the 2004 Family Code served as a courageous and appropriate answer to the challenges posed by the family at that time, as a result of the cultural, economic, and political changes that have taken place in the region since the beginning of the third millennium, especially since the Personal Status Code of 1957 tended towards a strict, traditional family structure based on a vertical distribution of gender roles. However, in its current form the Code has combined equality and justice principles, with religious references and universal values endorsed by international agreements. As such, it became part of the process of "democratization" adopted by Morocco since the early 1990s (El Harras, 2006a, b). It expanded the principle of gender equality and strengthened individual independence. Additionally, it expanded individual marriage choices, as opposed to the traditional family structure that favored the vertical intervention of parents in marriage prospects.

Among the key effects of the Family Code on Moroccan marriages was that it greatly improved spousal relations in favor of equality and general respect for the status of women and family. This had a direct impact on roles and levels of care within the family, as opposed to the traditional idea of the man's centrality, which had no regard for the wife or her status. Under this Code, responsibilities

came to be shared, and traditional representations declined significantly, giving rise to new standards based on equality. Both spouses became equally responsible for family-related matters. Large segments of women became involved in managing their families and supporting them financially when their men failed to do so, in addition to making key family decisions (MSWFSD, 2016). As such, marriage rates increased and there was a decline in the divorce rate.

## 2.2 Types of Marriage

The changes that have occurred in the family institution are among the key factors behind changes in the types of marriage. Economic and legal contexts have produced several phenomena that constitute a relative break from traditional and patriarchal practices. Economic transformations in the Arab Maghreb countries have expanded the margin of economic choice for individuals, which has also affected laws. Gender equality has become a basic societal question, especially with the diminishing of the extended family and family roles, as well as the emergence of the nuclear family and the growing presence of women in the public sphere. This has led to the disintegration of some cultural structures that supported traditional types of marriage, which nevertheless have not so much faded away as carried on, albeit in renewed forms adapted to economic and social conditions in the Arab Maghreb.

The following is a review of the various types of marriage in Maghreb societies.

### *2.2.1 Traditional Marriage*

Traditional marriages are characterized by vertical marital relations based on the wife's obedience to her husband and the latter's almost exclusive control of decision-making, even in matters that supposedly fall within women's domain. If a woman has some sort of influence over her family, it is mostly because she has borne sons. In Maghreb societies, it is common for women in such marriages to be economically dependent on their husbands. There is usually a division of labor whereby women must attend to household affairs and raise the children, while men take up work outside the home and support their families. Such marriages are also characterized by the young age of both spouses, as well as a large age gap between them. Furthermore, marriages are usually pre-arranged and take place within a limited geographical, ethnic, and social range. Traditional marriages are rarely the result of prior acquaintance between the spouses. However, in these rare instances, it often remains within the preferred network of cousins. It is also known that traditional marriage allows barely any expression of intimacy or the private aspects of marital life.

Based on this general definition of traditional marriage, we will endeavor to highlight some of its characteristics and components in Arab Maghreb countries, based on the relevant academic literature.

In Morocco, traditional marriages are characterized mainly by the dominance of patriarchal values based on the vertical kinship structure, where "choosing a wife is primarily up to the parents, as sons prioritize the authority of the father in particular, who is considered to be in charge of every decision. This applies not only to choosing a wife, but also extends to direct interference in private lives (El Harras, 2006b, p. 108)." (Ait Mansour, background paper.) On this level, despite the new marriage and family planning trends resulting from social changes and legal reforms, traditional marriages continue in Moroccan society as an extension of certain values governed by an inherited culture. And despite legal reforms related to equality between spouses, the traditional understanding of equal responsibilities between them has hardly changed. In most Moroccan families, the husband's mother continues to interfere in her son's marital relationship (Benkirane, 2015). This confirms the continuity of the traditional value system that leaves no room for individuals, thus limiting their choices and leaving them trapped in a crossfire of favor and disfavor. This eventually results in obedience to parents and further entrenching patriarchy (Bourqia, 2006). Hence, in Morocco traditional marriage has become one of the key strategies to maintain the unity of the social system and continuity of the social structure as a whole.

In Algeria, the status of traditional marriage is almost identical in terms of structure, with the prevalence of a patriarchal rationale and vertical psychological relations. Despite the changes witnessed by this institution in view of several variables, this does not entail the disappearance of traditional marriages, as choosing spouses remains a decision for parents, not sons/daughters. At the same time, they indicate the continuity of the patriarchal rationale behind social relations (Bin Al Sheikh, 2013).

In his research on migration in Algeria, ethnologist Sayad (1991) found that some generations of uneducated or poorly educated mothers are reluctant to pick wives with higher education for their sons, as they believe that a woman who is "too educated" is less likely to fulfill the wishes and decisions of her husband. In this cultural context, obtaining higher academic degrees is not considered a good investment for women in the marriage market (Sayad, 1991). As such, it is not surprising that the average marriage age among Algerian women with the highest qualifications is 33.3 years (Hammouda & Cherfi-Feroukhi, 2009).

Statistics indicate that approximately 40% of people prefer traditional marriages. This trend appears especially strong among the illiterate, and is more common in rural societies (Labrash, 2008). Therefore it is not surprising that the idea of marital choice is absent from Algeria's rural societies, where patriarchy prevails. As such, the consent of sons/daughters is not binding, since rejection or approval is up to the father or the grandfather (Al Hali, 2010, p. 344).

In a paper on the effect of satellite television on marriage and childbearing among Algeria's rural families, Bin Al Sheikh (2013) highlights strong similarities between rural families in Algeria and Morocco, with a particular focus on the prevalence of vertical relations between parents and sons/daughters. As such, the researcher

considers that rural families have generally begun to open up to the idea of free choice in marriage. However, this has yet to diminish the limitations of traditional marriage. Choosing a spouse is still up to the parents, which shows that the patriarchal rationale continues to dominate social relationships.

According to research, Algerian youths do not accept the way their parents interfere in choosing their wives, and they appear uncomfortable with living with their parents, as this will further entrench the concept of traditional marriage. However, a significant paradox has been observed in that the majority of the respondents studied—who were of a relatively older age—preferred traditional marriages, as they cost less in comparison with "modern" marriages.

One of the advantages of traditional marriages in Mauritania is that the first step is for the two families to contact each other in order to consider the matter and negotiate the amount of the legal dowry. Once they have agreed on both these issues, they proceed to the engagement, followed by the marriage and other arrangements according to the inherited religious traditions. Throughout the stages leading up to marriage, individual choices are taken into consideration, as well as the social and cultural foundations and controls of marriage according to each ethnic group. The requirements of political and economic exchange and alliances between relatives, and the hierarchy of the social system as a whole, are also taken into consideration. Any observer of traditional marriage rituals in Mauritania will be able to notice the associated gifts, duties, and arrangements exchanged between the spouses and their families. Since these customs have become an economic burden for families, individuals are now starting to abandon them and break away from their requirements.

### *2.2.2 Non-traditional Types of Marriage*

The scarcity of research and relevant studies are perhaps what draws attention to the non-traditional types of marriage. However, Maghreb researchers have generally examined some of these types, especially *urfi* and heterogeneous marriages. In light of the social transformations occurring in Maghreb societies, new types of marriage are emerging, marking the rise of new forms of gender relations, the proportions of which remain unclear. Nevertheless, these new types are subject to further expansion within the process of transformation in these societies.

#### 2.2.2.1 *Urfi* Marriage

In Algerian society, *urfi* marriage constitutes one of the transformation phenomena that are increasingly drawing the attention of researchers and officials responsible for the family institution (Mahrouq, 2013, p. 134). This type of marriage has become the only way out of the costs of formal marriage. Despite a lack of recognition in Algerian law, it remains a path that some individuals dare to follow in order to legitimize their extramarital sexual encounters. The advance of *urfi* marriages can

be attributed to growing individualism and the diminishing control of the traditional family. Additionally, social differences, delayed marriage, and marriage-associated financial challenges have all contributed to the rise of this type of marriage. There are also cultural reasons behind it, as *urfi* marriages are sought to avoid administrative controls, especially those requiring a non-Muslim foreigner to convert to Islam, and the ensuing measures. As such, one of its most important functions is to satisfy the biological needs of both parties, while maintaining an official marriage.

In Morocco, *urfi* marriages appear in remote rural areas and among some religious groups, who use it to legitimize unlawful relations with the opposite sex, whereas legally regulated marriage in Morocco entails responsibilities, rights, and guarantees." Naturally, women and children are the main—if not only—victims of *urfi* marriages. If the husband ends the marriage, the wife has no legal route to claim alimony or inheritance. She cannot even list him as the father of their children in the civil registry. Despite the absence of official statistics on *urfi* marriages in Morocco, it has become a well-known and certain fact that family courts in Morocco are rife with paternity cases and many other problems related to *urfi* marriages.

However, the only study to offer any statistics on *urfi* marriage in Morocco is one on early marriage. It found that around four-fifths of girls married before the age of 18 had a legal contract, whereas 22% got married only by recital of *Surat Al Fatiha* (the opening verse of the Quran, used to bless new couples). Within this latter category, only 17.5% of the women documented their marriages in the Family Court. The same study found that only 55.4% of these women's mothers had an official marriage contract, which suggests that this type of marriage is on the decline (MSWFSD, 2014).

Meanwhile, in Tunisia, monogamous civil marriage is legalized by the state but other types of marriage also exist. In his background paper for this chapter, Mounir Saidani took an indirect approach to prove this with data, albeit partially. Based on recently published statistics from public health institutions, he noted that "out of 16,000 abortions every year, 80% are among married women, while the other 20% are among unmarried women (Saidani, Background paper)." However, in 2005 the proportion of unmarried women among those having abortions was only 15%. Although the number of unmarried women having abortions may include many single girls, it is also likely that a certain percentage of them would have engaged in *urfi* marriage, and thus would not have wanted to have children without rights, or to raise them without any guarantee of the continuation of their "marriages." Saidani also annexed some media reports on the spread of *urfi* marriage in Tunisian society.

In Mauritania, "legal" *urfi* marriages are the most common type. They occur in accordance with Islamic Sharia law and the Maliki school of thought without being bound by legal principles, procedures, or rulings. This type of marriage usually takes place away from the relevant institutional structures civil registry and authorized marriage officials). It is also subject to society's prevailing customs and traditions (Hmeyada, Background paper).

#### 2.2.2.2 Secret Marriage

This type of marriage is defined based on its confidentiality. It is a common form of marital practice in Mauritania, prevailing in particular among White Moors *bidhanes*). It is based on a legal contract between a man and a woman who agree to conduct it in secret and have witnesses keep it undisclosed (Abou Sakeena, & Khedr, 2011, p. 113). Such marriages take place away from the social sphere of both the husband and the wife in order to ensure their secrecy. The couple's encounters also remain limited and take place at certain times to avoid raising suspicions. As such, husbands seek secrecy in exchange for an agreed payment to the secret wife. This type of marriage comes in two forms:

- The first form respects all the different teachings and conditions required by Islamic Sharia law for marriage, except for public declaration of the marriage, which remains limited to the witnesses.
- The second form adopts a more relaxed approach towards marriage-related religious teachings. It occurs between a divorced or widowed woman who is usually supporting her family) and a man who officially has another wife. This relaxed approach allows any member of the public to marry the couple. It also bends the rule about the woman's legal guardian, based on the idea that all Muslims are each other's guardians. As such, a woman can authorize any Muslim acquaintance or stranger) to be her legal guardian. These are all interpretations that have been adopted by some Islamic jurists.

According to Mohamed Ould Ahmiyada, secret marriages are found more among well-off men, senior officials, and business owners. It has also begun to attract some middle-class men, while it is rarely found among youths. These men pick their secret wives from among girls residing in urban slums, or Bedouin girls in rural areas. Secret wives will find it extremely difficult to register and prove their marriages legally, as they are mostly married under secret and cautious circumstances, with only a few witnesses and a recital of *Surat Al Fatiha*, without the presence of any marriage official. Family disputes sections in women's affairs ministries refuse to accept secret wives, who end up in a whirlpool of issues relating to marriage documentation, alimony, administrative documents, and children's rights (Ould Hmeyada, Background paper).

### *2.2.3 Heterogeneous Marriage*

A heterogeneous marriage is any union between two people of different religious, ethnic, and/or racial affiliations, which evokes reactions from the social milieu (Delacroix, 2013). It also raises cultural and legal challenges, whether before or during the marriage, or when children are born. Therefore this type of marriage cannot be considered a mere union of two people aiming to start a family, but rather

a union of two different cultures and paths, governed by different social upbringings and cultural structures, which affect both the immediate and extended families. Furthermore, it disrupts the norms of traditional societies. It is also inconsistent with the social representation that corresponds to vertical relationships.

Such marital relationships come with their own sets of conflicts and tensions, making them generally fragile. They witness crises from the very beginning, triggered by negative reactions from the family circle. Couples often overcome this initial stage by insisting on their relationship and leaving the family no choice but to accept the new reality. However, tensions begin to rise after this stage, especially in terms of setting dates, ceremonies, financial management, and the division of labor between the two parties, since each culture has its own vision and unique logic when managing such affairs. The situation is further complicated by the birth of children, as differences shift their focus to their social upbringing. This stage is considered very important in a marriage, as the couple faces a difficult choice: agreement or separation.

Furthermore, the economic motives behind this type of marriage in Maghreb societies—especially for women—are worth noting here. Marrying a foreigner, especially of European or Gulf origin, represents an opportunity for social advancement, not only for the woman but also for her entire family (Ait Mansour, Background paper). In addition, marrying a foreigner is an opportunity for women to free themselves from the patriarchy imposed by their own society. It is also an opportunity to find a marriage model based on equal rights and duties, and to integrate into the host country. Perhaps this explains why women are more likely to seek mixed marriages than men (Al Arif, 2015).

Mounir Saidani notes that among the developments that took place in 2017, in terms of the legal framework of marriage in Tunisia, was the president's call to lift legal restrictions on Tunisian Muslim women marrying non-Muslim men. He made the call during his speech marking the anniversary of the issuance of the Personal Status Law (August 13, 1956). His call was followed by the cancellation of a ministerial ordinance banning Tunisian Muslim women from marrying non-Muslim men. The order, issued by the Justice Ministry on November 5, 1973, had stipulated that for a marriage between a Tunisian Muslim woman and a non-Muslim man to be recognized, they had to submit a certificate proving his conversion to Islam. To receive this "Allegiance to Islam" certificate, which was normally signed by the Tunisian Grand Mufti, the applicant had to declare the *shahada* and recite three verses of the Quran before the mufti. However, some influential sheikhs with no official positions in the state have recently been supervising the ceremonies where foreigners convert to Islam in mosques. Data on conversion to Islam from Tunisia's Dar Al Ifta, published in the *Tunisian Fatwas* periodical, put the number of new Muslims in Tunisia in the first four months of 2016 at 242 men and twenty-seven women. However, this does not mean that all the men converted to Islam in order to marry Tunisian Muslim women.

Sixty groups forming a coalition of Tunisian associations had in Spring 2017 signed a petition to abolish this ministerial ordinance, arguing that section 14 of the Tunisian Personal Status Law defines temporary and permanent restrictions

for Tunisians, which do not include the husband's religion. The associations also protested that section 6 of the 2014 constitution recognizes freedom of belief and conscience. Furthermore, it is well known that Tunisian laws do not oblige any citizen—in any administrative or other transaction—to present any documentation or even oral statement of religion. Estimated figures released by the National Institute of Statistics indicate that nearly thirty thousand Tunisian women emigrated in 2004 for reasons related to their marriage, including those who emigrated to marry Arab and non-Arab Muslims, as well as others, but detailed figures are not available (Saidani, Mounir, Background paper).

### *2.2.4 Consanguineous Marriage*

Consanguineous marriage refers to a society ruled by the family, the tribe, and blood bonds. It is justified as a way to ensure the continuity of family lineage, preserve family inheritance, strengthen internal cohesion of the family, and protect the family honor by saving female cousins from "celibacy." According to Bourqia (2010), by encouraging such marriages fathers aim to weaken the maternal lineage in the prospective family. By encouraging his son to marry his cousin, the father objectively strengthens his authority over his son's wife. Additionally, when the wife belongs to her husband's father's lineage, she strengthens her position before her mother-in-law from the very beginning (Bourqia, 1991, pp. 98–100).

In her research on Morocco's Zemmour tribes, Bourqia (1995) showed how consanguineous marriage was considered to be the most valued and esteemed level of marriage. It is also considered a mechanism to resist change and family disintegration. This type of marriage is sought to preserve the family structure and the cohesion and solidity of the tribal structure. It is primarily based on trust, more than any other value (Buskens, 2010).

This type of marriage still has an important status in society, despite the rate dropping from 33% in 1987 to 21% in 2010 (HCP, 2013). It is also known that resorting to this type of trust-based marriage is intended to preserve the family and tribal structure, given that its social functions lie in resisting change and family disintegration.

This remains the reality today in Algeria, where it can be seen through the similar surnames used to refer to the families of the spouses (Al Hali, 2010). This is clearly still the case in rural society, as it represents a mechanism to reproduce the same traditional social structure, where relations are predetermined and areas of action are predefined and socially acceptable, whether for parents or their children. Given the mechanisms that shape it, consanguineous marriage seems more likely to be categorized as a traditional marriage, where relationships are predetermined, and the choice of sons and daughters regarding their marriage decision is restricted. This approach was especially prevalent among extended families, as grandparents lived with their married sons/daughters and grandchildren.

A study on the marriage system in rural parts of the Algerian province of Constantine found that 40% of rural families preferred to marry relatives, especially families in which the couples were uneducated. Meanwhile, 20% of them said they preferred to marry neighbors, and only 40% preferred to marry outsiders (Labrash, 2008).

In Tunisia, consanguineous marriage appears to be declining. This is evident from data in a 2002 field study on family health, which found that 15% of wives were married to paternal relatives, while 9% were married to maternal relatives (ONFP, 2002). As such, Mounir Saidani concluded in his background paper for this chapter that “marriage types are acquiring features that are increasingly individualistic, or at least increasingly distanced from the effect of family and clan determinants or factors.”

In Mauritania, the presence and strength of family relations affect the nature and types of marriage. Consanguineous marriage remains common and particularly appealing in rural settings, (ONS, 2013) often with prior arrangement by the family. Statistical data show that 68% of Mauritanian women are married to relatives to whom they are directly related: 43% married direct cousins, 17% married indirect cousins, and 8% married other male relatives. This type of marriage serves several social functions, mostly related to maintaining the extended family as a whole. This can be achieved through ensuring the family’s continuity by preserving its genetic map, expanding the circle of potential inter-family marriage to enhance social equality and status, and ensuring the same pattern of kinship relations. The heads of the family believe that this type is the best guarantee of stability and success in marriage, while any foreign element constitutes a threat to the family’s social kinship system and its peculiarities.

Much as the family may intervene to reconcile spouses when problems arise (in consanguineous marriages), it may also interfere in the spouses’ private lives and—directly or indirectly—worsen the situation between them, possibly leading to separation. Heterogeneous marriages are different in that family interference mostly remains limited. As such, it is not surprising that researchers at the National Bureau of Statistics believe consanguineous marriage contributes significantly to higher rates of divorce in Mauritanian society.

As for Libya, an ethnographic study of Tuareg tribes conducted between 1994 and 1995 (Mohamed Mourad, 1995) clearly shows that marriage rarely takes place between upper-class men and women belonging to a class of “slaves.” Moreover, the predominant type of marriage among these tribes is essentially between cousins, whether in parallel or intersecting. However, most of these tribes prioritize marrying from the father’s lineage first, and then the mother’s lineage second. Yet things can be different if the cousin(s) lacks requirements such as good family reputation, acceptable appearance, and the appropriate level of education. The education requirement is a basic criterion for marriage in these groups, who strive to educate girls and boys equally. As such, an educated woman may not marry her cousin if he is not educated himself.

### 2.2.5 Exchange Marriage

This type of marriage was once common in Libya, but it is now a rarer occurrence, although a few cases can still be found in Morocco as well. It is based on the principle of exchange, in which an individual marries his sister off to a young man in exchange for marriage to the latter's sister. This is done through a legal contract and with witnesses. One of the main advantages of this type of marriage is the low and nominal dowry amount, which facilitates the marriage for both sides. This means that women are more likely to get married this way if they have brothers, because the brother's decision to opt for an exchange marriage guarantees his sister will get married as well, even when she does not exactly fit the profile for whoever is marrying her (Shibany, 2005, p. 156).

Exchange marriage is also practiced among Tuareg tribes in southern Libya, albeit to a limited extent. It mostly aims to reduce the amount of the dowry and marriage expenses on both sides. It is also meant to consolidate ties and alliances between families and tribes as well as within the same kinship unit. Marriage negotiations often begin between the women before the matter is taken to the men for an official decision. Women desire this type of marriage more than men do, as it guarantees protection for them. This is because having the exclusive right to divorce makes men more likely to harm the women. However, if the husband thinks of how his sister might get hurt should he hurt his wife, he will be deterred. As such, this exchange guarantees the success of the marriage (Mohamed Mourad, 1995, pp. 288–290).

But since this type of marriage is not generally based on mutual feelings between the two parties, and since the main concern is more about keeping the sister happy and protected than it is about achieving personal happiness, it can lead to the emergence of many problems and tensions. Furthermore, the happiness of each family becomes dependent on the happiness of the other family with whom the exchange took place. For example, if a husband divorces his wife after a disagreement between them, the other husband may in turn divorce his wife for no good reason.

### 2.2.6 Polygamy

Polygamy is a legally and socially recognized form of marriage in the Arab Maghreb. It is perceived to be an acceptable social solution in certain situations, such as celibacy and delayed marriage, among others, especially in societies where Islam has a structural status in the cultural and social systems that regulate these marital practices. This is conditional upon accepting a number of regulations, mostly derived from religious texts. However, this acceptance continues to pose numerous challenges in terms of responsibilities and potentials. The rights angle also poses a challenge in the Maghreb context, in terms of both tradition and the intertwining of religious laws and positive laws inspired by the French legal system (Koudjil, 2002).

Algeria is witnessing less and less support for polygamy, according to a field study by Bin Al Sheikh (2013), in which only 47.7% of the respondents supported polygamy. Bin Al Sheikh thought this could be attributed to cultural openness resulting from the spread of modern means of communication in society. However, in Algeria there are other trends towards polygamy that confirm its Islamic legitimacy, considering it an alternative solution to the problems of celibacy and delayed marriage. As such, lawmakers had to maintain the polygamy clause in the family law for those who are able, but with conditions restricting it.

Polygamy remains available in Morocco as well, albeit with restrictions in Article 40 of the Family Code, including equity between wives and the man's ability to support the family. In some cases, the restriction is due to a contractual condition set by the first wife requiring that her husband not marry another. According to a report issued by the Ministry of Solidarity, Women, Family, and Social Development (2016) on the tenth anniversary of the implementation of the Code, 16.1% of respondents opposed these conditions restricting polygamy. On the other hand, Mernissi (1985) believes that the equity condition refers to a subjective feeling that is difficult to measure legally. She also believes that this type of marriage impedes the emotional development of the marital unit. However, cultural transformations and difficult economic conditions have reduced the general trends in favor of polygamy.

However, in tribal and some conservative urban settings polygamy remains a justified lifestyle. For example, this is evident in a study by Bourqia (1995) on the tribes of Beni Guil in eastern Morocco, where polygamy has become the most prominent indication of being "wealthy" or "well-off," as well as affording a prestigious social status that a monogamous man does not have. Polygamy is so appealing in this tribal setting that more than two-thirds of monogamous men believe that a man should have a second wife for when he gets old or if he falls ill, or in case his first wife is sterile.

In another study, on women and fertility in the Moroccan city of Oujda (2010), Bourqia demonstrated how, in the context of polygamy, wives compete in bearing children, meaning that each of them tries to be more emotionally attractive to the husband than the others. This, of course, does not come without its share of tensions and conflicts. Each of them also tries to bear more children in order to have higher status and influence with the husband, as well as to ensure the largest share of the inheritance in the event of his death.

However, what threatens the marital status of women in the Maghreb is not polygamy, which only constitutes a small percentage of all marriages. Rather, the real threats are "arbitrary" divorces, successive monogamy, and the economic fragility that characterizes their social status (Rosen, 1994). We share this view even though we are convinced that the issuance of the Family Code in 2004 has reduced marital instability, which was a source of suffering for women. The Code also put the right to divorce in the hands of both men and women equally.

In Libya, the city of Sorman is witnessing a decline in polygamy due to high costs and the complexity of polygamous life (Al Shibani, 2005). Furthermore, society disapproves of—and often criticizes—polygamous men. However, polygamy may be reluctantly accepted, but only in the event that the first wife is sterile. A master's

thesis about the Libyan city of Zawiya (Ali, 2004) found that 94.1% of respondents were monogamous, while 5.9% had more than one wife. Moreover, these societies legalize polygamy and oblige the husband to obtain the consent of his existing wife/wives before marrying another woman.

Similarly, polygamy is not a preference among Libya's Tuareg and Sabha tribes, which have kept the percentage of polygamous men very low. This is evident in how the family of the bride insists on the contractual condition that their daughter's prospective husband must not take another wife, nor should he migrate outside the tribe's territory, as this may lead to a second or third marriage. Another condition is that all couples must belong to the same kinship unit for the purpose of solidarity, thus avoiding any conflicts that may arise from polygamy between members of the same unit.

In a study on the views of four hundred students at Libya's Al Zawia University on marriage practices (Jadour, 1996), important data were presented reflecting the cultural changes that have occurred among the young generation. The researcher attempted to gauge their attitudes towards the following statement: "Polygamy is an unacceptable social practice," with which an overwhelming majority (85.17%) of the young respondents agreed. This prompts us to suggest that this type of marriage will witness a decline in the coming years. Female respondents were more likely to agree with the statement (88.96%) than male respondents (82.74%) (Khairy, 2013).

In Mauritania, according to Mohamed Ould Ahmiyada, polygamy exists on two levels:

a. On the level of African Mauritanian groups, polygamy is strongly present as a social practice that guarantees the continuity of male centrality and social status, which is further strengthened by having several wives and a large family with many children.
b. Meanwhile, in societies with a traditional patriarchal structure where quantity of either wives or children is no longer important, polygamy instead serves social functions related to agricultural practices and social conflicts, both of which require—in a society based on a social hierarchy—a certain size of family in order to guarantee its continuity and preserve its gains.

As for the Arab groups (*bidhanes*), and in this case in particular Arab *bidhane* women, polygamy has always been unacceptable, despite its Islamic legal context making it allowable in this group according to religious texts and teachings. And so, since their social norms dictate that a man "should not marry anyone before or after his wife," other strategies have been developed among the *bidhanes* to make divorce socially acceptable as an alternative to the polygamy practiced among African ethnic groups.

However, despite the current rapid growth in Mauritanian society, as well as the high rate of schooling and the steady improvement of women's economic and social conditions, polygamy remains a widespread practice in many societal circles and, in different forms, in both urban and rural areas. According to statistical data, polygamy accounts for 9.9% of all Mauritanian marriages (ONS, 2013, p. 24). Consequently, the phenomenon of polygamy remains present despite the social transformations

witnessed by the society in recent decades. In rural circles, the phenomenon concerns women under 30, while in urban circles, it concerns women aged 50 or older (Ould Hmeyada, 2016). Given the high standard of living in the city, as well as the increasing rates of women entering the "marriage market" as a result of high rates of divorce and delayed marriage, it is not surprising that the rate of polygamy is higher in urban areas than it is in rural areas (11.9% compared to 9.8%) (National Survey with plural Indicators, 2011).

In Tunisia, polygamy was outlawed when the Personal Status Law was passed in 1957. Although some voices have called loudly for the implementation of Islamic Sharia law in this regard, and some Tunisians have begun to practice polygamy in secret (Sene, 2009), the law in question continues to be strictly enforced.

## 2.3 Age and Marriage

"Underage marriage" is one of the main issues that arise when dealing with the relationship between age and marriage in Maghreb societies. Behind this family occurrence lie various determinants, which have strong and profound implications for women, children, and the whole family. Therefore, whenever debate arises in the Arab and Islamic worlds about amending family laws, we find this issue on the table for discussion, especially since the laws in this area do not always correspond to what determines practice in reality, or the challenges faced by society. Hence, this phenomenon appears not to be keeping pace with the overall changes that make girls seek more than ever before to complete their studies, as well as to find work and achieve financial independence. As such, we raise the issue of delayed marriage, which may extend from a few years' delay to complete celibacy in the case of not finding work, an income, or adequate housing. As a result, dependency on the family of origin continues, and independence cannot be achieved. It goes without saying that such a situation is often more severe for girls than it is for boys.

Before ending this section, we will also examine differences in marriage age that reflect the economic and social functions expected from marriage at a certain historical moment, as well as gender inequality between men and women. Their ages also differ according to the state of the marriage market in terms of balance or imbalance between the men and women entering it. An increase in the number of men or women due to factors such as birth, death, or migration rates may also force individuals to search for partners from an age group other than their own.

### *2.3.1 Early Marriage*

Early marriage is closely linked to the dignity and fundamental rights of women, and it has become of the utmost importance, especially since the available statistics show beyond reasonable doubt that this type of marriage is on the rise, and so are the

problems resulting from it. This type of marriage also has demographic and health repercussions that are difficult to overlook. By that, we refer mainly to how this type of marriage contributes to prolonging the fertility period of women, and consequently the acceleration of population growth, especially when family planning methods are not used. Early marriage is also associated with phenomena like the spread of polygamous family structures, the decline of family consultation, and the diminishing roles of women, both domestically and outside the home (El Harras, 2006a).

In Mauritania, early marriage results from a family decision that aims to keep girls from misbehaving. It prevails in the broad base of society, and it has deep roots in popular culture, which considers marriage at an early age for girls a cause of pride, both for the girls themselves and for their families. Many Mauritanians consider marriage to be "early" if it takes place before the girl is 15 years old, while 13% count marriage as early if it takes place before the legal age (ONS, 2013).

**First steps towards early marriage**

When a girl reaches the age of six, her mother and her close female circle (sisters, aunts, etc.) begin to discuss an effective strategy to marry her off to whomever they see as a material and symbolic gain, or as *zain al-saad* ("good fortune"). To fit this profile, the prospective husband must meet a number of criteria, including lineage and social status. Furthermore, he must not come from a family in which there is a complex kinship composition, especially of women, with whom a close link would require a lot of expense and pleasantries, in addition to other requirements related to personal behavior and means. The girl's family may also target several prospects simultaneously. Once the target is set, in a highly secretive manner within the girl's narrow circle, the strategy to obtain the specified target is implemented through the following steps:

**Conducting a quick, forced fattening cycle for the girl (*leblouh*)**: This task is usually assigned to specialist women who usually come from subordinate groups (slaves, former slaves, herders, and blacksmiths). The assigned women will ensure careful follow-up to feed the girl large quantities of milk (up to 12 L) every day, in addition to food prepared for this purpose from special types of grains. Social traditions allow the girl to be tortured by beating or pinching or other methods in order to fatten her as soon as possible. Specially made wooden devices are used to torture the girl. One such device is made of large wooden sticks that are then placed around her legs and pressed tightly by the woman in charge until the girl loses consciousness from the pain. The girl is then forced to respond to the woman's request for her to consume the specified daily quantities of milk, soup, and rice cooked with animal fat. A symptom marking the end of the first cycle of forced fattening is the girl's noticeable bloating. The skin on her upper and lower limbs then begins to crack, which is considered a sign of beauty in this traditional society;

**Winning them over**: Working tirelessly to win over the mother of the target groom and his family circle by sending friendly signals and ensuring attendance at every one of their family events;

**Direct contact with the target groom**: This is done through powerful social channels that play the role of promoting the girl's beauty and value. This type of promotion is normally carried out through deals and alliances among the families, as well as the subordinate groups. The marriage may take place directly if the couple come from the same family or have existing social or political alliances, whether permanent or temporary;

**Marriage**: The strategy of the girl's family normally succeeds, and the girl ends up marrying the initial target groom or one of the other targets. By this stage, the girl has already done well and gained a new social status, meaning that she is "snatched" at a very young age. This is the epitome of high status that every mother dreams of for her daughter in traditional Mauritanian society.

*Source* Ould Hmeyada (2017, Background paper).

Following amendments to the Mauritanian family law, Article 6 stipulates that: "Any person of sound mind who is at least 18 years old shall be able to marry. An incapacitated person may be married by his or her guardian (*weli*) if the guardian sees an obvious interest in the marriage." Meanwhile, Article 7 stipulates that "if a guardian authorizes the marriage of the minor (or incapacitated person) without taking into consideration the previous article, the marriage is considered valid. However, if it turns out this was done purely in the interest of the guardian and not in the interest of the minor, without any justification, the guardian will be subject to the penalties provided in the Penal Code." In addition, Article 13 stipulates that "if the guardian refuses to marry off the minor (or incapacitated person) without any justification, then the judge will have to intervene and order the guardian to marry him/her off, otherwise the judge will carry out the marriage himself."

Customs and traditions remain the main incubator for early marriage. Official data indicate that 24% of Mauritanian women marry at an early age, and nearly 51% of them are married before the age of 20. This can be explained by the fact that marrying a girl off at a young age is the only guarantee to preserve her dignity and family honor, and marriage right after puberty protects young people from deviance and misbehavior. Early marriage is also linked to the religious beliefs and practices of Mauritanian society. It is considered a religious duty and protection for men and women from sin, according to societal values, not to mention the lack of a clear text in the Mauritanian Personal Status Code to criminalize this type of marriage.

Poverty is also a key factor in determining the fate of girls, as poor families often resort to marrying their daughters off to the first suitor. A multi-indicator survey carried out in 2011 found that 37% of girls got married before the age of 18, and 15% before the age of 15, according to a 2014 report by the African Campaign to End Child Marriage in Mauritania. The same data show that behind early marriage

in Mauritania there are also reasons such as the desire to help the family financially. Therefore, we find that the rate of early marriage is higher among poor groups than in wealthier groups (43.9% and 27%, respectively).

Furthermore, a poor level of education contributes significantly to the demand for early marriage. Only 19.9% of girls who reach secondary school get married before the age of 18, compared to 46% of uneducated or poorly educated girls.

Many Mauritanian families believe that protecting the "honor of the girl" and the honor of her family is achieved by marrying her off at an early age. Therefore, concerns over the girls' futures force their families in some cases to marry them off immediately after puberty. They do so in order to protect the girls from rape and shame in line with the dictates of their conservative society. In addition, the forced fattening of girls in Mauritania (*leblouh*) enlarges their bodies and makes them seem older than they are. Therefore, the girls' full and relatively large bodies become another incentive to marry them off at the earliest opportunity.

According to Mohamed Ould Hmeyada, early marriage has negative repercussions for the girls' reproductive health and social and educational situation. It also leads to the deaths of children under five years of age, as well as the deaths of mothers, which negatively affect the society as a whole, and the conditions of women and children in particular. Data from the Ministry of Social Affairs reveal a clear paradox, where 86% of people believe that early marriage has negative effects, yet they continue to practice it. However, awareness is spreading in Mauritania, showing how this type of marriage involves great risks during the stages of pregnancy, childbirth and motherhood, and how it greatly contributes to demographic inflation and perpetuating illiteracy and poverty in Mauritania in general, and among women in particular.

Although many sheikhs defend the continuation of early marriage, using the Prophet's life as an example, a group of new scholars who believe in the importance of *ijtihad* ("reasoning") in Islam have issued a booklet on children's rights in Islam, among other topics, including early marriage. The aim is to protect minors from the negative effects of early marriage.

In Algeria, Article 7 of the Family Code, as amended in 2005, states: "Men and women shall be able to marry after reaching the age of nineteen. The judge may authorize marriage before this age for a certain interest or necessity whenever the ability of the two parties to marry is confirmed." In the same article, a basic condition absent in the 1984 Family Law was added. The addition made marriage conditional upon a medical certificate in the event that the judge was forced to consult a medical professional to ensure marriage eligibility rather than rely only on his discretion.

According to a study by the Algerian Health Ministry in 2012–2013, the Center for Information and Documentation on the Rights of Children and Women found that forty-seven thousand women/girls between the ages of 15 and 19 were married. Researchers at the Center warned that the average age at first marriage conceals educational and social differences. While 4.2% of rural women were married before the age of 19, only 2.5% of urban women married before that age. It is also noted that, at the same time, less educated women are more likely to marry early: 11.9% of uneducated women/girls married before the age of 19, compared with 14.9% of those with primary education, and only 1.4% of those who had secondary education.

Researchers at the Center also observed a set of negative effects of early marriage, including that it exposes adolescent girls to early—and often unwanted—sexual and reproductive activity, as well as sexually transmitted diseases and forms of physical, psychological, and sexual violence, in addition to isolation. These girls do not appear ready to give birth, which is why the rate of maternal deaths is twice as high among girls as it is among older mothers, not to mention the difficulty of providing them with medical care. Healthcare structures and pediatric services are unsuited to the needs of pregnant adolescents. Moreover, most of these women lack information about what they need to do when they want to prevent pregnancy, sexually transmitted diseases, or mother-to-child transmission of AIDS, as well as to track pregnancy and childbirth and prepare for motherhood.

In Morocco, the phenomenon of underage marriage does not seem to be very different from that in Algeria. Article 19 of the Family Code stipulates that "boys and girls of sound mind are eligible to marry once they are eighteen years old." However, the article leaves the door open to possible exceptions as determined by a family court judge, based on the principle of interest and the results of medical consultations and social research. This phenomenon saw a steady increase between 2004 and 2013, with the number of married minors doubling over this period (Table 2.4).

Between 2010 and 2013, the proportion of early marriage applications made by girls increased from 99.02 to 99.79%. In addition, more than 99% of applicants were unemployed. It was also noted in recent statistics from 2013 that underage male marriages were rare, at only ninety-two requests (0.21%), compared to 43,416 from females (99.79%), all of which were made between the ages of 15 and 17. This does not take into account marriages by oral recitation of *Surat Al Fatiha*, on which there have yet to be any data available (Table 2.5).

It was also found that the rate of underage marriage as a proportion of total marriages remained roughly stable between 2004 (7.75%) and 2011 (11.47%). However, 2013 witnessed the highest rate of this type of marriage in ten years, with 11.99% of total marriages occurring in this age group. In contrast to the 2011 and 2012 statistics, requests from city applicants rose to 51.79% of the total, compared to 48.21% from rural applicants. This led civil society activists to declare that underage

**Table 2.4** Marital status of underage boys and girls (2004–2013)

| | Year | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 |
| Marriages of underage boys/girls | 18,341 | 21,660 | 26,520 | 29,847 | 30,685 | 33,253 | 34,777 | 39,031 | 34,166 | 35,152 |
| Annual change (%) | – | +18 | +22 | +13 | +3 | +8 | +5 | +12 | −12.46 | +2.85 |

*Source* Family Courts: Reality and horizons—Ten years of the Family Code, Ministry of Justice and Liberties, May 2014

**Table 2.5** Statistics on the marriages of underage boys and girls in 2013

<table>
<tr><th>Total registered requests in 2013</th><th colspan="2">43,508</th><th>Processed data</th><th>Number</th><th>Percentage</th></tr>
<tr><td>Category</td><td>Number</td><td>Percentage</td><td>Accepted requests</td><td>37,183</td><td>85.46</td></tr>
<tr><td>Male requests</td><td>92</td><td>0.21</td><td rowspan="2">Rejected requests</td><td rowspan="2">6,325</td><td rowspan="2">14.54</td></tr>
<tr><td>Female requests</td><td>43,416</td><td>99.79</td></tr>
<tr><td>Requests (rural)</td><td>20,976</td><td>48.21</td><td>Decisions made on accepted requests</td><td>Number</td><td>Percentage</td></tr>
<tr><td>Requests (urban)</td><td>22,532</td><td>51.79</td><td>Research</td><td>12,002</td><td>32.28</td></tr>
<tr><td>Requests by employed</td><td>31</td><td>0.07</td><td>Experience</td><td>15,286</td><td>41.11</td></tr>
<tr><td>Requests by unemployed</td><td>43,477</td><td>99.93</td><td>Research and Experience</td><td>9,895</td><td>26.61</td></tr>
<tr><td colspan="2">Applicant’s birth year</td><td>1996</td><td>1997</td><td>1998</td><td>1999</td></tr>
<tr><td colspan="2">Number</td><td>28,886</td><td>13,010</td><td>1,515</td><td>97</td></tr>
<tr><td colspan="2">Percentage</td><td>66.39</td><td>29.90</td><td>3.48</td><td>0.22</td></tr>
</table>

*Source* Ministry of Justice and Liberties (2013)

marriage had turned from an exception in the Family Code to a general rule in the judicial application of its requirements.

The Libyan Personal Status Law sets the legal age for marriage at 20 years, and the conditions stipulated include sound mind and puberty. However, the law allows the courts to “authorize marriage before reaching this age for an estimated interest or necessity following the consent of the guardian.”

In the study mentioned earlier on the attitudes of Libyan university students towards certain marriage practices, it was found that early marriage no longer holds the same importance as it did in the past. More than two-thirds of young people (67.5%) were against females marrying before the age of twenty, with opposition stronger among females than males (77.5% vs. 60.3%). Therefore, it seems likely that social developments in the time ahead will move towards reducing this type of marriage in Libyan society.

In Tunisia, the Personal Status Law was amended in 2007 to set the legal marriage age at 18 years for both males and females. However, underage marriage remains, conditional upon special permission from the courts, which is usually granted for serious cases, if in the interests of the couple and signed by the girl’s guardian.

Furthermore, it must be noted that girls’ underage marriage is relatively limited in Tunisia compared to other Maghreb countries. According to data from a study by the Ministry of Development and International Cooperation, as well as the National Institute of Statistics, between the years of 2011 and 2012 only 0.4% of women/girls

married before the age of 15, and 5.1% before the age of 18. The average age at first marriage among Tunisian women rose from 19.5 years in 1966 to 26.6 in 2001 and 29 in 2016.

Among the reasons for early marriage in the Arab Maghreb in general are:

- lack of girls' schooling, support organizations, and awareness campaigns;
- fear of being labeled a "spinster";
- fear that girls' behavior will lead to shame and scandal, which would tarnish the family honor;
- fighting poverty, and the social redistribution of resources;
- fathers' violence against their families; and
- emigrants luring families with hopes of concrete improvement in the living conditions of the girl and her parents.

Early marriage has many effects on wives, children, and society, such as:

- rising rates of divorce, violence, and polygamy among women married under the legal age;
- deterioration of women's reproductive health;
- deprivation of studies and employment;
- living in a family that lacks marital communication and happiness; and
- difficulty in responding to the husband's intimate preferences as well as housework and child-rearing (Hami, 2014).

### *2.3.2 Delayed Marriage and Extended Celibacy*

Despite their differences, and as much as they face the issue of early marriage, Maghreb societies also face the issue of delayed marriage. This delay affects fertility, reproductive health, and the mental health of individuals and their ability to achieve independence from their families of origin. In the following section, we will present what distinguishes Maghreb societies in this regard.

In 2008, official government data revealed the rise of celibacy among women in Tunisia to 60%. At the time, a report issued by the National Office for Family and Population found that the number of single women exceeded 2.25 million, out of a total of nearly 4.9 million women in the country, compared to only 990,000 single women in 1994. In addition, celibacy reached its highest levels among women of maximum fertility age (25–34). The report also noted that delayed marriage in Tunisia included men as well, with the rate of unmarried Tunisian men aged 25–29 rising from 71% in 1994 to 81.1% by the end of 2007.

Tunisia's National Institute of Statistics published an important table showing the evolution of the number of marriages for different age groups between 2011 and 2015 (Table 2.6).

Naturally, the annual population growth in Tunisia, especially among people of marriage age, leads to an annual rise in the number of marriages. This is exactly what happens for all the different age groups, in which we can clearly see an upward

**Table 2.6** Number of marriages, by age group and year

| Age | Year | | | | |
|---|---|---|---|---|---|
| | 2011 | 2012 | 2013 | 2014 | 2015 |
| Below 20 | 228 | 329 | 672 | 694 | 272 |
| 20–24 | 5,742 | 6,395 | 6,217 | 6,122 | 5,931 |
| 25–29 | 24,725 | 29,162 | 29,805 | 29,360 | 28,713 |
| 30–34 | 30,919 | 36,117 | 36,459 | 36,021 | 35,845 |
| 35–39 | 15,770 | 18,569 | 19,428 | 19,232 | 19,527 |
| 40–44 | 5,904 | 6,854 | 7,281 | 7,230 | 7,704 |
| 45–49 | 2,881 | 3,418 | 3,533 | 3,514 | 3,596 |
| 50–54 | 1,476 | 1,785 | 1,978 | 1,962 | 2,283 |
| 55–59 | 1,034 | 1,228 | 1,302 | 1,289 | 1,516 |
| 60 or more | 2,142 | 2,518 | 2,845 | 2,819 | 3,032 |
| Undisclosed | 787 | 671 | 601 | 602 | 34 |

*Source* National Institute of Statistics, March 23, 2017

trend. However, 2015 is an exception, as it saw fewer marriages among the younger age groups (below 35). This is a clear indication of delayed marriage among these groups, which means they continue to reside in the homes of their families of origin and in turn prolong their celibacy. On the other hand, we note a continuous rise in the number of marriages, including during 2015, among people aged 45 or more, which indicates that some individuals get married at a later age, or remarried after divorce or widowhood.

In Libya, delayed marriage has directly led to lower rates of fertility. Data have shown that in 1973, nearly 70% of the population aged 15 or older were married. By 2006, the rate of married people in this age group had dropped to 41%, and the rate of single people aged 15 or older rose from 22% in 1973 to more than 54% in 2006.

The 2006 general population census indicated a significant development in the average age at first marriage. Among males, the average age was 25 in 1973, rising by nearly nine years to 33.92 in 2006. For females, the average age at first marriage rose by twelve years, from 19 in 1973 to 31.19 in 2006. This significant delay in marriage, especially for females, can be attributed to the length of study in higher education and the high cost of dowries (Khalifa, 2006).

In general, delayed marriage among women causes psychological suffering for them and disturbs their family's peace of mind. It also reduces women's value in terms of the traditional representation of their roles in society. It is very likely that the popular Libyan proverb "with daughters comes distress" has equivalents in other Maghreb societies, where unmarried women of older ages are seen as a source of trouble and distress, as well as a threat to the family honor. Because of the widespread belief that such women are victims of magic and sorcery, their families seek fortune-tellers and sorcerers in order to break the spell and nullify its effects. They may even seek to cast a "love spell" on the women, which they believe attracts husbands.

It must be stressed that delayed marriage is more the result of objective factors than the desires of young people, at least for Algerian women of modest levels of education. In 2002, when Algerian women aged 15–49 were asked about the ideal age for marriage, 69.2% of them said below 25. Women with higher degrees considered the ideal age for marriage to be 30 years or more (Charpentier, 2015). When single women aged 15–29 years say the ideal age for marriage is 22 for women and 27 for men, it shows that for many women a large age gap between spouses is desirable. In 2007, 40% of Moroccan women of all age groups living in urban areas were single. Moreover, in 2006 the rate of Moroccan women ending their fertility phase while still single was three times higher than ten years earlier (Charpentier, 2015).

Moroccan journalist and writer Sanaa El Aji does not see any shame in her celibacy, yet she admits she finds the situation difficult, even in Casablanca, where she lives. She explains that single women generally prefer to present themselves as divorcees in order to avoid the social and familial challenges they face, as well as multiple constraints in their daily lives and various forms of lack of social recognition, despite their academic and professional successes. One of the first difficulties single women face is finding a flat to rent. Amid a housing crisis and the high cost of real estate, property owners are hesitant to rent to single women, as they believe they should be preserving "public morals," regardless of the renter's financial status. Once a single woman rents a flat, more restrictions arise from neighbors, who form a guarding network around her.

Comparing the 1994 general population census with national demographic research from 2009–2010 (High Commission for Planning, 2011a, b), we notice that the rate of absolute celibacy at the age of 50 rose from 0.8 to 6.7 among women (a seven-fold increase), and from 2.9 to 5.8 among men (double). This increase in the celibacy rate is not out of individual choice, but rather due to compelling social and economic conditions, including youth unemployment, high dowries, prolonged study periods, and the unfair conditions faced by divorced women (Daoud, 1993, pp. 324–325).

In Mauritania, the census of 2013 (National Office of Statistics, 2015) found that the rate of celibacy was 45.9%, unevenly distributed between men and women (54.7% and 37.6%, respectively). This is because men marry at a later age than women do, due to the burden of having to meet eligibility and financial requirements for marriage.

According to Mohamed Ould Hmeyada, delayed marriage—and thus high celibacy rates—in Mauritania can be attributed to the appeal and high costs of modern life, as well as prolonged study periods, growing unemployment among young men, some youths seeking premarital sexual relations, and what he describes as "the pressure of social standards relating to and social status when choosing a partner."

### 2.3.3 Age Disparity in Married Couples

Couples' experiences in different societies reveal that the greater the age difference between spouses, the more complex their marital life is, and the more difficult it is to share interests and lifestyles. Some women, if deprived of a father figure and the associated protection, emotional security, and stability, later seek a spouse several years older than themselves, hoping to make up for what they missed in their childhoods and to receive the protection and sense of security they need. However, such age gaps require that one of the two spouses change. This is often the younger one, who is asked to adapt and mature, which may cause some frustration. The age gap is often the subject of social criticism and gossip, especially when the woman is the older spouse, which is found disturbing.

Given that the average age for marriage in Mauritania is very low compared to other Maghreb countries, it is not surprising that this results in the continued widening of the average age gap between spouses to up to ten years (Bonte, 2007).

The average age at first marriage for both males and females has changed significantly in Algeria and Morocco, and the numbers reached in the early 2000s show the spousal age gap, as in the following table of data (Table 2.7).

Perhaps the first thing that draws attention in this table is that the average age at first marriage for males always exceeds that for females, and with a difference that remains high. Attention is also drawn to the different cases of Mauritania and Morocco, which have the highest spousal age gaps, compared to other Maghreb countries. For Mauritania in particular Mohamed Ould Hmeyada goes further, considering that in 31% of marriages the spousal age gap is as high as fifteen years or more; in somewhat less than a third of marriages (28%) the age gap ranges between ten and fourteen years; and finally, in about a quarter of marriages, it ranges between five and six years. It is worth noting that the highest spousal age gap was recorded for women who married before the age of fifteen (39%). Clearly, this is mainly due to the low average age of female marriage, which remains around 19 years. It is also worth noting that the average age gaps remain close in other Maghreb countries.

**Table 2.7** Average age at first marriage and average spousal age gap

| | Women | Men | Average spousal age gap |
|---|---|---|---|
| Algeria | 29 | 33 | 4 |
| Morocco | 25.7 | 31.3 | 5.6 |
| Libya | 30.1 | 34.4 | 4.3 |
| Tunisia | 26.6 | 31.7 | 5.1 |
| Mauritania | 26.3 | 32.1 | 5.8 |

*Source* Algeria Watch (2008); General Population Census, 2014 (Morocco); Libyan National Survey for Family Health (2014); National Institute of Statistics, 2006 (Tunisia); General Population Census, 2013 (Mauritania)

## 2.4 Marital Relations

Family relations are seen as an introduction to understanding the nature of relationships within the family as a whole, whether between genders or generations. The family's transition from the extended structure to the nuclear form and women's work outside the home have contributed to the restructuring of these relationships based on new equilibria, led by the values of independence and individuality. This is reflected in the social distribution of gender roles and women's relationship with the public and private spheres. It has also had a clear impact on the production of new values based on recognition of the principle of equal rights and duties, as well as the formation of new relational patterns within the family.

### *2.4.1 Marital Satisfaction*

The satisfaction of spouses is governed by a set of variables that shape the marital relationship, mainly on the emotional level. Despite being difficult to measure, such satisfaction indicates the outcome of feelings based on the extent to which the two parties satisfy each other's needs and achieve their goals out of this relationship. It means that the relationship involves satisfaction with the partner and the family, while these feelings remain governed by variables on the economic, educational, and social levels of the two parties. Among the most important considerations for such relationships in Algerian society are that:

- choosing a partner based on his/her qualities can create an atmosphere of communication, allowing each of the spouses to express their feelings and get to know the other;
- communication between spouses lays the foundation for a satisfactory marital relationship, keeping the door open for conversation regardless of the nature of problems facing the spouses, especially those related to financial disputes; and
- intimate relations are only an extension of the level of understanding and familiarity between the spouses. At the same time, intimacy is considered a requirement for continuity of the relationship, in which failing to satisfy each other's emotional needs marks the deterioration of understanding and communication between them (Taabli & Amamra, 2014, pp. 192–195).

In Morocco, one study found that 80.3% of people were inclined to accept the idea of equality between men and women within the family, while 57.9% spoke about the Family Code's positive role in improving spousal relationships. This indicates that legal reforms have affected the question of marital satisfaction (MSWFSD, 2016, pp. 89–91).

The issue of marital satisfaction was strongly raised in terms of underage marriage in Morocco, specifically regarding the extent of acceptance and consent to marriage (Table 2.8).

**Table 2.8** Choice and consultation for marriage of underage girls (answers by the women in question)

| Type of marriage choice | % |
|---|---|
| Individual choice | 20.8 |
| Parental choice without consulting the girl | 14.7 |
| Parental choice with consulting the girl | 55.2 |
| Suggestion by the husband's family | 6.4 |
| Mediation by relatives | 2.5 |
| Other | 0.4 |
| Total | 100.0 |

*Source* Study on early marriage in Morocco, Ministry of Solidarity, Women, Family, and Social Development (2014)

The Family Code recognizes the right of underage girls to consent to marriage, but does this apply in reality? At what age can an underage girl give her consent to marriage and intimate relations? According to the table above:

- only one-fifth of women who were married before the age of 18 (20.8%) chose their first husband themselves; and
- the freedom to choose a husband, in the full sense of the word, is only available for a small minority of women, while the majority merely "consent" to their parents' decisions or initiatives (MSWFSD, 2016).

In the Libyan Family Code, Article 8 stipulates that "the guardian shall not force the boy or girl to marry against their will; nor shall he/she prevent the girl from marrying whomever she chooses as a husband," otherwise the girl will have the right to take the issue to court in order to get permission to marry (Al Hady, 2009, p. 39).

Marital satisfaction also stems from the criteria adopted by Libyan families when choosing a partner, which are arranged in order of priority. Religiosity clearly tops the list of priorities, followed by type of work and family origins, while love ranks only fifth (Jadour, 1996). These results, according to Mounir Saidani, mean that traditional standards continue to dominate spouse selection, and that parents usually follow them with or without the consent of their sons and daughters. Love, which reflects free choice and represents the highest level of marital satisfaction, came last in the ranking of criteria.

When asking youths, especially university students, who represent one of the most important elites in society, we receive different results. By analyzing data from a sociological study that sampled students from Libya's Al Zawia University, it was found that the vast majority of the young respondents (96.25%) supported the girl's right to choose her spouse. This means that marital satisfaction has become essential when choosing a partner. In this regard, men and women showed almost identical views.

Tunisia's Personal Status Code has taken the same path. Chapter Three stipulates that "marriage shall not take place without the consent of both spouses." In an effort

to establish a safe marital relationship, this code—since its amendment in 1993—prohibits domestic violence and gives mothers the right to prevent their daughters' forced marriages. The amendment also replaced the "woman's duty to obey her husband" with the principle of mutual rights and duties between spouses.

### *2.4.2 Violence and Marriage*

Domestic violence is a widespread phenomenon in all social circles, and is mainly directed against women, mostly by their husbands. The United Nations definition of domestic violence highlights the consequent "pain and suffering" for women, as well as its physical, psychological, sexual, and economic forms. These same dimensions were highlighted in research on violence against women in Morocco (High Commission for Planning of Morocco, 2011b), which sampled 8,300 women nationwide. According to the findings, domestic violence against women is higher in urban areas than it is in rural areas. It was estimated that approximately six million women (62.8%) had been subjected to violence, with psychological violence being experienced by 48% (4.6 million), and 55% (3.7 million) suffering physical violence. The extent of physical violence against wives varied according to the husbands' level of education, with uneducated husbands accounting for twice as much as husbands with a higher education level (6.8% and 3.9%, respectively). Furthermore, 444,000 married women (6.6%) had experienced violence after refusing to respond to their husbands' perverted desires.

Moroccan women are also victims of economic violence, which deprives them of having their own economic resources or using them freely. It also takes the form of controlling a significant part of the wife's income, whether from her paid work or her property. Moreover, the prevalence of marital violence in Morocco has made some women hesitate—if not fear—to marry.

Physical violence is also prevalent in Algeria. A study by an Algerian network of women's centers found that 60% of abused women were married. The degree of marital violence against women varies according to a set of variables including the women's level of education, which—if high—reduces the degree of violence against them (Al Fallahi, 2010). Another factor is location, as the percentage of sexually abused women is close in both the eastern and western regions (31.2% and 29.7%, respectively). In addition, women's access to security, judicial, and social services is also a factor. Another study by the Algerian network also revealed that 60% of women subjected to violence were married.

In Tunisia, a 2010 study by the National Office for Family and Population found that 47% of women aged 18–64 had experienced domestic violence at least once in their lives, with a slight difference between urban and rural settings. Physical violence topped the forms of violence against women, followed by psychological and then sexual violence. This occurs, as Mounir Saidani explains, despite the fact that "the revisions introduced to the Penal Code in 1993 considered domestic violence a crime punishable by law, and despite the laws seeking more details on the aspects of marital

life that can be arbitrary and in violation of rights." Saidani continues: "Organic Law No. 58 of 2017, dated August 11, 2017, on the Elimination of Violence against Women, which comes into effect six months after the date of its official publication, emphasizes the definition of forcing a wife or a husband to have sexual intercourse as rape, which is a crime punishable by law." The issuance of this law on eliminating violence against women is among the developments carried out in 2017 to set a legal framework for marriage in Tunisia.

Gender-based domestic violence is also widespread in Mauritania, mainly due to the patriarchal nature of traditional authority in the society. Such violence affects all the various social and age groups without exception. It also affects women of different levels of education. One of the characteristics of domestic violence is that it occurs inside the home and under the umbrella of family bonds, which often show a facade that does not reflect the underlying forms of bullying and abuse (Ould Hmeyada & Said Yahya, 2004). The prevalence of material and symbolic violence in Mauritanian society reflects a patriarchal culture that values males at the expense of females, and authorizes—if not urges—husbands to punish wives and children. According to records from the Family Disputes Department at the Ministry of Social Affairs, Childhood, and Family, 60% of female victims of marital violence are under 30, while 82% are under 35. This indicates that new generations of women may be more vulnerable to marital violence, especially when their educational and economic levels are low.

Despite the negative implications of violence in any society, it appears that in Afro-Mauritanian groups violence is viewed as a form of affection towards women, and a clear expression of the husband's responsibility towards his wife. On the other hand, violence has other implications among *bidhanes*, where it is considered an insult to women and a scandal that can haunt men for life.

It goes without saying that only some women who experience violence report it officially. Therefore, the statistical data and judicial documents available on the subject do not reflect the extent of the physical and symbolic violence practiced in reality. In addition, many victims are unaware of official and civil institutions that have been specially created to receive their complaints and protect them from the violence of their husbands. Moreover, in Mauritanian culture resorting to court constitutes "a scandal that reflects the failure of the family and traditional kinship institution."

The scale, forms, and determinants of domestic violence suffered by Mauritanian women cannot be highlighted without including Female Genital Mutilation (FGM), which is widespread in Mauritanian culture, to varying degrees in different ethnic groups. According to the national survey on multiple indicators, more than 71% of Mauritanian women have experienced FGM. The practice is particularly prevalent (98%) in southern Mauritania, where Afro-Mauritanian groups reside. It is often carried out in the first weeks after birth.

In a global survey on the values of Maghreb countries (except for Mauritania), the respondents gave their opinions on how far a husband's violence against his wife is justifiable, using a scale where (1) meant not justifiable at all and (10) meant always justifiable (Table 2.9).

**Table 2.9** How justifiable is a husband's violence against his wife?

| Violence against women | Country | | | | |
|---|---|---|---|---|---|
| | Total (%) | Algeria (%) | Libya (%) | Morocco (%) | Tunisia (%) |
| Never justifiable | 59.9 | 38.6 | 67.8 | 59.2 | 67.8 |
| 2 | 6.3 | 10.1 | 5.5 | 5.2 | 4.8 |
| 3 | 6.8 | 9.2 | 7.0 | 4.0 | 6.8 |
| 4 | 4.6 | 7.4 | 3.4 | 3.2 | 5.1 |
| 5 | 8.6 | 13.1 | 5.4 | 10.6 | 8.0 |
| 6 | 3.0 | 5.8 | 2.4 | 2.6 | 1.7 |
| 7 | 1.9 | 3.3 | 1.3 | 2.0 | 1.6 |
| 8 | 1.7 | 2.7 | 1.5 | 1.8 | 0.9 |
| 9 | 0.8 | 1.3 | 0.7 | 1.0 | 0.1 |
| Always justifiable | 2.7 | 3.4 | 1.9 | 4.2 | 1.8 |
| No answer | 1.9 | 5.1 | 0.6 | 2.7 | – |
| Don't know | 1.9 | – | 2.3 | 3.5 | 1.3 |

*Source* World Value Survey. Selected samples: Algeria 2014, Libya 2013, Morocco 2011, Tunisia 2013

The above data show that nearly three-fifths of Maghreb people (59.9%) believe that a husband's violence against his wife can never be justified. It can also be seen that the highest percentages holding this view were recorded in Libya and Tunisia (both 67.8%), while the lowest was in Algeria (38.6%). It is generally noted that the trend is moving towards the view that this kind of violence cannot be justified.

## 2.5 Work and Marriage

The new situation of women, largely caused by economic, social, and value transformations in Maghreb societies, has changed the nature of the relationship between work and the family, offering more economic options for married women. In addition, the rise in women's level of education has changed their traditional roles in favor of more competition with men in the labor market. Yet this is not equally important for all age groups, which has brought about new relationships, both with society in general and in terms of family responsibilities, that have been strengthened more than ever by international covenants and national laws.

Maghreb researchers have paid constant attention to work, especially women's work, approaching it from various angles, including those related to marriage. Bouasria's study on the working women of Casablanca (2015) highlighted how paid work does not lead women to form a new social identity, but rather to reproduce the same roles they previously had in their families (Bouasria, 2015). Bouasria also noted how women still entrust work and spending to their husbands, while keeping the task

of managing the household to themselves. As women's work outside the home has become, in most cases, an urgent or forced act resulting from economic difficulties rather than personal desires and motives, it becomes more likely that married women will seek more economic independence and further influence in shaping the marital relationship (Benkirane, 2015).

However, both men and women help establish this inherited view. If/when there is a change in roles, it is often the cause of conflict between the spouses and a result of deviation from the values and cultural imperatives of the social environment. Despite gaining more spaces for action and production, women's working outside the private sphere is still seen as underperforming and detracting from their roles as mothers and wives. This is because stereotypical perceptions of women's roles are still framed within traditional values, looking at men in terms of income and economy, and at women in terms of reproductive function and domestic services.

The spread of nuclear family cells in every region in Morocco does not mean women's domestic work has shrunk. This was evident in a study on the transformation of families in the High Atlas Mountains (Tamim, 1994), where the formation of such cells has led to a noticeable increase in women's hard work, resulting in the rise of child mortality and miscarriage rates. This has also increased the number of girls wanting to marry men from the city.

In her research on the impact of education and paid work outside the home on marital relations in Rabat, Belarbi (1993) highlighted how a woman's practice of such work changes her associations with the domestic sphere and enhances her social and economic positions in the family, and thus her ability to participate in decision-making. Therefore, in nearly one-third of families, managing family matters has become a joint task. Consequently, a new type of marital interaction has emerged in families where both spouses engage in paid work.

However, the examples given by subjects of their work outside the home did not lead to a new division of labor so much as reproduce its traditional characteristics. Domestic work remains mainly assigned to women, and every female practice of paid work is still seen as a counteractivity to the woman's role as mother and wife. Fathers' participation in child-rearing is not carried out as duty, or in the form of daily monitoring of their affairs, but rather as "help" provided to the wife from time to time, and at critical moments in their development (Belarbi, 1993).

The relationship between work and marriage in Algerian society, in particular, converges from an economic point of view. According to Hicham Ait Mansour, in his background paper for this chapter, this is partly due to the unemployment, high prices, and low per capita income in Algeria. It can also be explained by the predominance of a reductionist view of a relationship characterized by multiple determinants and dimensions. As for Moroccan society, this relationship converges not only as an indication of an economic transformation, but also as a product of the social and cultural reconstruction of gender roles in both private and public spheres.

In Tunisia, relatively recent statistical data show the extent of the participation of both genders in both private and public work, where they do not invest the same amount of time in their domestic and external tasks. A study on time management among men and women found that men aged 24–35 devoted almost three times as

much time to work outside the home as women did (4:15 h for men, compared to 1:30 for women). Conversely, women devoted eight times as much time to housework and taking care of children, the elderly, and the ill as men did. Given women's contribution to raising Tunisia's GDP, their unpaid housework was estimated to have contributed 47.4% to it in 2006 (Kribaâ & Diabolo, 2014).

As for labor force participation rates in Tunisia, the data from Figs. 13 and 14 above show a decline among young people between 1990 and 2016, specifically among the 15–24 age group, and equally among both men and women. This is largely due to the economic crisis that followed the events of the "Arab Spring" in Tunisia. It also appears that the highest participation rate for both genders is among the 25–34 age group. Beyond that age, participation rates begin to decline gradually, especially among women, many of whom begin to abandon work, which means that marriage leads many women to discontinue working outside the home.

Regarding Libya, the data from Figs. 11 and 12 above show that rates of labor force participation remained relatively stable among both men and women from 1990 to 2000 and 2016, with a significant decline among the active population (15–64) in 2016. This decline can be attributed to the country's political crisis and war conditions. Comparing the different age groups, it becomes clear that the growing trend to complete studies and training has made men and women aged 15–24 the least participating in the workforce, at no more than 35%, compared to 66.7% among individuals aged 25–34 (the highest rate). It is worth noting here that this age group also has the highest rates of marriage.

Meanwhile, Fig. 12 shows women's participation in the workforce growing in all age groups. It appears that women are increasingly filling the gaps left by men engaged in war and politics. Yet despite the rate rising to 39.3% among women aged 25–34 in 2016, a gradual and significant decline has been observed among women aged 35 or more. This means that marriage and its associated duties (child-rearing, housework, etc.) lead a high percentage of women to withdraw from the labor market. In addition, the increase in women's employment rate—especially for those aged 25–34—remains much smaller than that for men, which "reduces their ability to obtain the resources needed to form investable capital at marriage or accumulate family capital, compared to men" (Saidani, background paper).

In Mauritania, the nature of women's economic activities is still subject to predetermined provisions and ideas that hinder their access to employment, with such opportunities remaining unequal between genders. In addition, women's income is not considered "primary," but rather "secondary" and complementary to men's income. Therefore, "the average salary of Mauritanian women remains 60% lower than that of men (State Secretary of Women' Affaires & The Mauritanian Center for Policies Analysis, 2004)," even in cases where their levels of education and vocational training are equal (Mohamed Ould Hmeyada, background paper).

The economic, social, and political transformations taking place in Mauritania have in turn changed family roles and functions, with a decisive role played by women participating in the workforce. Family upbringing now prepares women for this, but society has yet to evolve enough to accept and integrate their new roles. This has led to a serious conflict of roles, between what women want to do as mothers,

**Table 2.10** Agreement level on the question: "problem if women have more income than husbands"

| Respondents' answer | Country | | | | |
|---|---|---|---|---|---|
| | Algeria (%) | Libya (%) | Morocco (%) | Tunisia (%) | Overall (%) |
| Agree | 37.5 | 38.5 | 38.9 | 42.9 | 39.3 |
| Neither agree nor disagree | 29.2 | 28.4 | 11.7 | 25.3 | 24.4 |
| Disagree | 26.0 | 30.5 | 30.9 | 28.5 | 29.2 |
| No answer | 7.3 | 0.5 | 3.2 | – | 2.4 |
| Don't know | – | 2.2 | 15.3 | 3.3 | 4.7 |

*Source* World Value Survey. Selected samples: Algeria 2014, Libya 2013, Morocco 2011, Tunisia 2013

wives, and active members of society on the one hand, and how society expects them to maintain their traditional roles on the other. As a result, women's family roles have become dysfunctional, and conflicts have emerged in terms of a new reality that requires reconsideration of the traditional division of labor inside the home.

But despite these transformations patriarchal norms continue to play a central role in perpetuating the conditions of gender inequality and ensuring their continuation through daily practices and closely associated representations. In general, men continue to be distant from home and every issue related to children and housework, and the predominant feature of such roles continues to be the lack of gender equality in the promotion and distribution of family duties. This is despite the fact that women engage in paid work outside the home, and the fundamental changes in the family structure and intra-family relations (El Harras, 2008, p. 54).

Women are increasingly engaging in paid and freelance work outside the home, and society is increasingly accepting their professional integration. However, would husbands accept without difficulty their wives having higher incomes than themselves? This is a question that was raised in the World Value Survey. Table 2.10 gives the answer.

Nearly 40% of respondents agreed that women having more income than their husbands would cause problems, while around 30% disagreed. This is not surprising, given how men are expected to have family authority, financial power, and the ability to support the family. It is also noticeable that there is considerable convergence of opinion among respondents in the four Maghreb countries surveyed.

## 2.6 Migration and Marriage

After suffering an economic crisis in the 1970s, many European countries moved to enact laws to limit immigration, rescinding deals signed with migrant-exporting countries. In parallel, they took measures in support of family reunions, conforming with international treaties and conventions. As a result, the composition of Arab

Maghreb migrants changed, as they increasingly tended to reside in Europe as families and married couples, rather than single individuals as in the past (Al Atrash, 2013).

On the other hand, Hicham Ait Mansour believes that economic regulation in Morocco and Algeria raised the rates of internal migration to cities in search of work, especially after independence and the end of colonial rule. In addition, the extreme drought in the Maghreb in the 1980s, coupled with a shortage of job opportunities in rural areas, pushed young people to migrate to Europe. Together, these factors had a profound impact on family practices and relations, with fathers no longer being their families' sole breadwinners. As the younger generation acquired knowledge and made material gains in the city, their parents' authority over them diminished (El Harras, 1999).

As cities and villages converged, many nuclear families broke away from their broader extended families. This has sometimes been seen an indicator of the economic crisis witnessed by Algeria's rural societies, as a consequence of which job opportunities declined, marriage age increased, and many pursued *urfi* marriages as opposed to the more traditional form (Kouwash, n.d., pp. 803–830). Furthermore, this gave rise to other strategies for dealing with questions of marriage and migration, mainly in terms of marrying foreign women, which in many cases became a motive behind migration (Mitatre, 2009).

Impacted by internal migration, marriage similarities became more evident between urban and rural areas, especially on the outskirts of cities. Most countrymen began to have premarital relations, and rural dowries rose to match the amounts paid in the city. The urban culture also extended the geographic range of migrant countrymen's marriages, which were no longer confined to their villages or tribal limitations. Village wedding celebrations and ceremonies also became shorter, having previously lasted at least three days and sometimes up to a whole week. In addition, rural populations increasingly took to urban food and music. Due to migration, traditional urban "kaftan" dresses grew popular among countrywomen at weddings. There was also a growing trend to support, if not replace, oral and audio memories of weddings with more visual memories using cameras (Direction générale de l'aménagement du territoire (DAT), 1998).

Some migrants in southern Morocco would divorce their wives if they chose to stay in the village. In the men's view, this meant that their wives no longer conformed with the urban female model they admired. Thus these men would often end up marrying women living in the city. The situation is different, however, in northern Morocco, where migrant men living in cities often return to their hometowns in search of wives with the right mindset and behavior to match those of the model women they seek (El Harras & Bensaid, 1996). Meanwhile, wives who remain in the village and do not migrate with their husbands (whether internally or internationally) often find themselves bearing double the responsibility both within and outside the home (CERED, 1993, p. 230). In addition, they may even be under scrutiny and suffer different forms of interference by their husbands' families.

Migrant men occasionally return to their hometowns every now and then to renew their family ties, bringing with them new urban values and lifestyles. Meanwhile

restricted movement, pressures of housework, and limited financial means hinder their wives' ability to maintain family relations in the same way. Hence, women are more likely to lose touch with their hometowns (CERED, 1995, p. 178).

According to Mounir Saidani, "apart from the metropolis, the Tunisian states [governorates] that drive migrants away are ones where it is largely difficult to accumulate enough capital to contribute to marriage costs." Yet marriage can also be another reason for migration within or outside governorates. Internally, marriage was a motive for 8.3% of Tunisian migrants between 1999 and 2004, increasing to 16.9% between 2009 and 2014. This causal relationship also applies to international migration, whether into or out of Tunisia. Saidani says marriage was "among reasons to leave the country at a rate of 7.5% in 1999–2004, rising to 8.9% in 2009–2014. Similarly, the rate of inbound migrants seeking marriage increased from 6.7% in 1999–2004 to 8.2% in 2009–2014." This means that the impact of marriage on migration is growing over the years, whether in terms of internal or external migration.

In Libya, the 2006 census showed a decline in the percentage of people living in rural areas, from 14% in 1995 to 11.8% in 2006, while people living in urban areas increased from 85.4 to 88.2%. This indicates a solid trend of internal migration towards urban centers, particularly Tripoli and Benghazi and the north coast in general. According to a report by the UN Food and Agriculture Organization, the mass migration of men from Libya's rural areas led to a de facto "feminization" of agriculture, as women took on more responsibilities relating to agricultural production.

In Mauritania, migration dynamics—especially those related to marriage—have impacted the structural and functional properties of the family. Interaction between the family cell and the wider population dynamic has led to deep transformations in marital relations and family life in general, putting the link between migration and family at the center of state policies.

Data from Mauritania's general population census show a rise in the rates of city-bound migration, especially toward Nouakchott, Dakhlet Nouadhibou, and Hodh Ech Chargui. They also show that migration is primarily affected by the appeal of city life, the continuing drought, and the deterioration of environmental conditions. It is also clear that it is not just a matter of men, who represented 55% of the migrants, but also women, who made up 45%. Furthermore, 50% of the migrants were married. It was also noticeable (Ould Ahmiyada, background paper) that "men mostly had higher tendencies to migrate compared to women, and sometimes men would migrate first and have their wives follow them later after settling in their destination" (Office national de la statistique, 2013).

Migration has a deep social impact on the marital lives of migrants. Male migrants mostly leave their wives, relatives, and families for extended periods of time, which means they can only achieve stability after several consecutive years of work in their destination. In addition, most migrants come from rural areas and often belong to lower social classes, which forces them to accept harsh work conditions and stay in their destinations for years without visiting their families (Al Khouly et al., 1991, p. 273).

All of these factors burden rural women with increased responsibilities inside and outside the home, as they cover the duties previously performed by their men. This forces them to become housewives and hence affects their marital relations, sometime even leading to divorce. Furthermore, staying behind places the wives of migrants under constant scrutiny and interference from their husbands' families. This causes them to lose their sense of independence and control over their own lives, which reflects negatively on their marriages. Moreover, when men migrate to the city without their wives, they often engage in extramarital affairs and contract sexually transmitted diseases, including AIDS, which they later transmit to their wives. This also applies in other Maghreb countries, especially Morocco, Tunisia, and Algeria.

Since most Mauritanian women end up following their husbands to the cities, the relative independence of their nuclear units from their extended families brings more intimacy into the marriage, along with more fragility, as they lose the direct and constant support of the extended family. In contrast, marital status seems to affect the migration decision. Rural women who have been divorced several times often prefer to move to the city, where they have better opportunities to remarry.

## 2.7 Marriage During Conflict and War

The political, social, and security situations in Libya represent grave threats to migrants and the entire society, especially with growing numbers of militias imposing controls on the freedom and movement of individuals. This has resulted in displacement and hindered repatriation efforts (in Misrata, Tawergha, Tameena, and Kuraryem). It has also made it more difficult to provide vital services to families and children.

On the other hand, the influx of migrants and asylum seekers to Europe through Libya continues to increase, according to the United Nations High Commissioner for Refugees (UNHCR). Many of these migrants die at sea, while thousands of others end up either settling in Libya or returning to their home countries in Africa.

Those detained by the coast guard are often subjected to harsh treatment, both physically and verbally (lack of legal reference, arbitrary procedures, delayed litigation, overcrowding, food shortages, beatings, forced labor, sexual violence, etc.).

In this section, we focus on how all this casts a dark shadow on society, the elements of which are integral to marriage practices and the associated availability of resources, investment, and the accumulation of capital.

According to UNHCR data, the majority of the 660,000 Libyans who migrated to Tunisia in 2012 said they left the country due to the deteriorating security situation. Mounir Saidani adds: "Seasonal summer migration from Libya to Tunisia has turned into extended stays in traditional tourist destinations, such as Sousse, Al Hammamet, and Djerba. In addition, new areas in the capital, Tunis, are split between upscale neighborhoods, like Al Nasr, Al Manar, and Sukkara, and middle-class neighborhoods like Al Aouina, for example. Meanwhile, Sfax welcomes many middle-class

Libyans. The same applies to other regions like Gabes and Ras Ajdir, which are relatively close to the Libyan border, unlike Tunis."

While these data do not help determine the direct impact of migration on marriage, they do at least allow relevant issues to be raised. The resulting overall transformations have produced what Saidani describes as a "high-risk marriage context." Within this context, the effects of the post-2011 political and ideological divisions, coupled with territorial and tribal determinants (in the process of rebuilding and "adjusting" the balance), mix with internal and external migration (especially towards Tunisia) and ethnicities (Amazigh, Toubou, Tuareg, and Africans). These are all elements of adaptation to change in its all social, marital, and familial aspects. Among the distinctive features of this high-risk context is political and military turmoil, as well as the state's fragility and steady move towards failure and the disintegration or growth of social ties. Other features include the recruitment of at least fifty thousand young men to engage in military or paramilitary activities, which means that thousands of young men have been taken off the marriage market, at least temporarily. In Saidani's view, this requires the restructuring of marriage proposals and ways of accumulating and turning resources into capital among younger generations, especially women, on the one hand, and people with limited resources on the other.

## 2.8 Conclusion

It is clear that Arab Maghreb societies are undergoing social, economic, and political transformations, which have a striking impact on the various degrees of shifting from rural traditions to modern, urbanized ones, as well as the shift from extended to nuclear families. Disassociation from the extended family model and the realization of independence from living with parents are considered the first steps towards marital intimacy and away from tension between wives and their in-laws. In addition, political tensions and social movements have diminished the ability of the family structure to withstand the disintegration of relationships, as well as the ability to accumulate resources or investment capital that can increase the chances of marriage.

City-bound migration and the shift in farming-based production patterns have given rise to informal economies within urban centers, which were already unable to absorb unemployment or plug social gaps amid growing numbers of young people. This has pushed young people away from the idea of starting their own families or seeking marriage, leading to older ages at marriage, lower fertility rates, and smaller families. External migration has also had an impact in terms of changing values and acquiring new practices within migrant communities.

The family institution in the Arab Maghreb underwent vital transformations when reforms to personal status laws came into effect. The division of gender roles was affected, with growing trends towards equality and the restructuring of roles and responsibilities between spouses, as well as the strengthening of women's status as active members in the public sphere. However, a significant number of spouses have yet to comprehend the concepts of shared responsibility and equal rights and duties.

The reforms helped bring about some changes, including lower rates of polygamy, consanguineous marriages, and—to some extent—marriages of underage girls. They also encouraged *urfi* spouses to document their marriages, supported the value of consent in marriage choices and relations, and developed awareness of the need to expose domestic violence and challenge its perpetrators.

Despite government efforts to legalize some marriage-related practices while preserving customary norms, the traditional social structures regulating marriage types, stages, and trends remain resistant to any legislative intervention that might restrict or disturb them. Traditional mindsets thus continue to resist the changes that are happening, and structural transformations have only culminated in a kind of concurrence or coexistence of social structures and practices, whether related to norms and family relations or to modern practices expressing the relative independence of individuals when making marriage choices. While Arab Maghreb societies have allowed women to take up paid and casual work outside the home, they have yet to allow them to give up their simple social roles within the home. This proves the continuity of such traditional mindsets, which are based on male centrality and affect the most basic levels of day-to-day activities and spousal relations.

It was also found that marriage decisions are not merely bilateral, but rather controlled by a number of determinants that affect marriage opportunities. These qualitative and generational determinants—even between different regions—have had a direct influence on marriage plans. Society continues to offer more opportunities to men than to women in terms of marriage-related decisions, strategies, and investing resources within the marriage market.

Marital choices are now made rationally, based on the economic criteria of Maghreb countries. Seeking marriage and starting a family have become conditional on high financial resources. The issue is further complicated amid economic and social conditions characterized by price hikes, widening social gaps, increasing unemployment rates, and high marriage and living costs. As such, families are unable to respond to the ambitions of young people hoping to start their own families, which instead gives rise to extramarital practices that in turn remain under scrutiny and criticism based on traditional and religious standards, as they are considered a violation of social order and values.

The changes undergone by Tunisian and Libyan societies have forced the institution of marriage into an ongoing process of both construction and destruction, along with the associated change of determinants, standards, and trends, all in the context of general historical conditions that can be classified as social change. In Tunisia, it was found that legal marriage is not the actual practice in social reality, but rather a type of social regulation sought by political authority.

In Libya, which underwent modernization during and after independence, there was a type of social resistance evident in conservative positions towards the social changes of the regime's policies, which proves that society has the upper hand when regulating the status of marriage in modern Libya.

In terms of marriage types and demographic determinants in Mauritania, the number of female heads of households has increased on the back of high divorce rates, which society defines based on the social value of divorce. Other factors include

the migration of village men to urban centers as well as polygamy, which continues to be practiced, especially among Afro-Mauritanian groups. Arab ethnic groups (*bidhanes*) meanwhile continue to practice secret marriages, which have now spread among urban communities amid a lack of control and increasing neglect.

Mauritanian society continues to place women in traditional categories defined by local patriarchal norms, which make women victims of violence. This comes as part of a social tradition that grants men complete power to punish women. This type of violence is a socially acceptable and even valued practice in Mauritania, with varying degrees of severity among the different ethnic groups. Such violence can include performing FGM on girls under the age of one, as well as forced fattening, both of which reflect—despite their psychological and social impact on women—a culture that prepares girls from an early age for early marriage. They also reflect the social representation of women as sexual and reproductive objects that ensure the continuity of the family and its extensions.

## References

Abdel Salam, K. (2009, December 20). Studies reveal the reality of violence against women in Algeria. *Setif.net*. http://www.djazairess.com/setif/1218 (in Arabic).

Abou Sakeena, N., & Khedr, M. (2011). *Family relationships and problems, Dar Al Fikr*, first Edition. Amman.

Abousowa, M. A. (2010). *The fabricated history of Libya: Methodical observations on the book by Dr. Al Mowledi Al Ahmar, The social roots of the modern state in Libya: Individuals, groups, and the leadership structure of the political phenomenon.* http://www.libya-watanona.com/adab/mabusowa/ma211010a.htm (in Arabic).

Al Arif, H. (2015). *Mariages mixtes: Attention aux statistiques officielles.* Série enquête, entrevue avec Abdelfattah Ezzine, le 8 octobre 2015. http://www.leconomiste.com/article/978284-mariages-mixtesattention-aux-statistiques-officielles

Al Atrash, A. (2013). The reality and transformations of Maghreb migration. *Omran*, 3(Winter 2013) (in Arabic).

Al Fallahi, F. (2010, May 6). Domestic violence and violence against women. *Al Hewar Al Motamaden*, 2997 (in Arabic).

Al Guendy, A. N. (2008). *Personal status in Tunisian law*. Dar Alkotob Al Qanonya (in Arabic).

Al Hali, M. (2010). Popular beliefs about marriage, pregnancy, and birth in Al Qasr Al Atiq district in Ouargla. *Journal of Social Sciences and Humanities, 8* (in Arabic).

Al Khouly et al. (1991). *Studies in family sociology*. Dar Al Maârifa Al Jamiiya, Egypt.

Al Mughairi, E. (2006). The ethnic issue and the state in Mauritania and its reflection on fertility and the reproductive behavior of minorities. *Insaniyat*, *2006*(32–33) (in Arabic).

Al Shibani, M. A. (2005). *Social values and customs related to the stages of family formation in the city of Sorman.* Master's dissertation in sociology, Omdurman Islamic University, College of Arts (in Arabic).

Ali, S. A. O. (2004). *The social aspects of urbanization in Al Zawiya.* Unpublished master's dissertation, Al Zawia University (in Arabic).

Belarbi, A. (1993). *Le salaire de Madame*. Editions Le Fennec.

Belhassan, M. (2015). The Hassania girl and the ritual of marriage ceremony: An anthropological approach. *IDAFAT Journal*, no 29 & 30.

Benkirane, W. (2015). *La perception des valeurs du couple: Etude sociologique de la vie à deux après le code de la famille.* Thèse de doctorat, Université Hassan II, Casblanca.

Berque, J. (1974). *Maghreb, histoire et société*. Editions Duculot.

Bin Al Sheikh, N. (2013, June). Satellite television and the changes of marriage and procreation values among rural families. *Journal of Social Sciences* (in Arabic).

Bonte, P. (2007). Le choix du conjoint dans les sociétés maghrébines contemporaines: Evolutions sociales et réformes juridiques. *Anthropology of the Middle East, 2*(1), Spring 2007.

Bouasria, L. (2015). Les ouvrières chefs de foyer: Entre "la modernité" du réel et le souhaitable "traditionnel". In B. Dupret, Z. Rhani, A. Boutaleb, & J.-N. Ferrié (Eds.), *Le Maroc au présent: D'une époque à l'autre, une société en mutation* (pp. 327–334).

Bourqia, R. (1991). *State, power and society*. Dat Attaliâ, Beirut.

Bourqia, R. (1995). Espace social, femmes et environnement: Les Beni Guil du Maroc oriental. In *Femmes rurales*. Editions Le Fennec.

Bourqia, R. (2006). Valeurs et changement social au Maroc. *Quaderns de la Mediterrania*, n° 13.

Bourqia, R. (2010). Valeurs et changement social au Maroc. *Quaderns de la Mediterrània, 13*, 105–115.

Brown, R., & Forde, D. (1950). *African systems of kinship and marriage*. Oxford University Press.

Bseikri, S. (2013). *Libya: Security challenges and implications for the political process*. Al Jazeera Centre for Studies. https://studies.aljazeera.net/ar/reports/2013/05/20135592422219718.html (in Arabic).

Buskens, L. (2010). La polygamie au quotidien: Notes d'un observateur dans une maison pleine de femmes. In M. Buitelaar (Dir.), *Le Maroc de près et de loin* (pp. 61–72). Marsam.

Centre d'Etudes et de Recherches Démographiques (CERED). (1991). *La famille à Fès: Changement ou continuité. Les réseaux de solidarité familiale*. Direction de la Statistique, Rabat.

Centre d'Etudes et de Recherches Démographiques (CERED). (1993). *Migration et urbanisation au Maroc*. Direction de la Statistique.

Centre d'Etudes et de Recherches Démographiques (CERED). (1995). *L'exode rural*. Direction de la Statistique.

Centre d'Etudes et de Recherches Démographiques (CERED). (1996). *Famille au Maroc: Les réseaux de solidarité familiale*, Rabat.

Charpentier, I. (2015). De la difficulté (sexuelle) d'être une femme célibataire au Maghreb: Une étude de témoignages et d'œuvres d'écrivaines algériennes et marocaines. *Modern & Contemporary France, 23*(4).

Daoud, Z. (1993). *Féminisme et politique au Maghreb*. Editions Eddif, Casablanca.

Delacroix, C., Guyaux, A., Ramdane, A., & Rodriguez, E. (1989). Mariage mixte, rencontre de deux cultures tout au cours de la vie. *Enquête* [Online], 5. https://doi.org/10.4000/enquete.94. http://enquete.revues.org/94

Delacroix, C., Guyaux, A., Ramdane, A., & Rodriguez, E. (2013). Mariage mixte, rencontre de deux cultures tout au cours de la vie. *Enquête* [Online], 5|1989, Online since 27 June 2013. http://enquete.revues.org/94

Direction de la Statistique. (1994). Recensement général de la population et de l'habitat (RGPH), Rabat.

Direction générale de l'aménagement du territoire (Maroc). (1998). *Perceptions et attitudes des élus et des responsables locaux à l'égard de la migration interne*. Ministère de l'intérieur, Direction générale de l'urbanisme de l'architecture et de l'aménagement du territoire.

El Harras, M. (1999). *The emergence of the individual within the family in Anjara: Economic identity, gender, and generational conflicts*. Ph.D. research in sociology, Faculty of Arts and Humanities (in Arabic).

El Harras, M. (2006a). The image of family in the new law: A sociological study. Published in a series of seminars, meetings, and study days: *The law as a pillar of the balanced Moroccan family* (p. 8) (in Arabic).

El Harras, M. (2006b). Les mutations de la famille au Maroc, 50 ans de développement humain au Maroc. http://doc.abhatoo.net.ma/doc/article.php3?id_article=2215

El Harras, M. (2008). *Woman and decision making in Morocco* (1st Edn.). Arab Woman Center for Training and Research, Beurut.

El Harras, M., & Bensaid, D. (1996). *Culture and fertility: A study of reproductive behavior in Morocco*. Dar Al Taliaa (in Arabic).

Gafsia, N. (2008). *L'invention coloniale du mariage musulman: Le cas tunisien*. L.G.D.J, Collection Droit et société, Maison de l'Homme.

Hami, N. (2014, 25 Nov). *Le mariage des mineures en Algérie: un viol des droits humains*. La Nouvelle République.

Hammouda, N., & Cherfi-Feroukhi, K. (2009, 27 septembre–2 octobre). *La nuptialité en Algérie: Quelle transition?* XXVIe Congrès international de la population, Marrakech. http://iussp2009.princeton.edu/abstractViewer.aspx?submissionId¼493174

Hemeida, A. (n.d.). *Society, state, and colonialism in Libya (1830–1932)*. Centre for Arab Unity Studies (in Arabic).

High Commission for Planning of Morocco. (2011a). *L'Enquête Nationale Démographique, à passages répétés 2009–2010*.

High Commission for Planning of Morocco. (2011b). *National research on the spread of violence against women* (in Arabic).

High Commission for Planning of Morocco. (2013). *The evolution of marriage and divorce among Moroccan women*. www.hcp.ma/Mariage-et-divorce-de-la-femme-marocaine-Tendances-d-evolution_a1261.html (in Arabic).

ILO (International Labor Office). (2017). *Key Indicators of the Labor Market (KILM)*.

Jadour, M. S. (1996). *The conflict of values between parents and children: A field study of the Libyan family's attitudes towards some values associated with marriage in the city of Al Zawiya*. Unpublished master's dissertation, University of Tripoli. Cited in M. M. Al Sharif, Features of the functional structural composition of the contemporary urban Libyan family. *Majallat al-Jāmi'ah al-Maghāribīyah* (in Arabic).

Khairy, A. A. (2013). Changes in marriage norms among Libyan youths. (Field study in Aljmail). *Majallat al-Jāmi'ah al-Maghāribīyah* (in Arabic).

Khalifa, S. A. (2006). Living standards in Libya and their impact on population growth, 1970–2006. *Majallat al-Jāmi'ah al-Maghāribīyah*. General Information Authority (in Arabic).

Kribaâ, B., & Diabolo, G. (2014). *The reality of gender in Tunisia. The delegation of the EU in Tunis*. https://eeas.europa.eu/sites/eeas/files/rapport_national_genre_tunisie_2014_complet_ar.pdf

Koudjil, A. (2002). Polygamie au Maghreb: Controverses autour d'un droit en mouvement. *Confluences Méditerranée 2002/2 (41)*, 77–88. https://doi.org/10.3917/come.041.0077

Kouwash, D. (n.d.) Social and economical factors behind marriage delay: A fieldwork study within the capital Algiers and its environnment. *Al Miiyar Journal, 11*(22).

Labrash, R. (2008). Marriage system in the Algerian countryside: Constants and variables. *Journal of Humanities*, *30* (in Arabic).

Law No. 52 of 19 July 2001, Personal Status Law. *Official Gazette of the Islamic Republic of Mauritania*, *1004*. August 2001 (in Arabic).

Mahfoudh Dhorra, D. (2008). Rapport de genre et mariage dans la société tunisienne. *Migrations Société, Mahfouth, Dhorra, 2008/5*(119), 129–140.

Mahrouq, K. (2013). The reality of *urfi* marriage in Algeria: Causes, issues, and prevention measures. *Journal of Humanities*, *39* (in Arabic).

Massoudi, K., & Bin Qaffa, S. (2013, April 9–10). *The Algerian family as perceived by the Algerian Family Law of 2005*. (Research paper). Second National Forum on Communication and the Quality of Family Life, Kasdi Merbah University. https://dspace.univ-ouargla.dz/jspui/bitstream/123456789/2140/1/60.pdf (in Arabic).

Mernissi, F. (1985). *Sexe, idéologie, Islam* (Vol. 2). Editions Maghrébines.

Mernissi, F. (2005). *Beyond the veil: Sex as social engineering* (F. Z. Azerouil, Trans., 4th ed.). Arab Cultural Center (in Arabic).

Ministry of Justice and Liberties. (2014, May 28). *Speech given at the national seminar held at the Institut supérieur de la magistrature* (in Arabic).

Ministry of Solidarity, Women, Family and Social Development (MSWFSD). (2014). *Study on underage marriage in Morocco*. Unpublished national field research (in Arabic).

Ministry of Solidarity, Women, Family and Social Development (MSWFSD). (2016). *Ten years since the implementation of the Family Law: A field study* (in Arabic).

Mitatre, C. C. (2009). Par-delà l'interdit (*haram*): Une ethnographie du mariage et de la sexualité chez les Sahraouis du Sud marocain. *Ateliers d'anthropologie, Laboratoire d'ethnologie et de sociologie comparative* [En ligne], *33*. https://doi.org/10.4000/ateliers.8207. http://ateliers.revues.org/8207

Mohamed Mourad, A. A. (1995). *Marriage in Libya's Tuareg and Sabha tribes: Ethnographic study*. Menoufia University (in Arabic).

Multi-indicator National Investigation. (2011). *Mauritania* (in Arabic).

National Office of Statistics. (2015). *Mauritania population and housing census 2013* (in Arabic).

National Survey with Plural Indicators. (2011). *Mauretania.*

Official Gazette of the Mauritanian Islamic Republic. (2001, August). Number 1004, Law number 052 of 19 July 2001 (included in the family code).

Office National de la Famille et de la Population. (2002). Enquête tunisienne sur la santé de la famille. Cité en D. Mahfoudh, *Rapport de genre et mariage dans la société tunisienne.*

Office National de la Statistique (Mauritanie). (2015). *Recensement général de la population et de l'habitat (RGPH), 2013* (p. 5). http://www.ons.mr/images/RGPH2013/Chapitre03_Nuptialit%C3%A9_fr.pdf

Office National des Statistiques (Algérie). (2002, 2004, et 2009). *Enquêtes algériennes sur la santé de la famille.*

Official Gazette of Tunisia. (2017). *Official Gazette of Tunisia, 65,* 2586–2593, 15 August 2017 (in Arabic).

ONS (Office national des statistiques). (2013). « Enquêtes algériennes sur la santé de la famille » Alger.

Order No. 2–5, dated 27 February 2005, including new provisions to amend the substantive and procedural aspects of the Algerian Family Law (in Arabic).

Ouadah-Bedidi, Z. (2005). Avoir 30 ans et être encore célibataire: Une catégorie émergente en Algérie. *Autrepart*, *34*.

Ould Hmeyada, M. (1996a). *Patterns of child custody in Mauritania: The case of Rosso*. (Field study). UNICEF (in Arabic).

Ould Hmeyada, M. (1996b). *Sociocultural obstacles to family planning in Mauritanian society*. Mauritanian Society for Family Promotion.

Ould Hmeyada, M. (2016). *Report on Gender Study based on data from the General Census of Population and Housing (2013)*. Ministry of Economic Affairs and Development.

Ould Hmeyada. (2017). *Background paper, the state of marriage in Mauretania, in the state of marriage in the Maghreb*. DIFI, Doha

Ould Hmeyada, M., & Said Yahya, M. (2004). *Violence indicators against woman in Mauritanian Society*. State Secratery of Women Affairs/UNPF.

Ould Ahmiyada, M., & Yehia, M. (2004). *Indications of violence against women and girls in Mauritanian society.* Ministry of Women's Affairs, Department of Women's Development, and United Nations Population Fund (in Arabic).

Publication by the Ministry of Justice and Liberties, including 2013 statistics. Table 7 (in Arabic).

Recensement Général de la Population et de l'Habitat (RGPH), Nouakchott (2013). http://www.ons.mr/images/RGPH2013/Chapitre03_Nuptialit%C3%A9_fr.pdf

Rosen, L. (1994). The negotiation of reality: Male-female relations in Sefrou, Morocco. In N. Hopkins, & S. E. Ibrahim (Eds.), *Arab society* (4th impression). The American University in Cairo Press.

Sayad, A. (1991). *L'immigration ou les paradoxes de l'altérité*. Bruxelles: De Boeck.

Sene, F. (2009, le 31 décembre). La polygamie interdite depuis 1957 en Tunisie: Une loi défiée en cachette. *Le blog elkhadra.* http://elkhadra.over-blog.com/article-la-polygamie-interdite-depuis-1957-en-tunisie-une-loi-defiee-en-cachette-42080020.html

Shibany, M. (2005). *Values and social customs related to family formation in Serman Town*. Faculty of Humanities, Oum Derman, Islamic University.
Sidi Yehia, M. M. (2002). *Loose society: Socio-critical notes on women, power, and culture in Mauritanian society*. Al Thiqa Publishing House (in Arabic).
State Secretary of Women Affaires & The Mauritanian Center for Policies Analysis. (2004, April). *Evaluation of Mauritanian execution of Biginic's recommendations*.
Taabli, M. A., & Amamra, S. (2014). The link between communication and marital satisfaction and harmony: Dealing with financial disputes and sexual satisfaction. *Journal of Social Sciences and Humanities, 15*(June 2014) (in Arabic).
Tamim, M. (1994). Le rôle de la femme dans le changement familial au Maroc: La famille du Haut-Atlas. In N. Bensalah (Dir.), *Familles turques et maghrébines aujourd'hui: Evolution dans les espaces d'origine et d'immigration*. Editions Maisonneuve & Larose.
*Ten years of the family law: Changes in the representations, attitudes, and practices of men and women*. (Field study). (2016) (in Arabic).
The Algerian Family Law according to the latest amendment. (2005). http://www.droit-dz.com/forum/threads/1174/ (in Arabic).
UNESCO. (2009a). *Diversité culturelle et dialogue interculturel en Tunisie* (p. 11). UNESCO office in Rabat. http://unesdoc.unesco.org/images/0021/002146/214646f.pdf
UNESCO. (2009b). *Diversité et interculturalité en Algérie*. UNESCO office in Rabat. http://unesdoc.unesco.org/images/0021/002146/214644f.pdf
Valensi, L. (1969). *Le Maghreb avant la prise d'Alger (1790–1830)*. Paris: Flammarion.
Wannas, M. (2012). *The Libyan character: The trinity of tribes, trophies, and victory*. Al Dar Al Moutawassitia (in Arabic).
Wannas, M. (2017). *The Libya that I saw, the Libya that I see: the plight of a country*. Mediterranean House Publishing, Tunisia.
Waterbury, J. (1975). *Le commandeur des croyants (la monarchie marocaine et son élite)*. Presses Universitaires de France.
World Bank. (2017). *World development indicators*.
World Bank Database. (2017). *International development indicators*.
World Value Survey. Selected samples: Algeria 2014, Libya 2013, Morocco 2011, Tunisia, 2013.
Zagaglia, B. (2013). *Demographic transitions and social changes in the Mediterranean region*. IEMed Mediterranean yearbook.
Zubaida, A. A. (2009). *Family provisions in Libyan law: Part 1: Marriage and its effects in Benghazi* (in Arabic).

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# Chapter 3
# The State of Marriage in the Arab Mashreq: Jordan, Syria, Iraq, Palestine, and Lebanon

**Islah Jad, Lucine Taminian, Rania Mansour, Asmaa Jameel Rasheed, Fatima Al Muaqat, and Maamoun Tarabay**

There is diverse literature on the Arab Mashreq, varying from analysis to readings of interdisciplinary political, social, and economic sciences (World Bank, 2010; Al Naqeeb, 1991). In order to analyze the contextual reality and challenges of marriage in the Arab Mashreq, and despite the common infrastructure and societies of these countries, it is expected that each country is characterized by distinguishing fundamental differences, historically, socially, politically, economically, and culturally. In fact, many differences emerge between regions and provinces within the same country.

Findings on marriage in the Arab Mashreq indicate the intertwining of several structural factors that affect the structure and forms of marriage, as well as marital age groups in those countries. State policy has also played a big role in spreading public education, offering universal health services, and opening up fields of work for women, all of which have contributed to the declining rates of women's fertility and population growth. Yet fertility rates and growing populations in Iraq, Syria, Jordan, and Palestine still play a major role in increasing the young population,

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which ranges between 30 and 40%, including in Lebanon. On the other hand, factors such as slowing economic growth, unemployment, poverty, difficulty in obtaining housing, displacement, and migration have played a major role in delaying marriage and raising rates of celibacy in the five countries. Factors such as migration and displacement have caused a significant decline in the quantity and type of education and health services provided by states, as well as softening their grip in enforcing the law, which has had a major impact on the spread of new-old forms of marriage, especially in refugee and displacement camps. This includes early, temporary, or other forms of marriage that go unregistered in government records.

The analysis of marriage structure and its effect in the five countries indicates some important points that must be highlighted (Al Daheri, 2008). Linking the structure and characteristics of marriage in the five countries—whether in terms of early marriage, delayed marriage, celibacy, or other forms—to established cultural factors such as customs and traditions, sectarianism, and patriarchy does not hold up in the face of the facts that have been reviewed. For example, the situation in Iraq showed that intersect marriage was common before the 2003 war, but the conflict arising from the war resulted in internal conflicts that have affected heterogeneous marriages. Data have indicated that early marriage is not always linked to customs and traditions or Sharia, but rather to the collapse of the security and social protection system in societies that have suffered from war and conflict, in addition to the collapse of state services, the spread of poverty, and families being forced to provide their own means of protection. The analysis also indicated a correlation between celibacy among women and the lack of security in those societies, as well as reluctance to get married for fear of losing the husband in the war. It was also found that unmarried women do not consider themselves a social "problem" as propagated by the discourse of some religious groups. There are many examples of such women who have achieved remarkable success at the professional and educational levels. However, this segment still has its own needs, as does the segment of widows, whose numbers are growing fast in these societies.

War, displacement, and poverty have led to a wide spread of early marriage, especially in Iraq, Syria, and Palestine. With the deterioration of education conditions and the scarcity of schools, especially in rural areas, and with a general state of fear and insecurity, many families—especially in rural areas and refugee camps—have resorted to marrying their girls off at the age of 15–17. This has had profound effects on spouses married in this way, in addition to societal effects, both in terms of this form of marriage being associated with low levels of education in the boy and girl, and in terms of its link to the parents' lack of education and poverty, as well as its health risks to mothers and children. The five countries in question have laws that determine the legal age of marriage, but legal loopholes open the way to circumvent them, especially regarding the judge's assessment of the girl's age. These loopholes contradict the international conventions on protection of the rights of children and women that these five countries have ratified.

Working on the legal front cannot be sufficient in itself. Many parents who wish to marry their children off resort to various methods to circumvent the law, such as delaying the registration of marriage until the girl reaches the legal age, or resorting to

the "*sayyed* ('master') contract," which gives some religious legitimacy to a marriage but at the same time remains illegal, because it does not get registered with the court. In addition, families may sometimes forge birth certificates or claim to have lost them in order to justify marriage.

In all five countries, feminist movements that prioritize the fight against early marriage are weak. There are only a few scattered campaigns here and there (such as campaigns to defend children's rights or protect the rights of the girl child). These usually take the form of street advertisements, or they may be dependent on the availability of funding from some international organization. However, they do not operate in a permanent institutional framework that sets the elimination of this form of marriage as a goal and will work until it is achieved.

Migration and displacement resulting from the mass destruction that has affected all aspects of life for individuals and families have torn many families apart, with people forced to leave their primary homes due to a lack of security or deprivation of basic infrastructure and public services, including clean drinking water, electricity, education, healthcare, and transportation. Furthermore, waves of war and conflict in Iraq, Syria, Lebanon, and Palestine have led to the displacement and expulsion of millions. This reality for individuals and families has increased the number of young migrants, whether temporarily or permanently, causing a population imbalance, especially in Lebanon. Displacement and migration have also activated traditional forms of control over women, raising the rates of underage marriage among girls (Al Saedi 2011).

The large number of migrants and displaced persons has had a great effect on the plight of women, especially with large numbers of young men of marriage age and high education levels seeking to emigrate. As such, large numbers of young people have turned away from marriage or at least postponed it until family conditions stabilize. Migration has also delayed age at marriage until conditions improve.

The chapter also notes that the marriage decision in the five countries remains in the hands of men or their families, especially in the case of early marriage. The values adopted by men and women perpetuate traditional marriage, which is based on the division of stereotypical roles between husband and wife, whereby the wife takes care of the home, the family, and the children, while the husband performs his role outside the home and provides financial support for the family. As such, it can be concluded that in the five countries, the key pillars of marital compatibility are the acceptance and approval of the bride's parents, not only those of the suitor. Despite the high rates of nuclear families, this view is aided and supported by the deterioration of living conditions and the security situation of many families, which force young husbands to rely on their parents or live within the confines of the extended family. Surveys have also indicated that the key pillars of marital compatibility in the five countries include values related to the importance of the family, religiosity, preservation of inherited customs and traditions, the wife's obedience, the preference for housewives rather than working women, and the rare acceptance of equal rights between men and women. Furthermore, it is widely accepted that the husband has the right to abuse or discipline his wife in the event that she falls short in her duties, whether in caring

for him or for the family and the children. This is sometimes considered acceptable by some women as well.

General conditions in the five countries, namely war and conflict, have changed the types of marriage. In Iraq, for example, temporary and out-of-court marriages have emerged due to the religious trend and poor living standards. In Lebanon and Iraq, the meaning of *khatifa* marriage ("kidnapping the bride/eloping") has turned into a way for families to negotiate lower marriage costs. In these countries, consanguineous marriage is generally declining, except in Iraq, where this type of marriage is on the rise due to sectarian and ethnic tensions. Polygamy is also generally declining, except in Iraq, where it increases as women get older, reaching triple the rate in the 45+ age group. Moreover, some organizations advocate and encourage polygamy to deal with delayed marriage among women, or to address the increasing numbers of widows in societies affected by war and conflict (White 1988). At one point in Iraq, the state urged there to be fewer heterogeneous marriages, before urging an increase once more, which means that the state plays a role in weakening or strengthening certain types of marriage.

Despite a large percentage of men and women in the five countries accepting working women's contribution to family expenses, women's work outside the home does not in itself reflect more sharing and equality within the home. The situation is further complicated when wives are young, especially in the 15–19 age group. Domestic violence and divorce take place more frequently against young wives, which makes it difficult for them to remarry without making concessions. The situation is also further complicated if these wives have little or no education, or if they do not work, as is the case among most girls in this age group. When discussing domestic violence, it must be noted that this is not limited to violence only against wives. Rather, violence against children, whether by the father or by the mother, must also be taken into consideration, as well violence against other members of the family, especially the elderly.

## 3.1 Marriage Context

In order to establish the following analysis, the challenge of obtaining up-to-date and consistent data in this region must be emphasized. In Syria, for example, a large amount of data and statistics came to a halt before the 2011 revolution. In Iraq, it is difficult to obtain comprehensive data published at the national level. Additionally, there is an issue of data inconsistency due to the multiplicity of data collection tools, unlike the case in Arab Gulf states, for instance. In the Gulf, they have the GCC Statistical Center (GCC-STAT), which guarantees the consistency of data published at the sub-regional level. In the following section, we will analyze demographic, political, economic, and social contexts affecting marriage, as well as its trends and types, in the Arab Mashreq countries.

In the five countries (Iraq, Syria, Lebanon, Jordan, and Palestine), many social, economic, and political factors have contributed to profound changes in the institution of marriage. The post-independence nation-state in Iraq, Syria, Lebanon, and Jordan played a major role in modernizing society by expanding education, providing universal healthcare services, increasing urbanization and rural–urban migration, developing transportation, and introducing modern means of communication (radio, television, cinema), along with the introduction of legal reforms. All of these factors "modernized" the institution of marriage in order to fit the model of the modern state. The post-independence state introduced the "new woman" model, in reference to educated working women who have small families and take part in the modernization of the state and society, while also preserving Arab and Islamic customs and traditions and caring for the family as the nucleus of modern society (Hatem, 2000; Kandiyoti, 1991). This view is evident in the reluctance to introduce radical reforms to personal status laws that continue to reflect imbalanced power relations regarding marriage decisions, divorce, polygamy, or the concept of guardianship and obedience in marriage. The post-independence state encouraged a dominant culture that supports women's public roles in society and in political, social, and cultural spheres, which helped women and families have more nurseries and access to family planning methods, as well as the use of electrical appliances to assist women with housework, thus accelerating the transformation of many families from extended to nuclear.

The structural factors affecting the institution of marriage vary from one country to another. While Iraq, Syria, Jordan, and Palestine all have high rates of fertility and population growth, Lebanon is characterized by low fertility rates, which have affected its population pyramid and shrunk the youth segment over time. Emigration has also played a significant role in increasing the number of single women in the country. Meanwhile, war, conflict, and migration have had a significant effect on the structure and types of marriage in Lebanon, Iraq, Syria, and Palestine. In Jordan, immigration has increased heterogeneous marriage between Jordanians and immigrant groups, whether from Iraq, Syria, or Egypt, as this chapter will explain.

High rates of fertility and population growth in Iraq, Syria, Palestine, and Jordan have contributed to a significant increase in their populations that is not compatible with their economic growth rates. This has led to crises related to high rates of unemployment, especially among the youth, as well as housing crises, particularly in Syria and Iraq. Other consequences include an increase in early marriage, especially in rural and poor areas, and a delay in marriage age among men and women with higher education.

Between the 1940s and 1990s in Iraq, the state's role in sponsoring development projects, along with the accelerating urbanization process and the rise of education rates among all groups of people, helped spread exogenous marriages (from outside the sect, clan, family, or ethnicity) at the expense of endogenous marriages. The state also played an important role in reforming and enforcing laws, which led to a change in personal status laws towards the end of the 1950s. The reformed laws prohibited underage marriage and put an end to types of marriage that were unfair to women

(Rashid, 2011). However, the pace of these changes has begun to decline over the past five decades.

As a result of the wars in Iraq in general (the first and second Gulf Wars and the US aggression against Iraq in 2003), structural transformations took place in the form of disintegrating social structures and social and family fabric. These transformations included assimilation into the group, sect, or clan; an increase in poverty rates; and the collapse of state services, especially in terms of education and healthcare. These changes were accompanied by the dominance of sectarian rhetoric and violence, especially after the US occupation of Iraq in 2003 and the sect-based division of urban neighborhoods following the 2006 sectarian strife. The changes also resulted in the decline of exogenous marriages, with some such marriages ending in divorce, leading to a massive surge in the number of widows and divorcees, as well as the spread of underage marriage and marriage outside the court, as this chapter will show when dealing with forms of marriage in Iraq.

In Syria, factors relating to population growth and an imbalance in economic growth, especially in the 1970s and 1980s, led to an increase in youth unemployment. The rate of population growth in Syria is one of the highest in the world. Since the early 1960s, the country's rate has seen clear changes. In the period between 1921 and 1960, the annual rate stood at 1.8%, rising steadily for half a century after that and exceeding 3% in the period between 1960 and 1995. This led to large demographic influxes that created a massive population, providing the country with various population elements for an extended period of time (First National Conference on Population, 2001). However, this growth presented challenges in terms of services, housing, and job opportunities. According to census results, the number of people living in Syria increased from 4.5 million in 1960 to 6.3 million in 1970, 9 million in 1981, 13.8 million in 1994, 17.9 million in 2004, 20.4 million in 2009, and 20.619 million in 2010. This means that the population increased by an average of 450,000 people every year between 2004 and 2010. These accelerating population increases came as a result of a surge in the population growth rate, which began to slow down gradually, from 3.29% in 1981–1994 to 2.66% in 1994–2004. Eventually, the rate dropped to 2.37% in 2004–2010, which is still one of the highest in the world. On the other hand, average life expectancy stood at 73.1 years in 2009 (71.6 for men, 74.7 for women), according to the Central Bureau of Statistics (2011, p. 2). Family size remained large, at five members per family (4.7 in urban centers, 5.4 in rural areas). As mentioned earlier, the numbers on Syria come from the available demographic data, based on pre-2011 national census results. The ongoing war in Syria has undoubtedly affected the general demographic reality in the country, not to mention its impact on the institution of marriage, which will be discussed in the sections that follow.

In Jordan, it seems that unemployment—especially among those with higher education—is a primary reason behind delayed marriage age in the country. The rate of unemployment among people with higher education (bachelor's degree and higher) reached 41.4% in 2016, up from 34.3% in 2010. While the rate is rising among educated people, it declined among those with less than secondary education from 46.1% in 2010 to 42.4% in 2016. Moreover, unemployment is higher among

women with higher education, reaching 64.4% in 2010 and surging to 76.9% in 2016 (Department of Statistics, 2018a). Delayed marriage and high rates of celibacy in Jordan are attributed to inflated dowries, extravagant weddings, show-off spending, high rates of unemployment among men and women (especially as male suitors prefer a working wife), high housing and furnishing costs, high levels of education, and preferences for higher education opportunities in order to secure better employment (Al Sa'ayda, 2014).

In Lebanon, the structure of marriage has been affected by several factors, such as continuous emigration, low fertility rates, the changing composition of the population pyramid (lower numbers of youth compared to other age groups), repeated wars, lack of security, deteriorating public services, the large influx of Syrian refugees, and shrinking job opportunities. Moreover, it seems that emigration plays a major role in shrinking the size of the youth segment in Lebanon, especially among young men. Since 2004, the rate of families with one or more emigrant member has increased to 6.3% of the total number of families in Lebanon. Of all emigrants since 2004, 76.3% were men while 23.7% were women. Most of the emigrants (77.4%) were 35 or younger at the time of emigration. In addition, 44.4% of these emigrants had university degrees. The motive for emigration was primarily seeking employment (65.9%) (Central Administration of Statistics & UNICEF, 2009, p. 11). Emigration has a long history in Lebanon, with an estimated 3,000 Lebanese citizens emigrating every year, and the number increasing during crises. For example, between 1960 and 1970 the number rose to 9,000 emigrants annually, due to the 1967 war and its repercussions. Between 1970 and 1975, the number surged to 10,000 emigrants annually, due to the tensions preceding the 1975 Lebanese civil war. The same occurred during the civil war (1975–1989) and after the 2006 war on Lebanon, as shown in Table 3.1.

In Palestine, the structure of marriage is affected by factors such as high fertility, high population density (especially in the Gaza Strip), and high unemployment rates, as well as violence, occupation, and emigration. The general unemployment rate is 26.9%, reaching 44.7% among females (29.8% in the West Bank and 65.2% in Gaza) (Palestinian Central Bureau of Statistics, 2016b). Unemployment rates, especially among women, increase with level of education, reaching 48% among women who have completed 13 or more years of education, compared to 18.6% among men in the same group (Palestinian Central Bureau of Statistics, 2016e, p. 51). In addition, the population density in Palestine is generally high, and particularly in the Gaza Strip, where nearly 1.88 million people are concentrated in no more than 365 km$^2$, mostly comprising of Palestinian refugees displaced from their towns and

**Table 3.1** Emigration from Lebanon between 1975 and 2011

| Year | 1975–1977 | 1978–1984 | 1985–1990 | 1991 | 1992–2007 | 2008–2011 | Total |
|---|---|---|---|---|---|---|---|
| Number of emigrants | 272,510 | 233,906 | 385,000 | 10,000 | 466,019 | 200,000 | 1,567,435 |

*Source* Lebanese Information Center (2013)

villages that were occupied in 1948. Moreover, there is the naturally high population increase characteristic of the Palestinian community residing in Palestine. In 2016, the estimated population density in Palestine was about 800 individuals per sq. km (519/$km^2$ in the West Bank and 5,154/$km^2$ in the Gaza Strip) (Palestinian Central Bureau of Statistics, 2016a, p. 13).

The review of the age structure of population and marriage in the five countries points to some structural factors related to the age of different age groups in each country and how it affects marriage, especially with regard to population growth, fertility rates, and the increase or decrease in the different age groups.

### *3.1.1 Age Structure of Population and Marriage in the Five Countries*

Data from the five countries indicate disparities in the population pyramid between one country and another, whether in terms of the size or characteristics of population segments or the gender ratio.[1] In Iraq, the population pyramid is characterized by a high percentage of children, and more than two-thirds of the population is under the age of 30. Meanwhile, in Lebanon, the population pyramid is characterized by a declining number of children in the 0–4 and 5–9 age groups, which indicates a shrinking youth segment and an expanding elderly segment. Moreover, there are differences between countries in terms of the size of the population segment aged 20–49. Table 3.2 shows the size and proportions of different population segments in four of the five countries: The number of people aged 20–49 stood at 4,313,740 (44.1%) in Jordan in 2016; 8,386,056 (39.2%) in Syria in 2010; 43.6% in Lebanon in 2007; and 1,908,365 (39.62%) in Palestine in 2016. In Iraq, detailed statistics on age groups are not available, but the country's demographics show that it has remained young for decades. In 2011, there were 8.7 million young women and men aged 15–29, half of whom were women, representing nearly 28% of the total population (26.9% of all females and 27.9% of males). In 2009, the percentage of women of childbearing age reached 49.8% of the total female population. The percentage of the working age population (15–64) stood at 57% in 2009 (National Committee for Population Policies, 2011). In Lebanon, the population was estimated at five million in 2015,

[1] A reference to the composition of the population by gender (males and females), expressed in the following formula: Gender ratio = the number of males × 100 ÷ the number of females. A gender ratio imbalance affects marriage rates in society. If the percentage of males is higher than that of females, especially of marriage age, the rate of married males will decline. Meanwhile, if the percentage of males is lower than that of females, a certain percentage of females in the society will be celibate. A gender ratio imbalance also affects fertility rates in society, as well as mortality rates, since women live on average longer than men, which means that deaths among females are fewer compared to men of similar ages. In addition, a gender ratio imbalance affects the economic structure of society. An increase in the percentage of males, especially of working age, means an increase in the society's workforce, given that males are more economically active than females in the Arab region (Suleiman & Abu Rass, 2011, p. 100).

**Table 3.2** Age groups by gender (Jordan, Syria, Lebanon, and Palestine)

| Age group | Jordan 2016 | | | | | | | Syria 2010 | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | Male | % of population (%) | Female | % of population (%) | Male + female | % of population (%) | Gender ratio (%) | Male + female | % of population (%) | Gender ratio (%) |
| 0–4 | 576,980 | 5.89 | 547,790 | 5.59 | 1,124,770 | 11.48 | 105.33 | 2,802,483 | 13.1 | 105 |
| 5–9 | 614,710 | 6.27 | 587,450 | 6.00 | 1,202,160 | 12.27 | 104.64 | 2,674,125 | 12.5 | |
| 10–14 | 534,420 | 5.45 | 504,210 | 5.15 | 1,038,630 | 10.6 | 105.99 | 2,460,195 | 11.5 | |
| 15–19 | 512,460 | 5.23 | 461,840 | 4.71 | 974,300 | 9.94 | 110.96 | 2,310,444 | 10.8 | |
| 20–24 | 533,660 | 5.45 | 438,740 | 4.48 | 972,400 | 9.92 | 121.63 | 2,010,942 | 9.4 | |
| 25–29 | 472,700 | 4.82 | 381,110 | 3.89 | 853,810 | 8.71 | 124.03 | 1,754,226 | 8.2 | |
| 30–34 | 407,010 | 4.15 | 347,910 | 3.55 | 754,920 | 7.70 | 116.99 | 1,390,545 | 6.5 | |
| 35–39 | 362,560 | 3.70 | 306,820 | 3.13 | 669,380 | 6.83 | 118.17 | 1,240,794 | 5.8 | |
| 40–44 | 312,840 | 3.19 | 263,760 | 2.69 | 576,600 | 5.88 | 118.61 | 1,112,436 | 5.2 | |
| 45–49 | 265,800 | 2.71 | 220,830 | 2.25 | 486,630 | 4.97 | 120.36 | 877,113 | 4.1 | |
| 50–54 | 192,430 | 1.96 | 167,180 | 1.71 | 359,610 | 3.67 | 115.10 | 812,934 | 3.8 | |
| 55–59 | 130,920 | 1.34 | 120,620 | 1.23 | 251,540 | 3.57 | 108.54 | 577,611 | 2.7 | |
| 60–64 | 88,670 | 0.90 | 83,080 | 0.85 | 171,750 | 1.75 | 106.73 | 492,039 | 2.3 | |
| 65+ | 182,840 | 1.87 | 178,660 | 1.82 | 361,500 | 3.69 | 102.34 | 877,113 | 4.1 | |
| Total | 5,188,000 | 52.95 | 4,610,000 | 47.05 | 9,798,000 | 100.00 | 112.54 | 21,393,000 | 100.00 | |

(continued)

**Table 3.2** (continued)

| Age group | Lebanon 2007 | | | | Palestine 2016 | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | Male (%) | Female (%) | Male + female (%) | Gender ratio (%) | Male | | Female | | Male + female | | Gender ratio (%) |
| 0–4 | 3.63 | 3.31 | 6.94 | 109.64 | 367,142 | 15.0% | 350,595 | 14.8% | 718,089 | 14.91% | 10.72 |
| 5–9 | 4.27 | 4.05 | 8.32 | 105.42 | 310,847 | 12.7% | 298,480 | 12.6% | 609,503 | 12.65% | 104.14 |
| 10–14 | 4.88 | 4.53 | 9.42 | 107.73 | 286,371 | 11.7% | 274,791 | 11.6% | 559,144 | 11.61% | 104.21 |
| 15–19 | 5.21 | 4.46 | 9.67 | 116.91 | 271,685 | 11.1% | 260,578 | 11.0% | 530,322 | 11.01% | 104.26 |
| 20–24 | 5.09 | 4.69 | 9.78 | 108.60 | 252,104 | 10.3% | 241,626 | 10.2% | 495,035 | 10.28% | 104.34 |
| 25–29 | 3.95 | 4.19 | 8.14 | 94.11 | 210,495 | 8.6% | 203,724 | 8.6% | 414,334 | 8.60% | 103.32 |
| 30–34 | 3.51 | 3.85 | 7.36 | 91.31 | 163,990 | 6.7% | 156,347 | 6.6% | 320,463 | 6.65% | 104.89 |
| 35–39 | 2.97 | 3.66 | 6.64 | 81.20 | 134,619 | 5.5% | 130,289 | 5.5% | 265,799 | 5.52% | 103.32 |
| 40–44 | 2.72 | 3.47 | 6.20 | 78.41 | 112,590 | 4.6% | 111,338 | 4.7% | 224,673 | 4.66% | 101.13 |
| 45–49 | 2.54 | 3.01 | 5.55 | 84.48 | 95,457 | 3.9% | 92,387 | 3.9% | 188,061 | 3.90% | 103.32 |
| 50–54 | 2.24 | 2.55 | 4.79 | 87.77 | 73,428 | 3.3% | 75,804 | 3.2% | 155,661 | 3.23% | 96.87 |
| 55–59 | 1.78 | 2.03 | 3.81 | 87.71 | 61,190 | 2.5% | 54,484 | 2.3% | 116,766 | 2.42% | 112.31 |
| 60–64 | 1.75 | 1.98 | 3.73 | 88.39 | 39,162 | 1.6% | 40,271 | 1.7% | 78,511 | 1.63% | 97.25 |
| 65+ | 4.85 | 4.79 | 9.64 | 101.37 | 61,190 | 2.5% | 71,067 | 3.3% | 140,142 | 2.91% | 86.10 |
| Total | 49.42 | 50.58 | 100.00 | 97.70 | 2,447,616 | 100.00% | 2,368,887 | 100.00% | 4,816,503 | 100.00% | 103.32 |

*Sources* Jordan: Department of Statistics (2018a, 2018b, 2018c), Syria: Population Policy (2011), calculated approximately based on the total population of Syria in 2010 (nearly 21,393,000), Lebanon: Central Administration of Statistics (2007, p. 35), Palestine: Palestinian Central Bureau of Statistics (2016e, p. 18)

with a low percentage of youths aged 15–29 compared to the other countries. The total male and female youth percentage reached 27.6% (28.9% of males and 26.4% of females) out of the total population. Their actual numbers stood at 535,776 men and 501,561 women (a total of 1,037,337 in 2007, compared to 1,044,145 in 2004). This shows a slight decline in the total number of youths in the country, which can be attributed to a decreasing fertility rate and a declining number of children. The rates then increase with age (Central Administration of Statistics & UNICEF, 2009, pp. 26–28).

According to Table 3.2, Jordan, Syria, Lebanon, and Palestine are young societies, with the youth segment constituting nearly 40% of the population. This is the segment of people seeking marriage and of working age, which constitutes an important human resource if properly employed, bearing in mind the limits imposed on the authors in view of the unavailability of consistent and up-to-date data in the five countries for any single period of time.

According to 2011 data from Iraq's National Committee for Population Policies (NCPP), the country had an estimated population of 31.9 million people in 2009, of which 16.1 million were male and 15.8 million female. The gender ratio was 101 males per 100 females, which is close to the average ratio in most Arab countries. The gender ratio is considered an indication of the demographic balance, and it varies, like other demographic characteristics, from one period to another and from one province to another, depending on factors of internal and external migration. According to the 1997 census, the gender ratio was 99.4 males per 100 females, possibly due to circumstances in Iraq, including war and economic blockades, which increased mortality rates among males, leading to a surge in migration out of the country, especially among males. This resulted in a gender imbalance in the population (NCPP, 2011).

Today, there is a high percentage of children, adolescents, and youths in Iraq, with 68.8% of the population under the age of 30. The age structure of the population has changed in the past three decades, most evidently in the decline of the percentage of children (individuals under the age of 15) by five points between 1977 and 1997, and by ten points between 1977 and 2007. Meanwhile, the percentage of people of working age (15–64) has been increasing. Yet the broadening base of the population pyramid indicates that about two in five people (39.8%) in Iraq are children under the age of fifteen. Meanwhile, children under the age of five constitute about 14.6% of the total population, which is higher than the percentage of children aged 5–9. In 2009, women of childbearing age constituted 49.8% of the total female population, while working-age people (15–64) made up 57% of the population. People aged 65 or more constituted 3.3% of the population (NCPP, 2011, p. 16).

In Iraq, the overall annual rate of population growth stands at 3%, but it varies from one region to another. The lowest rate is in Sulaymaniyah (1.1%), while the rate stands at 7.3% in Duhok and 4.5% in Kirkuk and Karbala (NCPP, 2011, p. 19). This indicates major differences in fertility rates, family size, and community culture from one region to another.

In 1997, Iraq's overall fertility rate was 5.7 births per woman, dropping to 4.3 in 2006 and 4.1 in 2015 (Ministry of Planning & House of Wisdom, 2014). The rate

varies depending on the age group, the region, and women's groups. In 2006, the highest age-based fertility rate was among women aged 25–29 at 221 births per 1,000 women, while the lowest age-based fertility rate was among women aged 45–49 at 9 births per 1,000 women. Meanwhile, the lowest overall fertility rate was among girls aged 15–19, with 68 births per 1,000 women (Ministry of Planning & House of Wisdom, 2014, p. 21). However, there are local variations in fertility, as the current overall fertility level in rural areas is higher than that in urban areas (5.1 compared to 4.0). There is also an inverse relationship between fertility and education. The rate drops from 4.8 among women with no or primary-only education to 3.5 among women with at least an intermediate degree (Central Statistical Organization and Kurdistan Regional Statistics Office, 2007, pp. 10–11). Iraq's population pyramid indicates a corrosion of the segment of males aged 45–49 due to the wars that have ravaged the country since 1981, fueled by young men at the time. As such, there has been an increase in women aged 65+ compared to men of the same age, which may be due to an increased number of widows in Iraq.

Syria's population stood at 20.619 million in 2010. The country's demographic evolution is characterized by a continuously shrinking children's segment, falling to less than 30% of the population, as well as a growing working-age segment, representing nearly two-thirds of the population. It is also characterized by a narrowing relative gap between successive age groups, where the first three fall from the base of the 0–14 age group, within average limits of no more than 1% of the population per group. The following age groups (15–64) fall within average limits varying from 4 to 8%, with no less than 6.7% on average. This is the quantitative expression of what is known as "opening the demographic window."[2] The 15–29 age group made up 30.1% of the population in 2004, shared almost equally between men (29.9%) and women (30.4%). In 2010, the rate stood at 28.4% (28.6% for men and 28.1% for women) (Central Bureau of Statistics, 2004; Census: Central Bureau of Statistics, 2010 Statistical Group). Syria is also witnessing a significant rise in average age at first marriage. In 1981, the average age among women was 21, rising to 23.1 in 2004 and 27.1 in 2009. For men, the average age rose from 26 to 29.4 over the same period (Syrian Commission for Family Affairs, 2011, p. 50).

[2] Population growth positively affects—and even causes—economic growth when accompanied by qualitative changes in the age structure of the population. On the other hand, it negatively affects economic growth when the age structure is very young, or when the economically active population is less than 50%. The median age index is one of the indicators of change in a population's age structure. It measures the age at which the population is divided equally into two age groups, the first younger and the second older than the median age. A population is considered young with a median age of less than 20; average if the median age is 20–29, and aging if the median age is 30 or more. The dynamics of changing demographics begin with low fertility rates, which—when declining—transform a society from one with a majority of children and young dependents to one where the working-age population (15–64) constitutes a majority. In other words, the growth rate in this economically active population group is higher than in the dependent groups (below 15 and over 65), which is known as the demographic window. A society enters this phase after the working-age population peaks, compared with the lowest number of dependents. This phase lasts a certain period of time, defined as one generation, after which the balance is disrupted between the active population and the dependent population.

Jordan has a population of 7.5 million, of which 83.4% live in urban areas. There are one million people below the age of 5, 4.7 million aged 15–64, and 0.3 million aged 65+, with a median age of 24. The dependency ratio stands at 53% for children aged 0–14 and 5.8% for people over the age of 65. As for the fertility rate, it stood at 3.3 in 2010–2015, down from 3.9 in 2000–2005 (UNDP, 2015, Table 8, p. 235).

In Jordan's 15–29 age group, a total of 2,873,400 men and women, males (1,558,350) constitute 29.3% of the total population, while females (1,315,050) constitute 27.8% (Department of Statistics, 2018b: Estimated population, 2017).

In fact, delayed marriage and high rates of celibacy continue to rise among women (Cetorelli and Leone 2012). This may be attributed to economic rather than demographic reasons, such as the unemployment and poverty associated with the growing privatization policies in the country, as mentioned earlier.

Data show an increasing percentage of unmarried women in almost all age groups, particularly in the 30–34 age group (which is considered late for marriage in the Arab world). The rate has surged from 10.9% in 1990 to 18.1% in 2009 (Department of Statistics, 2018b, pp. 8, 22). In rural areas, a woman is considered a "spinster" at the age of 20. In urban centers, this applies to women over 30, although they are not considered spinsters if they are employed and have a high level of education. Data on economic activity in relation to marital status show that 34% of unmarried women are unemployed, compared to 22.3% among men. This means a gender gap of −11.7%, nearly five times the rate among married women.

In Lebanon, the population (excluding resident Palestinians) stood at 3,759,136 in 2007, compared to 3,755,034 in 2004, a slight increase of 0.11% (Lebanese Information Center, 2013). In 2015, the population was estimated at five million people, with 87.6% living in urban centers. Children under five years old constituted 0.3% of the population, while the number of people aged 15–64 reached 3.5 million. People aged 65 or more constituted 0.4% of the population, with the median age being 30.7. The fertility rate stood at 1.5 in 2010–2015, down from 2.0 in 2000–2005. The dependency ratio for people aged 65+ across Lebanon is 5.6% (highest in Beirut at 12.3% and lowest in Baalbek and Hermel at 4.2%). Meanwhile, the dependency ratio for children aged 0–14 was 27.1% in 2015.

The percentage of youths aged 15–29 is low compared to the other countries (27.6% for both men and women). Of the total population, young men (535,776) constitute 28.9%, while young women (501,561) constitute 26.4%. The total number of men and women of this age group reached 1,037,333 in 2007, compared to 1,044,145 in 2004, a slight decline (Central Administration of Statistics & UNICEF, 2009, p. 28).

Lebanon is witnessing social, economic, and demographic changes, namely war, youth emigration, delayed marriage, and rising celibacy rates across different age groups of young men and women. Additionally, families now tend to have fewer children than they did in the past. All these realities and changes in Lebanon from 2007 impacted the structure of the age pyramid, which came to be characterized by the following key features:

- a decline of 6.9% in the rate of children aged 0–4, and of 8.3% among children aged 5–9, compared to the rate of older children, particularly in the 10–14 and 15–19 age groups (9.4% and 9.7%, respectively), due to an overall low fertility rate in Lebanon in the past ten years; and
- clear differences between the number of males aged 20–24 and the number of males aged 25–29/30–34. This may be due to the emigration of young men aged 25+, as we will explain later (Lebanese Information Center, 2013).

Notably, male-to-female ratios did not change much between 2004 and 2007, but declined from 108.6 in the 20–24 age group to 94.1, 91.3, 81.2, and 78.4 in the 25–29, 30–34, 35–39, and 40–44 age groups, respectively. This can be attributed to the emigration of many men of the abovementioned age groups (Central Administration of Statistics, 2007, p. 31).

As for the population pyramid in Palestine, the estimated number of Palestinians residing in the Occupied Palestinian Territories in mid-2017 was nearly five million (three million in the West Bank and two million in the Gaza Strip). The data indicate a balanced gender composition in Palestinian society (50.8% males and 49.2% females). In addition, the age structure of the Palestinian population shows that it is a young society. Children aged 0–14 constitute nearly 38.9% of the total population (36.6% in the West Bank and 42.6% in the Gaza Strip). The 15–29 age group constitutes 29.7% of the total population, while people aged 65+ make up about 2.9% (3.3% in the West Bank and 2.4% in the Gaza Strip).

The overall fertility rate in Palestine between 2011 and 2013 was 4.1 births per woman of childbearing age (3.7 in the West Bank and 4.5 in the Gaza Strip). In mid-2017, the estimated annual population growth rate in the Palestinian territories was 2.8% (2.5% in the West Bank and 3.2% in the Gaza Strip). The average family size continued to decline, from 6.4 in 1997 to 5.8 in 2009, down to 5.2 in 2016 (4.8 in the West Bank and 5.7 in the Gaza Strip) (Palestinian Central Bureau of Statistics, 2017a, 2017b). There is a growing trend towards nuclear families at the expense of the extended family. In 2009, 84.6% of families were nuclear families, compared to 73.3% in 1997 (Palestinian Central Bureau of Statistics, 2010, p. 27). The gender ratio is almost constant, or increasing in favor of women, reaching 102.2 in 2000 and up to 103.3 in 2017. Education has played an important role in lowering the fertility rate and delaying marriage for both genders in Palestine, as more females seek university education than males. According to 2015 data, in Palestine 13% of people aged 15+ completed their university education with a bachelor's degree or higher (12.7% of males and 13.3% of females). Meanwhile, 9.2% of people did not complete any level of education (7.4% of males and 10.9% of females).

The illiteracy rate is generally low among both males and females, albeit higher among the latter. According to 2015 data from Palestine, the illiteracy rate among people aged 15 or older was 3.3%, varying between males (1.5%) and females (5.1%), and between the West Bank (3.5%) and the Gaza Strip (3%). At the regional level, data indicate that the illiteracy rate among males reached 1.5% in both the West Bank and the Gaza Strip, while the rate was higher among females over the age of 15 in the West Bank than in the Gaza Strip (5.6% and 4.4%, respectively). This disparity may

be attributed to the large refugee population in the Gaza Strip. UNRWA schools were made available immediately after the Nakba, at a time when there were no schools in some rural population centers in the West Bank, and bearing in mind that the rural population constitutes a high percentage of the West Bank population (Palestinian Central Bureau of Statistics, 2016a, pp. 33–34).

Despite high rates of education, especially among females, they do not contribute to human development due to the restrictions imposed on the Palestinians by the Israeli occupation. Data indicate that the unemployment rate among participants in Palestine's workforce reached 26.6% (18% in the West Bank and 41.2% in the Gaza Strip; 42.8% among females and 22.3% among males) (Palestinian Central Bureau of Statistics, 2016b).

The number of Palestinian emigrants continues to increase, especially among youths. In the period between 2007 and 2009 alone, nearly 22,000 people migrated outside the Palestinian Territories, a number that does not include entire emigrant families. According to a survey by the Palestinian Central Bureau of Statistics, 7.6% of Palestinian families have at least one emigrant member; 4.3% have only one emigrant member; 1.1% have two emigrant members; and 2.1% have five or more emigrant members (Palestinian Central Bureau of Statistics, 2011b).

The analysis findings discussed in this section indicate the intertwining of several structural factors that have affected the structure and forms of marriage, as well as the population structure by age groups. State policy in these countries has played a major role in spreading public education, making health services universal, and opening up fields of work for women, all of which have helped to reduce the fertility rate for women and the rate of population increase. Yet fertility rates in Iraq, Syria, Jordan, and Palestine—along with increasing population growth—still play a major role in increasing youth segments, which make up 30–40% of the population in these countries, including Lebanon. However, other factors relating to slowing economic growth, unemployment, poverty, and migration have played a large role in delaying marriage and raising celibacy rates in the five countries. Migration and displacement have particularly led to a significant decline in the quantity and quality of state-provided educational and health services, and to more laxity in law enforcement. This has in turn resulted in new forms of marriage, such as early or temporary marriage, and other forms that are not registered in government records, as indicated in the remaining parts of this chapter.

## 3.2 Types of Marriage

### *3.2.1 Traditional Types of Marriage*

Types of marriage in the five Arab countries change from time to time in accordance with changes in the factors affecting marriage. The spread of a religious tide, the decline in living standards, the delay in marriage age, and large waves of population

displacement from countries such as Iraq and Syria, and Lebanon after the 2006 war, are all factors that have led to the emergence of new types of marriage. For example, post-war conditions in Iraq gave rise to *muta'a* ("pleasure") marriage, which is considered an easier and less costly type of marriage. Marriage outside the court (that is, unregistered) has also emerged in cases where the wife (and sometimes the husband) is under the legal age, meaning the marriage contract cannot be registered in court. While endogenous and consanguineous marriages were common three decades ago, current types vary (Al Qassas 2016). For example, Jordanians are now marrying more foreigners, whether from Iraq, Egypt, or Syria, depending on the waves of migration reaching that country. In Lebanon, temporary or online marriages have emerged, along with "visa" marriages, which serve the purpose of naturalization. In Palestine, marriage from outside the family has emerged. The most important aspect of changes in the types of marriage is the extent to which they affect the stability of the marriage, as well as the possible complications in the event of its collapse.

#### 3.2.1.1 Endogamy

Endogamy (endogenous marriage) is a pattern of marriage that takes place within a certain group or within members of the same family belonging to the same branch (Al Johari et al, 1980). It has been customary for this type of marriage to take place either between very close relatives in terms of lineage (first cousins), or between individuals who share a specific belief. Endogamy is described as "internal," based on the family bond (e.g., the obligation between cousins). The scope of endogamous marriage has gradually expanded to include a wider range of people, such as distant relatives and neighbors of the same religious sect, as in the case of the monotheistic Druze sect in Lebanon, who prefer to marry among themselves. It has also come to include people within a group that belongs to a specific race or culture, such as Armenians and Kurds (in Lebanon), who do not marry their daughters off to anyone outside the group, based on the belief that the general frame aims to strengthen the bonds between members of the same group, making it imperative in order to preserve its existence and continuity. As such, individuals in traditional endogenous environments become obligated to marry within the same group, on the premise that this will help to strengthen the eternal relationship between spouses connected by blood, creed, or traditions. In this type of marriage, individuals do not have absolute freedom to choose their life partners, as social restrictions force them to marry members of the same group (tribe, clan, family). In general, endogamy has been declining in the five countries, dropping to fewer than 40% of marriages. However, wars and internal conflicts have led to a strong return of endogamy, especially within the same sect. This was the case in Iraq after 2006–2007, when the country witnessed Shia-Sunni sectarian strife. With the containment of the conflict, the Iraqi government once again encouraged inter-sect marriage to improve national cohesion.

#### 3.2.1.2 Consanguineous Marriage

Consanguineous marriage has declined in recent years, but it remains prevalent in Iraq, Syria, Jordan, and Palestine. According to prevailing cultural traditions, consanguineous marriages are especially widespread in the countryside and among the poor and less educated groups. This is particularly apparent in the case of paternal cousins, where the man has the right to marry his female cousin, and to prevent her from marrying another man, even if she is already contractually married to someone else but is yet to go to the matrimonial home. Girls often get engaged to their cousins, who then leave the country to seek education or work while the girls wait for them to return, no matter how long their absence lasts, or how old the girls get. There are even local proverbs along the lines of “no matter how long the young man is away, his fate is to marry his cousin, even if she becomes an old spinster.” Marrying a cousin is considered some form of law, justified by spurious unique qualities that other girls supposedly do not possess—such as: “A cousin will be patient with bad temper, but an outsider will want to be spoiled”—in order to conceal the economic side of such a marriage. As such, the economic benefits include land remaining within the family and not passing to outsiders. Additionally, the dowry of a cousin is usually lower than that of an outsider, while the dowry of an educated working woman is higher than that of an uneducated, unemployed woman. The danger, however, lies in the fact that consanguineous marriage is prevalent among young girls, which increases the health risks to mothers and children.

In Jordan, consanguineous marriage is prevalent among girls aged 15–19. A study based on a 1980 survey covering 1,995 households found that 51.25% of consanguineous marriages took place as follows: 33% to first cousins, 6.8% to second cousins, and 10.5% to distant cousins, with fewer than 50% to non-relatives. The study also indicated a higher rate of consanguineous marriage in rural areas than in urban centers (30.99% vs. 29.82%, respectively) (Khoury & Massad, 1992).

Another study (Hamamy et al., 2005) covered 5,401 marriages over three generations as follows: First generation: married before 1950; second generation: married between 1950 and 1979; and third generation: married after 1980.

According to their findings, consanguineous marriage rates fluctuated from one generation to another, with 20.2% of the first generation marrying first cousins, 28.5% of the second, and 19.5% of the third. Meanwhile, a large proportion of children of parents who married their first cousins tended to follow in their parents’ footsteps and marry first cousins too, accounting for 25.3% of all marriages, compared with only 17.1% accounted for by first-cousin marriages among children of parents who had married non-relatives.

The study also indicated that marrying cousins began to decline after 1980 (Hamamy et al., 2005). After decades of cousin marriage being a “law” for families to follow, it began to decline gradually, according to the 2012 Jordan Population and Family Health Survey (Department of Statistics & ICF International, 2013), which confirmed the prevalence of women marrying their relatives (43% among young girls and 31% among women aged 30–34). Marriage to a paternal first cousin was found to be the most common pattern among women of all age groups, but it did not

exceed 10% except for the 40–44 age group (11%). These numbers are lower than those reported in previous studies (33 and 28%). The survey also indicated a rise in marriages to maternal cousins, as opposed to paternal cousins. Mothers usually prefer their sons to marry their maternal cousins (i.e., daughters of their own brothers or sisters), especially if the spouses have to live with the husband's family. On the one hand, such marriages strengthen the mother's bond with her family, and on the other hand, the daughter-in-law becomes more obedient to her mother-in-law (Shami & Taminian, 1995).

The survey also indicated that consanguineous marriage rates vary according to the family's place of residence, the woman's level of education, and the family's financial status. With regard to residence, the rate was 34% in the city, 40% in the countryside, 42% in refugee camps, and 44.3% in Bedouin communities, where traditions are the strongest. As for the level of education, the highest rate was among the least educated women (39%), followed by the most educated (28%), and then those with secondary education (27%). According to the survey, there is an inverse relationship between consanguineous marriage and family well-being, as poorer families are more likely to marry relatives (42%) than wealthier families (24%).

In Palestine, as in Jordan, consanguineous marriage is declining, but it continues to be practiced at significant rates. In a 1998 demographic survey, 65.3% of marriages were between first or second cousins, while only 34.7% did not involve relatives. Marriage between first-degree relatives (cousins, aunts, uncles) in the Palestinian Territories made up 28.7% of first marriages (27.2% in the West Bank and 31.6% in the Gaza Strip). The rate was higher in villages (29.4%) and refugee camps (30.5%) than in cities (27%). Women with above secondary education qualifications accounted for 25.4% of marriages to first cousins, a lower rate than for those who did not complete their primary education (31.1%). Consanguineous marriage in general, and marriage of first-degree cousins in particular, is linked to the young age of girls, reaching nearly 66.5% among girls aged 15–19, compared to 64.1% in the 25–29 age group. The rate is higher in villages (76.9%) than it is in refugee camps (58.3%) or cities (62.2%). It also increases the lower the level of education, reaching 71.9% for people of all age groups who have below primary education; 67.5% for those with primary education; 64.3% for those with preparatory education; and 55.8% for those with secondary education (Palestinian Central Bureau of Statistics, 1998).

In 2000, more than 40% of marriages took place between first-degree relatives, but the rate has since declined significantly, according to the 2010 Palestinian family survey. Women aged 15–45 marrying their relatives constituted 27.2% of total marriages (25.6% in the West Bank and 30.1% in the Gaza Strip). Women who married non-relatives made up 55.6% of total marriages (57.6% in the West Bank and 52.2% in the Gaza Strip).

A fundamental difference was noted in the percentage of women who had previously married relatives in general and first-degree cousins in particular over the past two decades, which calls for more attention to the phenomenon (Palestinian Central Bureau of Statistics, 2013b, p. 38). Scientific progress this century confirms that consanguineous marriage results in pathological and psychological ailments, the

most prominent of which are diseases related to hemoglobin, congenital metabolic defects, and common single-gene diseases that cause disabilities in children. Studies on consanguineous marriage show that these diseases and disabilities among children of related parents are due to the lack of a medical examination of the spouses before marriage (Al Qassas, 2016, pp. 292–293).

In Syria, consanguineous marriage rates are similar to those of Palestine. Although the rate of marriage to non-relatives in all age groups has been as high as 60%, this type of marriage continues to exist in some parts of Syrian society. In 2011, research findings showed that 45.8% of girls aged 15–19 and three in ten women aged 20–24 married first-degree relatives (maternal or paternal cousins).

There are no detailed data on consanguineous marriages in Lebanon, but Lebanese sociologist Atef Attiyah has conducted a sample study on the overlap of society, religion, and traditions in Lebanese villages. After examining the kinship system and comparing marriages in the sampled villages, he noticed a significant rise in marriage rates within the family (up to 25%), compared to 22% of marriages within the village from other families (Attiyah, 1992).

In Iraq, there are several types of consanguineous marriage, including *nahwa*, in which men have the absolute right to marry their paternal cousins as well as to prevent them from marrying anyone else. This is considered one of the most stringent types of endogamy, as *only* cousins can get married. Moreover, this type of marriage allows the extended family—comprising of brothers and their children and grandchildren—to preserve the family wealth and property and prevent them from being passed on to outsiders, bearing in mind that women do not inherit in most cases. The only option for women in the clan to break away from this type of marriage is to resort to *khatifa* ("bride kidnapping"), but they hesitate to do so for fear of bringing shame to their families and the clan.[3] However, an outsider can violate this custom and marry a girl from the clan with the consent of her father, and possibly her cousin, if his social status is higher than that of the girl's family (Fernea, 1989, p. 157).

The girl's family can break this custom only in two cases: if an amount of money is paid to the rightful male cousin in exchange for waiving his right to *nahwa*, which would emasculate him, according to clan customs; and by resorting to *buka* marriage, that is to marry in secret and without ceremony so that news of the marriage does not reach the cousins or the clan. In most cases, cousins do not accept this and end up causing problems for the couple's families.

[3] In southern and central regions, *khatifa* is also known as *nahiba* ("elopement"), where the woman elopes with and marries a man she loves without her family's consent. If the woman is deceived by the man, then the kidnapping is called *nahb* ("pillage"). If both parties agree, it is called *shalah* ("removal"). The penalty for the woman in both cases is murder, given her defilement of family honor. Sometimes a girl's parents agree to marry her off after taking a settlement (see below), which brings shame to the family (see Rashid et al., 2009). This study is part of a project on the political role of tribes in the Middle East and Iraq, and is supported by the French House of Social Sciences and the Canadian International Development Foundation.

Some clans have enacted a document to prevent *nahwa*, leading to a decline in the phenomenon and making it non-binding, contrary to how it was in the past.[4] However, it is not certain whether all clans will abide by this. In a study on the status of women in Iraqi clans, some clan elders claimed that *nahwa* marriage was extinct, while the majority of interviewees confirmed that it remains present today, attributing its continuity to the financial benefit to the male cousins, who maintain the tradition in order to receive payments in exchange for waiving their right to *nahwa* (Rashid et al., 2009). The background paper for this chapter on marriage in Iraq indicates that the Sadr City clans continue to practice this type of marriage in order to preserve kinship relations, even if it is a mere formality. If an outsider proposes to a girl, her father informs his brothers who have sons of marriage age, and if none of them object, the girl gets married.

#### 3.2.1.3 Exchange Marriages

Exchange marriages are considered a form of consanguineous marriage, in which two men exchange their sisters: "I marry your sister and you marry my sister." This can also include nieces and nephews who are cousins: "Your son marries my daughter, and your daughter marries my son." In other cases, a father may marry his daughter off to a man in exchange for that man's sister. The exchange of women may be repeated in subsequent generations whose parents' marriages followed the same pattern. In most types of exchange marriage, a woman offered by a man for marriage is considered a dowry for his prospective wife.

Regardless of their different doctrines, religious scholars agree that exchange marriage should be prohibited, but some permit it if the dowry is clearly stated so as to preserve the woman's right to it, unless she willingly waives it. However, in most cases women are forced to waive their dowries. This type of marriage is common among the poor classes who cannot afford dowries or wedding costs. It is also fraught with risks, such as both wives having to share the same fate, meaning that if one of them leaves her matrimonial home, the other is forced to leave her home as well. This also means that if one of them gets divorced, the other will also get divorced, even if she is happy in her marriage. No studies are available on the prevalence of this type of marriage, but it can be said that it is more prevalent in the countryside and among poorer or middle-class families in urban areas (background paper on marriage in Iraq).

[4] Some clans issue a document registered in the clan's registry, or conclude special agreements between uncles in which they pledge not to force *nahwa* on each other's daughters. Regardless of the form they take, these agreements represent an important development in one of the most prevalent clan customs still persisting until recent times.

#### 3.2.1.4 Exogamy

Exogamy (exogenous marriage) refers to marriage from outside the kinship group, sect, nationality, race, or political group, as opposed to endogamy, which takes place within these groups. The rise of exogamy can be attributed to several factors, such as increasing education rates, women's work outside the home, the growing interaction between genders outside family relations, and young people gaining the freedom to choose a life partner without regard to identity.

For example, annual statistical reports for 2010 and 2016 issued by the Supreme Judge Department in Jordan indicate the extent to which exogamy (meaning marriage to non-Jordanians, including Arabs as well as foreigners) has been affected by the waves of immigration Jordan has witnessed in the past two decades, as well as the growing interaction between young men and women and with non-Arabs.

There were 1,803 marriages between Jordanian men and non-Jordanian Arab women in 2010, increasing to 3,475 in 2016 (Supreme Judge Department, 2011, pp. 76–77, 2017, pp. 58–59). The rate of marriage to different Arab nationalities fluctuates according to the size of their communities in Jordan. For example, marriages to Iraqi women constituted 12.5% of the total in 2010, when the country still had a large Iraqi community, but dropped to 4.3% when that community began to shrink. Meanwhile, marriages to Syrian women jumped from 10.2 to 40% with the growing size of the Syrian community, which came to represent 13.23% of the population in Jordan (Supreme Judge Department, 2011, pp. 76–77, 2017, pp. 58–59). As for marriages between Jordanian men and foreign women, the number rose from 17 cases in 2010 to 421 in 2016, with the proportion of marriages to North American and Western European women dropping from 53.1% to 32% and from 35 to 15%, respectively, while marriages to women of Eastern European and Asian nationalities rose to 22.4% and 9.2% in 2016. Due to a lack of in-depth studies on the factors leading to the rise or decline of Jordanian marriages to different foreign nationalities, we cannot explain the phenomenon. It may be driven by love or the pursuit of US or European passports, or even to save on marriage costs, as this type of marriage does not adhere to the prevailing traditions.

Meanwhile, the number of marriages between Jordanian women and men of different Arab nationalities increased from 2,082 in 2010 to 3,549 in 2016. As shown in Fig. 3.1, marriages to Palestinians and Egyptians were the highest among Arab nationalities in 2010. Palestinians already residing in Jordan without Jordanian nationality are either from Gaza or the West Bank, and they carry Palestinian passports. They may choose to marry Jordanian women of Palestinian or Jordanian origin. Meanwhile, Jordanian women married to Egyptian men are most likely from rural or poor urban areas, where Egyptian workers are concentrated. It is also noted that marriages to Iraqis dropped between 2010 and 2016, while marriages to Syrians increased during the same period, for the reasons mentioned above. For Jordanian women married to men of other foreign nationalities, the highest rate was to Western Europeans in 2010 and to Americans or Canadians in 2016. These spouses are most likely Arabs who hold one of these nationalities and prefer to marry from "the home country" (background paper on marriage in Jordan).

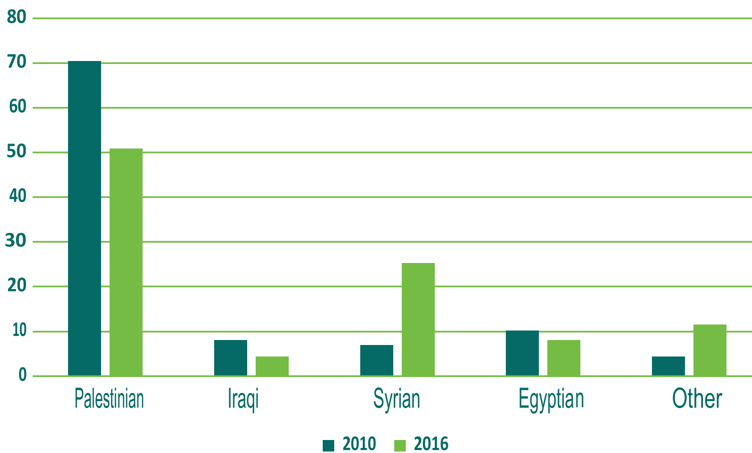


**Fig. 3.1** Percentage of Non-Jordanian Arab husbands in 2010 and 2016. *Sources* Supreme Judge Department (2011, pp. 76–77, 2017, p. 58)

Exogamy was widespread in Iraq and, in the Iraqi context, meant intermarriage between Arabs and Kurds, or between different religious or ethnic sects. The wars and sectarian tensions that Iraq has gone through over the past two decades, particularly since 2006, have affected the different types of marriage, especially exogamy (for details, see Al Jibali, 2017). Ethnic and religious polarization, as well as sects cocooning within their own communities, and the widening social distances between segments of Iraqi society, have all led to a clear decline in the phenomenon of exogamy. As such, people have become more inclined to marry within their own sects, while families have begun to refrain from marrying their daughters off to people who do not belong to the same sect. On another level, sectarian strife and tensions have led to an increase in divorce cases between spouses who belong to different sects.

During the Iraq–Iran war, the Iraqi state tried to limit marriage to Iranians in order to preserve the Iraqi identity, due to the pressure of the political situation. The Revolutionary Command Council issued Resolution No. 447 in 1981, encouraging Iraqi men to divorce their Iranian wives in exchange for 4,000 dinars (for military men) or 2,000 dinars (for civilian men) (American Bar Association, 2006, p. 52). The desire to exclude the Other also applies in the event of ethnic and nationalist conflicts. The tension between Kurds and the central government in Baghdad made parents reluctant to marry their daughters off to “Arabs,” although intermarriage between Kurds and Arabs had been common, and most of the old Baghdad and Mosul families were mixed.

As for Sunni-Shia marriages, sectarian fighting in 2006–2007 caused internal displacement between neighborhoods, as well as the emergence of homogeneous, same-sect neighborhoods isolated from each other. This had a negative effect on exogamy, as wives married to men of other sects were forced in some cases to leave

their matrimonial homes and join their families in other neighborhoods, while some heterogeneous marriages ended in divorce.

Due to the dominance of sectarian rhetoric in most Arab media outlets and its wide negative impact on many groups, including Iraqis living abroad in Arab or European countries, these groups developed a negative attitude towards exogamy, either by rejecting it or by ending existing marriages.

In 2007, the Iraqi government launched a campaign to restore social and kinship relations between the two sects, but some strands of this network were severed as a result of the post-2006 conflicts. The government offered a cash grant of US$1,500 to anyone who chose to marry from another sect. However, this type of marriage has remained limited and vulnerable to the ups and downs of sectarian violence. Some argue that the sectarian violence that Iraq experienced in the period between 2006 and 2010 "constituted an obstacle to mixed [heterogeneous] marriages," and was followed by a major surge in Sunni-Shia intermarriages post-2010. Due to the slowdown of sectarian violence in 2012 and 2013, heterogeneous marriages witnessed a significant increase. According to an employee of the personal status court of the mixed-sect Karrada region, the court registered a 37% increase in heterogeneous marriage contracts during this period, while Muslim-Christian marriages—mostly among those with a college education—increased by 8% (Jabbar, 2014). However, this surge came to a halt due to the rise of violence following the emergence of the Islamic State group (Jabbar, 2014).

Meanwhile, Lebanon saw the emergence of what came to be known as "visa marriage," which is often aimed at achieving a certain benefit, as some young men in Lebanon deliberately date women of Lebanese origin in the diaspora, whether in the United States, Australia, or Canada, for the purpose of getting married. These countries allow their female citizens to pass on their nationalities to their husbands after marriage. As such, young Lebanese men seek out and date Lebanese women living abroad (or naturalized) with the intention of marrying them. Most Lebanese emigrants send their daughters back home when they reach the age of marriage to spend the summer in the family home and get married.

This type of marriage is also common in Palestine, especially during the summer (the season when US-based Palestinian emigrants in particular return home), whether through emigrants sending their daughters home or resident young men looking for "naturalized women" to marry. However, there are no available studies on this matter.

## *3.2.2 Non-traditional Types of Marriage*

### 3.2.2.1 Temporary Marriage

This type of marriage takes several forms, including *urfi* ("customary"), *muta'a* ("pleasure"), *misyar* ("visitor's"), and others. The spread of these forms of marriage came to meet the needs of marriage seekers in a crisis setting. The circumstances that make people resort to temporary marriage include rising poverty and a lack

of resources, or a need to solve issues of delayed marriage and socially unacceptable extramarital sexual relations. Temporary marriages are also sought during war and conflict, which result in an increasing number of widows. This will be further explained when discussing each form of this type of marriage.

#### 3.2.2.2 *Urfi* Marriages

Socio-economic changes force various social institutions—including marriage—to adapt, either within what is permissible or going entirely beyond it, in order to build institutions based on new foundations. The so-called marriage crisis is caused by economic, social, and cultural factors, such as delayed marriage and significantly increasing numbers of divorced women. As a result, the Arab region has seen in recent decades the spread of religiously permissible yet socially unacceptable types of marriage, such as *misyar* and *urfi* marriages. Many religious scholars refuse to issue fatwas to prohibit *misyar* because, technically, it meets the conditions of a legitimate Muslim marriage (witnesses, public declaration, and mutual consent). Yet these scholars also refuse to encourage this type of marriage due to its potential social issues (Barakat, 1998).

There are different types of *urfi* marriage in terms of the presence or absence of the conditions for the marriage to be deemed legitimate. Religious and legal jurists only recognize *urfi* marriages that meet the conditions of a legitimate union, even without official documentation of the contract with the competent authorities. The remaining types of *urfi* marriage are legally unacceptable. Scholars explain their recognition of this type of marriage by referring to the fact that it was prevalent in earlier times, when there was no justification or possibility of documenting marriage contracts (Al Hassanat, 2009). However, in the era of legislation the provisions for marriage came to be stipulated in personal status laws. As a result, it became necessary to document marriage contracts due to the need for administrative organization, public interest, and the protection of the rights of women and their children. Failure to document *urfi* marriages deprives wives of their rights and children of their birth certificates, which can only be registered under marriage contracts. Moreover, the absence of a birth certificate prevents children from enrolling in school and obtaining personal identification documents.

There are no figures available on *urfi* marriages in Jordan, so its prevalence is a matter of speculation. However, it can be said that *urfi* cases are on the rise due to economic conditions and the high costs of marriage. Another reason is that couples resort to *urfi* marriages to evade some of the conditions for legal marriages, such as the minimum age, the consent of a guardian when required by law, and the requirement to inform the first wife when marrying another woman. Hence the husband's desire to conceal his second marriage from his first wife or his children is the cause of many *urfi* marriages (Al Zayoud, 2010). The second wife may agree to *urfi* marriage on the basis of a promise that it will be documented in due course, or after the obstacles have ended (background paper on marriage in Jordan).

*Urfi* marriages are often documented when spouses need to obtain official documents for themselves or their children. Cases that do not end up with children usually remain undocumented by mutual agreement. *Urfi* marriage contracts that originate in Jordan are documented through a lawsuit called "proof of marriage." A court ruling must be issued indicating the status of the contract and its validity. The marriage contract is subject to the scrutiny of the Sharia Court of Appeal. *Urfi* contracts issued by foreign countries are also ratified for legal purposes required by Jordanian law (Al Zayoud, 2010).

According to the annual reports issued by the Supreme Judge Department for 2012–2016, there were 6,820 documented (ratified) *urfi* marriage cases during that time. This means it is safe to assume that the actual number is higher than that. Furthermore, it is noted that the percentage of ratifications out of the total number, compared with regular marriages and re-marriages, witnessed a significant increase post-2012, rising from 0.4 to 3.2% in 2014 (Fig. 3.2). In the absence of information about the nationalities of spouses applying to document their marriages, it cannot be confirmed whether applications were submitted by Jordanians or Syrian refugees. According to media reports, a type of *urfi* marriage called *barrani* ("external") marriage is common (Al Shawabkeh, 2013).

*Barrani* marriages are common among Syrian refugees in the camps set up in Jordan, especially in the Zaatari camp, which is classified as the fourth largest population settlement in Jordan and the second largest refugee camp in the world. Syrians resort to the *barrani* contract when they do not possess their identification documents and find it difficult to obtain them through their country's embassy in Amman. Due to the strict procedures required to exit the camp, they are not able to complete their identification papers and officially document their contracts at the court in Mafraq, the city to which the Zaatari camp is administratively affiliated. In addition, there are no *ma'azouns* ("legal marriage officials") authorized to officiate at marriages inside the camp (Al Shawabkeh, 2013). Therefore, Syrians wishing to document *barrani*

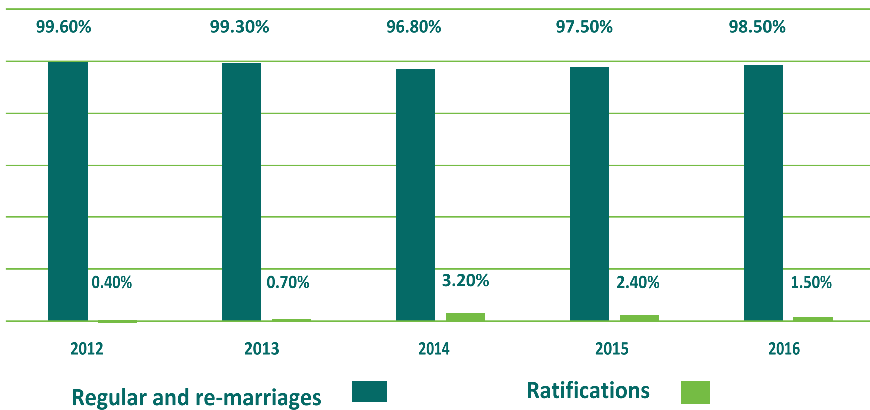


**Fig. 3.2** Percentage of ratifications compared to regular marriages and re-marriages registered in Jordan's Sharia Courts between 2012 and 2016. *Source* Al Shawabkeh (2013)

marriage contracts in court face a problem for the same reasons, which explains the low number of filed cases, contrary to reports about its prevalence. According to the Director of Sharia Courts, there were 270 ratification suits in 2011, rising to 313 in 2012. Meanwhile, sixty marriage contracts (fewer than a quarter of the actual contracts) with one or both Syrian parties were ratified up to mid-2013 (Al Shawabkeh, 2013).

According to available information, Syrian families residing in the Zaatari camp face tragic circumstances, such as poverty, the absence of family providers, and the large size of families, which makes them socially vulnerable and forces them to marry their daughters off with *barrani* contracts, or sometimes even with no contract at all. According to a media investigation dating from when this chapter was being prepared, there were sixteen such cases, including 44% in which the wife was under the age of 18. All the wives were Syrian, and 31% of the husbands were Egyptian (all workers residing in Jordan), while 50% of the husbands were Syrian (Al Shawabkeh, 2013).

#### 3.2.2.3 *Muta'a* Marriages

In Lebanon, there is a prevalent form of marriage known as "intermittent" or "temporary" marriage, though the latter is more common. The name is based on the marriage contract, by which a man and a woman are married for a set number of days, weeks, or up to a year. This type of marriage is also known as *muta'a* ("pleasure"), as the two parties enjoy legitimate [sexual] relations for the agreed duration in exchange for a payment as specified in the contract. *Muta'a* marriage contracts do not require the presence of witnesses, and their registration is not a condition. When the contract expires, the woman can separate from the man without going through divorce procedures. Some Islamic schools (Ahl al Sunnah wal Jama'ah) reject this type of marriage, while others (Ja'faris) permit it when necessary, and only when it meets specific requirements, otherwise it is considered fornication.

*Misyar* marriage, which is common in some Islamic societies, differs from *muta'a* marriage in that it is a temporary marriage between a man and a woman in exchange for a specific dowry and for a specific duration, with public declaration not required. Religious jurists disagree on the conditions related to women's marital status. Some allow this marriage for *bikr* women ("underage virgin") as long as they have the consent of their guardians, while a non-virgin can marry herself off without anyone's approval. Meanwhile, others allow this marriage for widows and divorcees only. According to an Iraqi cleric, jurists have permitted *muta'a* marriage for "divorced and widowed women on the condition that they have the consent of their guardians and follow Sharia regulations" (Al Wazzan, 2008).

*Muta'a* marriage spread across Iraq in the 1990s for several reasons, such as the expanding religious tide that favors *muta'a* marriage. Other reasons include the deterioration of living conditions, the emergence of a large segment of widows and divorcees, and a growing reluctance to get married (Shalash 2010).

A survey on how men and women view *muta'a* marriage in Iraq's Al Nasiriyah province, conducted as part of a study on women and the clan, found that all men supported this marriage, while women condemned it.

The three most important reasons why students resort to temporary marriage are economic conditions, the influence of others, and parents' refusal to allow marriage to a chosen lover. The order of these key reasons differed between male and female students. For male students, the top reasons were economic conditions, the desire to complete studies, and the influence of others, in that order. For female students, the top reasons were the influence of others, parents' refusal to allow marriage to a chosen lover, and economic conditions. As such, men seek *muta'a* marriage due to their financial situation, which does not allow them to cover both marriage and education. Meanwhile, women seek this marriage due to the influence of colleagues, who view it as an alternative to regular marriage to a lover rejected by parents. Male students mentioned opposition to marriage itself as one of the reasons, while none of the female students mentioned this, which indicates that women prefer regular marriage that secures their rights and the rights of their children.

#### 3.2.2.4 Settlement Marriage

This term refers to the settlement of a dispute between rival clans through reconciliation based on their applicable rules and customs (Al Ezzawi, 2008, p. 113). Under this, the family of the assailant offers one or more wives to the family of the victim in order to avoid vengeance and bloodshed. The number of women offered depends on the amount of compensation agreed upon by the two parties for the family of the victim.

Until recently, disputes in major crimes were resolved by offering one or more women to the affected party. In his study about the people of the Chibayish marshes in Iraq, Shaker Mustafa Selim (1956, p. 145) said they would insist on offering women to the affected family, to be wed to the victim or one of his relatives and bear a son as compensation for him or his family. Afterwards, the woman could return to her family if she wished. In most cases the "settlement wife" does not return to her family after giving birth, nor is she replaced by another woman if she is found to be sterile (Selim, 1956, p. 145). This means that the primary goal of settlement marriage is to ward off hatred and put an end to vengeance by creating a kinship bond that ends the enmity between the two rival groups. Through this marriage, the men in the aggressor group become maternal uncles to members of the attacked group. On the other hand, the victim's insistence on taking women as compensation humiliates and dishonors the offending party, given that women's bodies are a symbol of honor and inviolability.

However, offering women as compensation in clan settlements declined over the last three decades of the twentieth century after the Iraqi government issued a law

criminalizing settlement marriage.[5] In the 1990s, marrying women off to compensate rivals became rare in tribal areas around Baghdad. Instead, it was replaced by money. During the economic blockade, financial compensation to resolve tribal disputes became more important than the symbolic meaning of women as compensation, especially since "settlement wives" became a financial burden on the husband's family.

For example, according to a tribal elder, the tribal council has not seen cases of this kind since 1993 due to the religious tide that has been expanding since the 1990s and considers settlement marriages and their outcomes unlawful (background paper on marriage in Iraq).

On the other hand, some tribes have regained power over their social situation due to the state's weak ability to enforce the law, as a result of wars, blockades, the US invasion, and subsequent conflicts. Iraqis began to turn to tribes to resolve their disputes, thus making way for this type of marriage to return, despite the opposition of civil society organizations concerned with women's affairs and rights (Zeidan, 2015).

One study on early marriage showed that 14% of families married their young daughters off to reach a settlement in tribal disputes (Hamza, 2012).

#### 3.2.2.5 *Khatifa* Marriage

Anthropologists say this type of marriage occurs when a man kidnaps a girl from another tribe/family in order to marry her. According to sociologist Ma'atouk (1993), *khatifa* marriage creates a reality on the ground that cannot be overcome, and is thus treated as final, making the primary ceremony secondary and a mere detail to be agreed upon later. This type of marriage remains present in Arab societies as a remnant of Bedouin tribal society, even if the *khatifa* ("kidnapping") no longer reflects the true meaning of the word, given that today some kidnapping cases take place with the family's consent, unlike in earlier times. *Khatifa* remains present in Lebanon, Iraq, Jordan, and Palestine, and even though the Lebanese reject marriage in this way, since it violates customs, traditions, and norms, it still happens in some places and under some circumstances, as girls resort to it in opposition to their parents or to elope with their chosen life partner. While the parents' rejection of a suitor can be considered a primary motive behind this type of marriage, many other motives have been seen to justify it, including: parents insisting on their daughters getting married in order of age, forcing whoever is waiting for her turn to elope with her

[5] In 1958, the Iraqi Republic abolished the clans' law and weakened the power of the tribe, including the absolute right to marry their daughters off. The Personal Status Law No. 188 of 1959 took a clear position on such marriages, with Article 9 stating that no relatives or others are entitled to force anyone (male or female) to get married against their will. According to the Law, the contract of a forced marriage is deemed invalid in the absence of consummation. In addition, no relatives or others are entitled to prevent anyone who is eligible according to this Law from marriage. The Criminal Code also included clear penalties to limit the phenomenon, since settlement marriages are considered a form of forced marriage (Al Moussawi, 2015).

chosen husband; parents rejecting a suitor from a lower class or different religion; and girls escaping a difficult or controlling family (seeking affection and a better place).

In Lebanon, this type of marriage is exacerbated by inability to afford the costs and requirements of a wedding. In some cases, there may be an agreement with the family to reduce the financial burden of the wedding. In a TV report titled "Khatifa *marriage is making a comeback in Lebanon… and this is why*" it was said that *khatifa* was common in earlier times, as it represented the ideal solution for every love story hindered by issues of age, religion, family, and social constraints. However, with the worsening economic situation in Lebanon, as well as the high cost of living and rising housing costs, this type of marriage has returned as the key to every marriage plan. This time, however, it is not an escape from the family or society, but rather from paying huge sums of money for a wedding![6] The TV report concluded that Lebanese youth have returned to *khatifa*, a type of marriage that used to create major family rifts (as young people disobeyed their parents), causing major problems, distress, separation, illness, and pain that would not be forgotten over time. But ironically, some parents today actually propose *khatifa* as a solution for their children (background paper on marriage in Lebanon).

Many other media reports from around Lebanon (Al Amin, 2013; Humaya, 2009; Juni, 2015) have indicated that *khatifa* marriage is no longer rejected or condemned. In fact, it is almost becoming preferable, not only when parents object, but also to avoid costly weddings. Parents may even help their sons and daughters get married this way. According to media reports quoting sources familiar with this issue, the fact that young people resort to *khatifa* to avoid wedding costs is an indication of a new social reality riddled with crises that place youths between the anvil of celibacy and the hammer of *khatifa,* which has become a new way out.

For the girl's family, the inevitable result of *khatifa* remains a humiliating matter that must be punished, and for the young man's family it is an act of disobedience that requires him to be shunned. For the bride and groom, it represents self-fulfillment and proof of freedom of choice. It may be followed either by reconciliation between the spouses and their relatives after a period of time, or by the parents shunning their "disobedient" offspring. Sometimes, in certain circles, this form of marriage may even lead to murder and revenge between the families of the couple (background paper on marriage in Lebanon).

[6] The report examined a case of *khatifa* marriage in which Fady A. said it was the ideal solution to get married without paying too much money. He added that he agreed with his fiancée and the parents to get married quickly without a ceremony or guests. "What we actually did was get married quickly without telling anyone, but with the approval of the parents, thus avoiding any disputes between the two families. We just did not want to throw all our savings into one night and invite too many people to a wedding that will not benefit our future in any way," Fady said. Meanwhile, his wife Mirna said she welcomed the idea of *khatifa* because she did not want to burden her husband with the "charade of a wedding." She also preferred a simple, unpretentious, quiet event with family members only.

#### 3.2.2.6 Online Marriage

Unlike their parents and grandparents, young people today seem to have the freedom to choose their life partners. Some may start their love life at school, by dating a fellow student with the aim of eventually starting a family, before this culminates in actual engagement and then marriage. However, with the advance of communication technology, the idea of young men and women meeting through everyday life has begun to fade, making way for wider possibilities, not only on the level of the town, city, or country, but also on a global level. With this technological revolution, matchmaking websites specializing in marriage have become available to young men and women, allowing users to list the specific features they seek in a partner and resulting in thousands of requests for the "right partner." As such, cyberspace has become a catalyst for marriage, with hundreds—or even thousands—of websites responding to the needs of these young people. The reasons driving Lebanese youth to these websites mainly consist of common social problems, including:

- delayed marriage;
- the desire to emigrate (and possibly meet a foreign woman or Lebanese woman living abroad);
- maintaining a virtual, rather than social, relationship in case they do not like each other, allowing them the option of ending things before having to meet. This is unlike conventional relationships, in which parents and friends intervene, making the situation complicated; and
- social pressure on unmarried girls, as a result of which they turn to the internet as a solution to finding a husband to relieve the psychological pressure imposed on them.

A social study titled *Online marriage* (Hakwik, 2010) found that 17% of young Lebanese use the internet to communicate with partners of the opposite sex, who are usually living remotely or abroad. When asked whether such relationships were serious and would lead to in-person meetings and marriage, 36% of men and 24% of women answered yes; in fact 60% of them did not consider online relationships to be very different from real-life ones. The study found many factors behind the spread of online marriage in Lebanon recently, including easy communication away from social customs and traditions that hinder dating. Another reason was that these young people consider the internet an ideal medium to open up about their bottled-up feelings, which would otherwise cause nervousness in face-to-face meetings. In addition, some websites, most notably Facebook, provide extensive networking and dating opportunities through friends and friends of friends, which bring people together and make things clearer, in contrast to the uncertainty found in regular matchmaking websites (Hakwik, 2010). Further reasons behind the spread of this type of marriage include wishing to avoid the shame and embarrassment caused in a society critical of such relationships, as well as high rates of celibacy that have caused a marriage crisis, forcing women to seek partners even through a virtual world (Hakwik, 2010).

#### 3.2.2.7 Civil Marriage

This type of union is based on a free legal contract between a man and a woman, provided that it does not contradict humanitarian principles. Its basic concept draws upon freedom of choice between two adults with equal rights and responsibilities. Most countries recognize civil marriage based on Article 16 of the Universal Declaration of Human Rights, which gives men and women the right to marry and found a family without any limitation due to race, nationality, or religion. Based on the principle of equal rights, which is a requirement in this type of marriage, there cannot be polygamy, and there is no need for a dowry or a guardian's approval, nor does either party have the exclusive right to divorce. Civil marriage takes place according to conditions determined by a civil, non-religious body, to be applied to all citizens alike and amended according to the conditions and development of society. The recognizing state also guarantees the rights of women and children after separation. In the event of divorce, any property or wealth acquired during the marriage, regardless of the source, is divided equally between the man and the woman, since this form of marriage is based on the principle of economic partnership. In theory, the advantages of civil marriage include: solving problems of an ideological nature, such as differing religions or sects; facilitating inheritance issues if the spouses come from different sects and cannot inherit from one another; helping to achieve interaction between different social segments; making way for equality for all in terms of the freedom to choose a life partner; and contributing to the alleviation of classism, sectarianism, and discrimination.

All eighteen sects in Lebanon, with their different religious laws, previously agreed with each other in opposing civil marriage. Christian clerics oppose it because it allows for separation and encourages inter-sect marriage. According to the Church, a marriage contract cannot be legally or religiously valid without the following three elements: (1) the couple's eligibility and free conscious consent; (2) the Church's religious wording that make the marriage contract valid and legitimate, as mutual consent must be verified before a specialized priest and witnesses; and (3) other marriage requirements that must be met. Meanwhile, state-regulated civil marriage takes place before a public employee specializing in personal status services, at the expense of the marriage's sanctity. Therefore, if a Christian couple have a civil marriage, it is considered null and void, as it contradicts the permanence and unity of marriage by allowing for divorce, which the Church would never allow. The Catholic Church does not recognize any human authority or right to annul marriage or dissolve it through divorce.

Muslim clerics, on the other hand, reject civil marriage because it grants women equal divorce rights, prohibits polygamy, allows Muslim women to marry non-Muslim men, and recognizes illegitimate offspring. This means that if a man wishes to get married according to these provisions and then has a child with another woman, the child remains illegitimate, even if the husband and his first wife agree to adopt him/her. This contradicts the jurisprudential consensus regarding recognition of illegitimate children. It also allows for adoption and permits separation by mutual consent.

This type of marriage is neither common nor seen as desirable in Arab countries. People either get married according to their sect's laws (religious marriage) or seek a civil marriage abroad. In Lebanon, civil marriage is not new but dates back to 1951, when it was debated and rejected in parliament. In 1960, secular civil society organizations began to renew their calls for civil marriage by supporting demonstrations, thus bringing it back into the spotlight after the end of the Lebanese Civil War and sparking major controversy. A proposed law never made it to the Lebanese parliament, but a major amendment was made making civil marriage optional in Lebanon, rather than mandatory as it is abroad. This was done to please the clergy, for several reasons. Since the majority of those opposing civil marriage in Lebanon believed it would destroy families by facilitating divorce, the provisions of the law included the following:

1. Neither party can be already married, and the application for marriage shall be made fifteen days prior to the signing of the civil marriage contract.
2. Couples must wait at least three years before filing for divorce.
3. Divorce is accepted in the event of adultery, and a marriage is annulled in the event of offence, cheating, or coercion.

Despite the many objections to civil marriage in Lebanon, the Supreme Advisory Board[7] at the Ministry of Justice presented its advisory opinion on February 13, 2013, acknowledging "the legality of establishing the right to civil marriage on Lebanese soil for citizens who do not belong to any sect, and the right to choose civil law (French or other) to govern their family life and all its consequences" based on the Lebanese constitution and the laws in effect.

After civil marriage was approved, the following field data emerged in Lebanese society:

1. The first Lebanese civil marriage that took place in Lebanon in 2013 sparked a popular movement calling for adoption of new law.
2. The decision by the Board to remove the box for "religion" from official documents caused resentment among those wanting a civil marriage, as the implications within government departments were not yet known. Therefore, some people preferred not to take the risk, or to get married outside Lebanon.
3. The Lebanese government put off considering the issue of confirming civil marriage contracts in 2015, since so few couples had official documents.

[7] The advisory opinion of the Justice Ministry's Supreme Advisory Board in response to the Justice Minister's letter No. 1015/A.T. dated January 26, 2013. Judges appointed under Legislative Decree No. 151 of 1983 (background paper on marriage in Lebanon).

After a number of contracts had been registered with the competent authorities, official registration was put on hold for dozens of other contracts without any explanation.

4. According to a poll on civil marriage conducted by a Lebanese magazine, "89% of Lebanese people would prefer civil marriage not to be approved, as they believe it would threaten religions and fear it would affect the country's confessional system" (background paper on marriage in Lebanon).
5. Information International conducted a telephone poll in Lebanon on January 29–30, 2013, with 500 respondents across Lebanon's regions and sects, asking about participants' positions on approving optional civil marriage. A plurality of respondents (46%) supported religious marriage, while 18% supported civil marriage, 33% supported the choice of having a civil or religious marriage, and 3% remained undecided. According to results classified by religion, 30% of Christians and 58% of Muslims supported religious marriage, while 42% of Christians and 27% of Muslims supported the right to choose either type of marriage. When asked hypothetical questions about what they would prefer for their children, 60% said they would prefer religious marriage, while 17% said they preferred civil marriage, and 23% answered "don't know" (background paper on marriage in Lebanon).

#### 3.2.2.8 Polygamy

Polygamy continues to be practiced in all five countries, but only Iraq is witnessing a rise in this form of marriage. Most data in the five countries set the rate of polygamy at between 3 and 5% and indicate that it is normally more widespread in rural areas than in urban centers, and among illiterate men and women than among educated people. Polygamy rates also increase with women's age. But what is alarming is that clerics are increasingly promoting polygamy as the ideal solution for the growing number of widows and divorcees in war-torn societies, particularly Iraq, Palestine, and Jordan. The statistics below indicate the extent of this form of marriage in some of the five countries.

In Jordan between 2012 and 2016, multiple marriages (polygamy) constituted 8.4% of all regular marriages. The percentage was at its lowest in 2012, at 8.12%, and rose gradually over the following years to reach 8.5% in 2015.

In Iraq, polygamy was customarily recommended across the country, based on the notion that having many children—especially males—was a source of pride for the father, the family, and the clan. Polygamy was more common in rural communities, where there was a need for a second wife or more to work on the family farm, along with the need for a large number of children to increase the family's labor force. Legally, there was nothing to prevent a man from marrying more than one woman, regardless of the wife's position. This changed when the Personal Status Law was

amended in the late 1970s, making second marriages conditional upon the consent of the first wife. However, this condition was abolished in 1993, allowing men to take second or third wives without consulting their first wives.

This amendment, along with wars and sanctions, seem to have had an effect on the rise of polygamy. The 1987 census found that 4.0% of men in Iraq were married to more than one woman, mostly in the countryside (Al Jabouri, 1998, p. 25). According to a survey of the social and health conditions of Iraqi women (Central Organization for Statistics, 2011b), this percentage had risen by 2011. It was found that women aged 15–45 who were married to polygamous husbands constituted 4.7% of the total, rising to 7.8% in the countryside compared to 3.4% in urban centers (Al Jabouri, 1998, p. 25). This percentage would certainly double if the survey had also covered women aged 46 or older.

In a 1998 study on polygamy in Iraq's Qadisiyah province, it was found that the key motives behind marrying more than one woman included:

1. men's desire to have a large number of children, especially sons;
2. having an affair;
3. the desire to marry a highly educated woman;
4. an ageing first wife; and
5. poor marital relations.

(Al Jabouri, 1998, pp. 118–125)

However, these motives have changed following changes to the society post-2003, with love affairs, conservative religious trends promoting polygamy, and the prohibition of extramarital relations becoming the main motives behind polygamy (Ali, 2012).

As for Syria, the 1953 Personal Status Law did not prohibit polygamy, but rather stipulated the need to obtain a judge's permission before taking a second wife. The aim was to determine the man's ability to support a second family; otherwise, a second marriage would not be allowed (Hassan, 1981, p. 145).

The past three decades have seen a decline in polygamy in Syria due to difficult living conditions and the high cost of living. Population census programs in Syria covered this phenomenon in 1970 and 1981, showing the degree of its prevalence in the country (e.g., greater in rural areas than in urban centers). According to the 2004 census, 5% of men were polygamous, meaning that monogamy continues to be the most prevalent form of marriage in the country (95%) (Suleiman & Abu Rass, 2011, p. 114).

Yet polygamy remains present in Syria to some extent. According to a 2009 report on Syrian families, 6.6% of women in the countryside were married to polygamous men, compared to 4.1% in urban areas. This reflects the extent of the difference in values, social norms, and the financial status of husbands in rural and urban areas. By comparing the rates of women aged 15–49 who are married to polygamous men

according to age, it becomes clear that polygamy is less prevalent among women aged 15–19 and 20–24 than among the other age groups. The explanation for this is quite clear: women in these two age groups are still young and only recently married, unlike women in the other age groups.

The following table shows the differences in the prevalence of polygamy according to the level of education, showing the rate of illiterate women married to polygamous men to be higher than for women with various levels of education (Table 3.3).

In Palestine, the 1998 demographic survey indicated the same general trend regarding polygamy as in the other countries, except for Iraq. Table 3.4 shows that polygamy rates are very low in the youngest age group (less than 0.2% of men in the age groups 20–24 and below). It begins to rise in the 35–39 age group, to reach 7.7% in the 65+ age group. Polygamy is also more common in Palestinian refugee camps than in rural and urban areas, and among the less educated (Palestinian Central Bureau of Statistics, 1998).

In Palestine, 3.5% of married men were found to be polygamous, with higher rates in the Gaza Strip (4.4%) than in the West Bank (3.0%). In urban centers, the polygamy rate was 3.0%, compared to 4.2% in refugee camps. The rate was also found to be higher among refugees (4.0%) than it was among others (3.1%). Additionally, the rate was found to be lower among men with post-secondary education (1.6%), rising to 6.2% among those who had not completed their primary education.

**Table 3.3** Percentages of women in Syria married to polygamous men, by age and level of education

| Women married to polygamous men (%) | | Number |
|---|---|---|
| *Age group* | | |
| 15–19 | 2.6 | 723 |
| 20–24 | 2.5 | 2,333 |
| 25–29 | 3.2 | 3,439 |
| 30–34 | 5.3 | 3,129 |
| 35–39 | 6.4 | 2,963 |
| 40–44 | 7.6 | 2,615 |
| 45–49 | 7.5 | 1,777 |
| | | 16,977 |
| *Level of education* | | |
| Illiterate | 10.0 | 3,377 |
| Literate | 6.0 | 244 |
| Primary | 5.0 | 7,150 |
| Preparatory | 2.9 | 2,699 |
| Secondary | 2.6 | 1,659 |
| Higher institute | 2.1 | 1,177 |
| University | 3.0 | 671 |
| | | 16,977 |

*Source* Central Bureau of Statistics (2011, pp. 46–48)

**Table 3.4** Percentage distribution of married men in Palestine, by polygamy, age, and region

| Age group | West Bank | | | Gaza Strip | | | Total | | |
|---|---|---|---|---|---|---|---|---|---|
| | Number of wives | | | Number of wives | | | Number of wives | | |
| | 1 (%) | 2+ (%) | Number | 1 (%) | 2+ (%) | Number | 1 (%) | 2+ (%) | Number |
| Below 20 | 100.0 | – | 70 | 100.0 | – | 72 | 100.0 | – | 142 |
| 20–24 | 99.7 | 0.3 | 834 | 99.9 | 0.1 | 627 | 99.8 | 0.2 | 1,461 |
| 25–29 | 99.2 | 0.8 | 1,836 | 98.5 | 1.5 | 1,066 | 99.0 | 1.0 | 2,902 |
| 30–34 | 98.9 | 1.1 | 1,972 | 97.1 | 2.9 | 1,074 | 98.3 | 1.7 | 3,046 |
| 35–39 | 97.3 | 2.7 | 1,562 | 96.2 | 3.8 | 768 | 96.9 | 3.1 | 2,330 |
| 40–44 | 97.0 | 3.0 | 1,210 | 94.4 | 5.6 | 680 | 96.0 | 4.0 | 1,890 |
| 45–49 | 94.9 | 5.1 | 1,011 | 93.4 | 6.6 | 436 | 94.4 | 5.6 | 1,447 |
| 50–54 | 95.2 | 4.8 | 816 | 93.1 | 6.9 | 269 | 94.7 | 5.3 | 1,085 |
| 55–59 | 94.6 | 5.4 | 702 | 91.1 | 8.9 | 294 | 93.6 | 6.4 | 996 |
| 60–64 | 94.6 | 5.4 | 587 | 90.6 | 9.4 | 278 | 93.3 | 6.7 | 865 |
| 65+ | 93.4 | 6.6 | 1,210 | 89.0 | 11.0 | 421 | 92.3 | 7.7 | 1,631 |
| Total | 97.0 | 3.0 | 11,810 | 95.6 | 4.4 | 5,985 | 96.5 | 3.5 | 17,795 |

*Source* Palestinian Central Bureau of Statistics (1998, p. 90)

Meanwhile, second (repeat) marriages constituted 10.5% of the total number of marriages for men and 3.9% for women. In the West Bank, the rates were 9.3% and 3.4%, respectively, compared to 12.9% and 5.0% in the Gaza Strip. In refugee camps, the rates were 13.0% and 5.2%, respectively, compared to 9.6% and 3.2% in villages. Among refugee men, the rate was 12.0%, compared to 9.4% among non-refugee men. For those with secondary or higher education the rate was 5.2%, much lower than for those who had not completed their primary education (19.2%) (Palestinian Central Bureau of Statistics, 1998, p. 22).

Polygamy continues to spark controversy and conflicting opinions, with negative consequences leading to family problems, including instability at home and family disintegration and collapse, as well as fighting, envy, competition, and jealousy between wives, which may even extend to their children. These struggles may even affect the polygamous husband himself. Some polygamous men have committed suicide or divorced all their wives, or even taken to substance abuse as an escape. Yet polygamy is defended by both men and women, especially widows and divorcees. According to marriage contracts registered in Palestine in 2016, 5.3% of contracts involved men who were already married. Additionally, it was found that nearly half of women married to polygamous men had never been married before, while the other half were either widowed or divorced.

In conclusion, previous data from the five countries indicate that wars and conflicts have changed the types of marriage there. In Iraq, *muta'a* and out-of-court marriages emerged strongly due to the religious tide and poor living standards. In Lebanon and Iraq, the meaning of *khatifa* marriage changed, becoming an agreement between families and couples to reduce marriage costs. In the five countries, consanguineous

marriage is generally declining, although it continues to increase in Iraq due to sectarian and ethnic tensions. In general, polygamy is declining, again with the exception of Iraq. However, the most alarming aspect of polygamy in all five countries is that it increases for women as they get older, tripling in the 45+ age group. Many organizations have even acted to advocate and encourage polygamy as a solution to delayed marriage or the increasing number of widows in war-torn societies. At one point in Iraq, we saw the state discouraging heterogeneous marriages, only to reverse its policy and encourage them again, which shows that the state can play a role in weakening or strengthening certain types of marriage.

## 3.3 Age and Marriage

Most societies in the five countries are affected by changes in the structure of marriage (the number and characteristics of population groups eligible for marriage) resulting from the population policies in place in each country, in addition to fertility rates and war/conflict. These changes affect the types of marriage, as well as age at first marriage, delayed marriage, and celibacy rates. As this section of the chapter will show, age at first marriage has been delayed, as early marriage (15–19) no longer features prominently in the five countries, although the timing of marriage varies from one country to another. It is also noted that early marriage rates are declining in most countries across the Arab region, most notably between the 1970s and 1990s, dropping from 40 to 57% of girls aged 15–19 in the 1970s to 1–8% in the 1990s (Rashad, 2015).

This section of the chapter deals with age and marriage in Iraq, Syria, Lebanon, Jordan, and Palestine in terms of the number and percentage of population groups of marriage age among the 20–29 and 30–49 age groups. It also deals with marriage timing, whether early or delayed.

Age at first marriage is expected to rise over time, thus increasing the number of unmarried people. Rashad notes that, during the mid-1990s, in two-thirds of the fifteen Arab countries covered by her study, 10–27% of people aged 30–39 had never married. Rashad expects that, due to the continuous changes in marriage, we will see—over time—more and more adults who never get married, not only in the 20–29 age group but also among people aged 30–49. Population growth in these age groups affects individuals as well as families and society as a whole.

Marriage age is expected to rise among both genders with the spread of modernization factors, such as education, women's work, family planning methods, and so on. Furthermore, data from the five countries indicate that marriage types are also affected by other key factors, namely impoverishment, migration and displacement, and deteriorating basic services, such as education, healthcare, and transportation. Factors also include the weak ability of state bodies to implement laws across all regions, which may lead to contradictory results within the same country, such as high or low marriage age depending on the segment of population. Despite the great distinction between the five countries in the types of marriage, there are general

trends that can be observed. This part of the chapter will seek to examine the age structure of these groups and the ensuing challenges facing specialists and policy makers in the five countries.

### *3.3.1 Age at First Marriage*

Large numbers of young people in the five countries are getting married. Table 3.5 details the ratio of married to unmarried people in these segments. According to the data, the percentage of married men in Palestine declined from 56.3% in 2015 to 54.0% in 2016, while the rate among women also declined from 58.6% in 2015 to 55.6% in 2016. In Lebanon, 53.8% of men were married in 2004, dropping to 51.8% in 2007, and from 52.5 to 51.0% among women during the same period. This may indicate a higher marriage age in both Lebanon and Palestine. In Jordan, 52.6% of men were married in 2008, rising slightly to 53.1% in 2016. Meanwhile, 55.6% of women were married in 2008, declining to 54.2% in 2016. In Syria, 55.3% of men were married in 2004, rising to 58.7% in 2009. For women, the rate rose from 61.3% in 2004 to 62.1% in 2009. The data show that the percentage of married women is somewhat higher than that of married men, but not by a large margin.

As for the number of unmarried people, data from Palestine show a rise from 42.7% in 2015 to 45.1% in 2016 among men, and from 34.2 to 36.7% among women during the same period. In Lebanon, the rate among women increased from 36.9% in 2004 to 37.7% in 2007. In Jordan, the rate among women declined from 36.0% in 2008 to 34.9% in 2016. In Syria, the rate among women declined from 33.9% in 2004 to 30.7% in 2009.

In terms of age at first marriage, Palestine has the lowest age compared to the other countries, albeit slightly increasing over time (Table 3.6). In Syria, we note a gradual increase in the median age at first marriage between 2004 and 2009, from 27.1 years among men and 23.1 years among women to 29.4 and 25.6, respectively. In Iraq, the median age at first marriage has fluctuated over the past three decades, based on political and social conditions in the country. It increased from 25.5 years in 1977 to 28.3 years in 2004, according to the 2008 Human Development Report (Hamza, 2012, p. 12). The number then decreased to 24.6 in 2011 (22.4 among women and 26.2 among men) (Central Organization for Statistics, 2011a, 2011b, p. 11). The decline in age at first marriage is likely due to the spread of early marriage following the 2003 war on Iraq (background paper on marriage in Iraq).

According to Table 3.6, Jordan and Lebanon record the highest median age at first marriage. In Jordan, the number was 31.3 years among women and 26.9 among men in 2008, falling to 29.8 and 26.3, respectively, in 2016. Meanwhile, Lebanon recorded the highest ages of all five countries: among men, the number stood at 32.7 years in 2007, up from 31.7 in 2004; and among women the number stood at 28.9 in 2007, up from 27.7 in 2004. In Syria, the fertility rate dropped from 4.2 births per woman in 1994 to 3.6 in 2004 and 3.5 in 2010 (Syrian Commission for Family

**Table 3.5** Marital status percentages (%) in Palestine, Jordan, Lebanon, and Syria

| Marital status | Palestine | | | | Lebanon | | | | Jordan | | | | Syria | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | 2015 | | 2016 | | 2004 | | 2007 | | 2008 | | 2016 | | 2004 | | 2009 | |
| | M | F | M | F | M | F | M | F | M | F | M | F | M | F | M | F |
| Single | 42.7 | 34.2 | 45.1 | 36.7 | 44.1 | 36.9 | 45.5 | 37.7 | 46.3 | 36.0 | 45.1 | 34.9 | 43.9 | 33.9 | 39.9 | 30.7 |
| Married | 56.3 | 58.6 | 54.0 | 55.6 | 53.8 | 52.5 | 51.8 | 51.0 | 52.6 | 55.6 | 53.1 | 54.2 | 55.3 | 61.3 | 58.7 | 62.1 |
| Divorced | 0.5 | 1.6 | 0.3 | 1.8 | 0.6 | 1.3 | 0.9 | 1.6 | 0.4 | 1.2 | 0.5 | 1.3 | 0.2 | 0.7 | 0.3 | 1.0 |
| Widowed | 0.6 | 5.6 | 0.6 | 5.9 | 1.5 | 9.3 | 1.8 | 9.8 | 0.8 | 7.2 | 1.4 | 9.7 | 0.6 | 4.1 | 1.1 | 6.2 |

*Sources* Palestine: Palestinian Central Bureau of Statistics (2017a, p. 92), Lebanon: Central Administration of Statistics (2007, p. 141), Jordan: Department of Statistics (2017): Gender/social indicators according to median age at first marriage, Syria: Central Bureau of Statistics (2011, pp. 46–48)

**Table 3.6** Median age at first marriage in Palestine, Jordan, and Lebanon

| | Palestine | | Jordan | | Lebanon | |
|---|---|---|---|---|---|---|
| | 2014 | 2016 | 2008 | 2016 | 2004 | 2007 |
| Male | 24.7 | 24.8 | 26.9 | 26.3 | 31.7 | 32.7 |
| Female | 20.3 | 20.4 | 31.3 | 29.8 | 27.7 | 28.9 |

*Sources* Palestine: Palestinian Central Bureau of Statistics (2017a), Jordan: Department of Statistics (2017): Gender/social indicators according to median age at first marriage, Lebanon: Central Administration of Statistics (2007, p. 33)

Affairs, 2011, p. 41). Meanwhile, Lebanon saw the lowest fertility rate: 1.5 in 2010–2015, down from 2.0 in 2000–2005 (Central Administration of Statistics & UNICEF, 2009, p. 26). In Palestine, the overall fertility rate was 4.1 in 2011–2013, down from 6.0 in 1997 (Palestinian Central Bureau of Statistics, 2017b). In Jordan, the fertility rate stood at 3.3 in 2010–2015, down from 3.9 in 2000–2005 (UNDP, 2015, Table 8, p. 235).

The median age at marriage increases when taking into account the factors of education and place of residence (Gerasa 2009). For example, it increases among men and women with high levels of education, and among residents of urban centers, compared to those living in the countryside. Palestine had a higher age at first marriage among people with secondary or higher degrees: 27.01 years among men and 22.12 among women in 1998, compared to 23.75 among men with below-primary education, without any significant difference among women. There was also an age gap between residents of refugee camps (with higher poverty rates) and residents of urban areas: 25.71 years among urban men, compared to 24.51 among refugee men, without any significant difference among women. This may be attributed to the young age of females getting married in 1998 (Palestinian Central Bureau of Statistics, 1998).

### *3.3.2 Celibacy in the Five Countries: Indicators*

Celibacy refers to women aged 35–49 who have never married (Rashad, 2015). Naturally, these women may get married later, but given the reduced possibility of marriage at an older age, some have come to view them as a "problem" or "crisis" that must be resolved through solutions that we will discuss after reviewing the reality of this segment through data and analysis.

For example, Table 3.7 indicates that the rate of unmarried women aged 35 or older (8.4%) in Jordan is twice as high as that of unmarried men in the same age group (4.1%), according to a 2015 survey, with a gender gap of −4.3 percentage points in favor of men.

In Lebanon, celibacy has come to include relatively older age groups in both genders, which in practice affects birth rates and the number of children in younger age groups (Central Administration of Statistics & UNICEF, 2009, p. 28). The

**Table 3.7** Celibates aged 35 or older in Jordan

| Indicator | As percentage of all those aged 35 or older | |
|---|---|---|
| | Male | Female |
| Celibates (never married) aged 35 or older (%) | 4.1 | 8.4 |

*Source* Department of Statistics (2017)

celibacy rate among women stands at 51% in the 25–29 age group; 26.7% in the 30–34 age group; and 19.5% in the 35–39 age group. Meanwhile, the rate among men stands at 81%, 46.7%, and 23.7% in those age groups, respectively. As for the 40–44 age group, the rate stands at 15.8% among women and 10.6% among men. Meanwhile in the 45–49 age group, the rate for women (15.9%) is double that for men (7.6%). These high rates show that marriage age is delayed in both genders, and that a large segment of women are celibate (Central Administration of Statistics & UNICEF, 2009, p. 28).

For Palestine, as Table 3.8 shows, the size of the segment of people aged 15 or older who have never married, which is significantly lower for women: 36.7% compared with 45.1% of men.

The issue seems more serious among unmarried women in Palestine. Data for 2015 indicate that there were twice as many unmarried women aged 35–39 as men in the same age group: 9.8% compared to 4.6%. In the 40–44 age group, the rate for women, at 7.7%, was three times as high for men, at 2.1%. Meanwhile, in the 45–49 age group the rate among women was nearly six times as high as among men: 7.2% compared to 1.3%, significantly higher than the 2010 rate (1.9% among women and 0.6% among men). The same applied in the older age groups, reaching rates of 8.6% and 0.8%, respectively, in people aged 50–54.

In Syria, 38.3% of males and females aged 15 or older are celibate, as shown in Fig. 3.3.

In Iraq, celibacy rates have increased significantly in recent decades, particularly under economic sanctions. The percentage of unmarried women among females aged 15–49 rose from 27% in 1987 to 34% in 1997, before dropping again to 26% in 2006 (Hassoun, 2008). This can be attributed to the rise in marriage rates due to improving

**Table 3.8** Females and males aged 15 or older, by marital status and region in Palestine, 2016

| Marital status | Gaza Strip | | | West Bank | | | Palestine | | |
|---|---|---|---|---|---|---|---|---|---|
| | M | F | Both | M | F | Both | M | F | Both |
| Never married (%) | 43.9 | 36.3 | 40.1 | 45.8 | 37.0 | 41.4 | 45.1 | 36.7 | 41.0 |
| Married (%) | 55.3 | 56.6 | 56.0 | 53.2 | 55.1 | 54.2 | 54.0 | 55.6 | 54.8 |
| Divorced (%) | 0.3 | 2.0 | 1.2 | 0.3 | 1.6 | 1.0 | 0.3 | 1.8 | 1.0 |
| Widowed/separated (%) | 0.5 | 5.1 | 2.7 | 0.7 | 6.3 | 3.4 | 0.6 | 5.9 | 3.2 |

*Source* Palestinian Central Bureau of Statistics (2017b, p. 20)

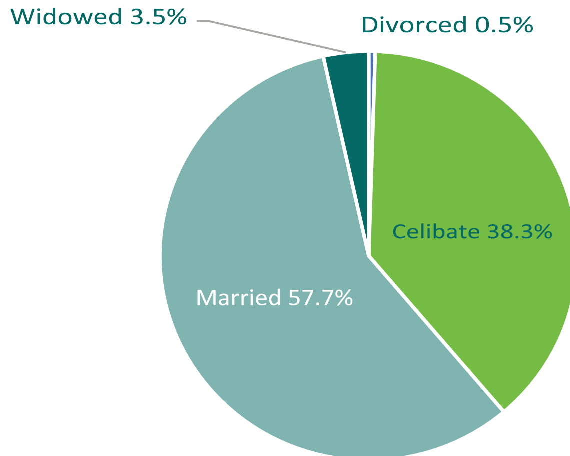


**Fig. 3.3** Distribution of population aged 15 or older in Syria, by marital status. *Source* Central Bureau of Statistics (2011)

living conditions after the lifting of economic sanctions and increasing employee salaries in 2003. The percentage then rose again, reaching its highest level (39.2%) in 2011. Meanwhile, the percentage of unmarried women aged 30–34 (the age when marriage prospects drop, according to the prevailing culture) reached 15.3% (Central Organization for Statistics, 2011b, p. 9).

According to the prevailing culture in Iraq, the description "celibate" is limited to women who have reached the age of 30 without getting married. The term does not include single men, regardless of their age, because men are often the ones who *initiate* the search for a wife, while women *wait* for the right man to propose and get married. This is why women of this age are subjected to social and psychological pressures to find a husband, regardless of the educational and social disparity between them, simply to avoid being described as a "spinster." A 2007 study in Baghdad sampling 300 men and women aged 30 or older who had never been married found that both genders believed the appropriate age for marriage was 22–28. It also found that women begin to worry about delayed marriage between the ages of 30 and 34, considering themselves celibate if they do not get married during that time; men begin to worry from the age of 35 onwards. This difference is due to men's confidence in their ability to easily choose a life partner regardless of their age, while women must wait for men to propose to them (Al Alawi, 2008).

Unmarried women are subjected to major psychological and social pressures, but there are few studies that attempt to delve into the needs of this segment. For example, this segment has no awareness of reproductive health, as it is generally believed that it is unacceptable for single women to undergo examinations related to uterine cancer (Jad, 2009).

But do these women really see themselves as a problem, or do they have different visions and aspirations? In a study by Rashid (2013) on the image of women in Iraqi society, respondents in focus groups admitted that they avoid mental activities, and that their main concern is to be in line with society's vision of women as feminine

females who look after their appearance and master their role as housewives in order to increase their chances of finding a husband amid a decline in marriage rates (p. 205).

Another study examined the impact of social change on the behavior of female university students, and their reluctance to complete their studies for fear of lowering their marriage chances compared to girls who do not finish their education. It also showed that men are reluctant to marry educated women, for fear of being challenged or of the women being too open-minded, which would contradict their inherent customs and traditions (Mohamed, 1996, pp. 115–117). This does not contradict the fact that delayed marriage has helped large numbers of women seek night school and higher education, either in pursuit of a marriage opportunity that can prepare them for a mixed-gender university environment, or out of despair of waiting and to occupy their time with education.

In another study, on a sample of 100 women over the age of 30, the researcher found that 83% of the respondents noted regrets about not having children. When asked about the reasons behind their delayed marriage, they answered as follows (Table 3.9).

Some of the respondents indicated a refusal to marry for fear of losing a husband in war, general insecurity and stability in the country, deteriorating living standards, and sometimes the difficulty of meeting the basic needs of the family.

A study on unmarried women in Palestine (Jarallah, 2008) concluded that parents pressure their daughters to complete their education, especially in light of the deteriorating security and economic conditions, high unemployment among males, and the availability of university education at reasonable prices. Parents also reject incompetent suitors and require their daughters to get married in order of age, i.e., they may refuse to marry off their youngest daughter before her older sister. The study also showed society's appreciation of the educated working single woman compared to the uneducated woman, who feels more isolated, especially in rural and marginalized areas, where the family expects her to serve and dedicate her time to them since she does not work and has no other options. In such cases, the uneducated woman

**Table 3.9** Views of respondents on the reasons behind delayed marriage among girls in Iraq

| Reasons | No. of answers | Percentage (%) |
|---|---|---|
| Political and economic events over the past years | 93 | 19.82 |
| The death of many young men in the old regime's wars | 91 | 19.40 |
| The increasing female-to-male ratio | 88 | 18.76 |
| Unemployment and the lack of job opportunities for youths, especially among those with higher education degrees | 82 | 17.48 |
| Certain family customs and traditions | 65 | 13.85 |
| Some girls becoming arrogant after receiving higher degrees | 50 | 10.66 |
| Total | 469 | 100.00 |

*Source* Mohamed (2010, p. 11)

is expected to take care of her family if her mother is ill or deceased. Some older unmarried women have noted their fear of financial insecurity, loneliness in old age, and a lack of family support (Jarallah, 2008).

In another study on unmarried women in Palestine, Johnson (2007) noted that the public discourse calling that segment a "problem" is unrealistic, and that many women in that segment do not feel any social stigma. In fact, they have achieved high levels of success in managing many social, political, and cultural institutions that used to be difficult for married women to manage due to their family role. The study also noted the high political activity of women in this segment, showing how many of them have become "role models" in managing educational, cultural, or other institutions.

### *3.3.3 Underage and Early Marriage*

Many national and international reports refer to the danger of early marriage (under the age of 18) and underage marriage (between the ages of 15 and 17). The challenge of early marriage and adolescent pregnancy prompted the United Nations Population Fund (UNFPA) to focus its 2013 State of World Population report on this issue. The report highlights motherhood in childhood as an important global issue, noting that 7.3 million girls under the age of 18 have given birth. The report also explains how early pregnancy can have a harmful effect on girls' health and education, preventing them from achieving their potential and aspirations. The negative impact of this challenge goes beyond the girls, affecting their offspring, local community, and national development. Even worse, nearly two million girls have given birth under the age of 14. Among the global consequences is the fact that an estimated 70,000 adolescent girls (15–19 years old) die annually from pregnancy or childbirth complications. It is also estimated that nearly 3.2 million adolescent girls suffer from unsafe abortions each year. The report documents the risk of death from pregnancy and childbirth complications for girls who became pregnant at the age of 15 in low- and middle-income countries. Moreover, the available evidence discussed in the UNFPA report shows that in the annual 13.1 million births to girls aged 15–19 worldwide there are major health risks. For example, neonatal mortality rates are still 50% higher among infants born to adolescent mothers than among infants born to mothers aged 20–29, and nearly one million infants never make it to their first birthday.

The consequences of early marriage are not limited to the physical health of the girl and her offspring. Women who get married at a young age are often forced into marriage, or at least denied an informed choice. Spousal age gaps do not usually support balanced marital relations. Young girls prematurely jump into adult roles, deprived of continuing their education and pursuing work. It is clear that these characteristics undermine women's human rights, mental health, and social well-being. Moreover, the ability of young girls to support the family and adopt sound child-rearing practices limits their capacity for decision-making and cognitive growth,

which are shaped by life experience and are not governed by biological puberty (Rashad, 2015).

The UNFPA gives Arab countries a "low" rating in terms of early pregnancy among girls under the age of 18 (10%) or 15 (1%). However, according to Rashad (2015), the big picture in the Arab world may conceal a diverse situation. The rate of early marriage may be as much as 17–35% in seven Arab countries, and there is hardly any information or data on fertility rates among girls under the age of 18, which may conceal the reality on the ground. Based on the UNFPA report and several surveys, Rashad concludes that early marriage may be more common in countries with high illiteracy rates, low educational attainment, limited resources, and high levels of poverty. The researcher also concludes that Iraq has the highest rate of marriage under the age of 15 (6.14%) and under the age of 18 (52.2%), followed by Syria (8.7% under 14 and 43.7% under 18) and Jordan (3% under 14 and 26.3% under 18) (Rashad, 2015, p. 6).

This part of the chapter reviews the reality of early marriage in the five countries as one of the major challenges in terms of disastrous consequences for the mother and her offspring, well-being, empowerment, community, and other fields. According to Rashad, lower rates of early marriage range between 2 and 8%, while high rates range between 17 and 25%, and very high rates range between 32 and 35% (Rashad, 2015, p. 4). This is the criterion that we will adopt to determine the rates of early marriage in the five countries.

In all five countries, underage marriage is attributed to loopholes in the laws that determine the appropriate age for marriage, whether for boys or girls. Most Arab laws recognize that the age of majority, by which an individual obtains voting rights or a driver's license, differs from marriage age. In Iraq, Syria, Lebanon, Jordan, and Palestine, the age for marriage eligibility varies greatly. In Palestine, the Jordanian Personal Status Law of 1976 is still applied in the West Bank, despite having been amended in Jordan. A different law based on Egyptian laws applies in Gaza. According to Jordan's Personal Status Law No. 61 of 1976, marriage age in the West Bank is set at 15 Hijri calendar years for girls (roughly 14.5 Gregorian calendar years), and 16 Hijri years for boys (roughly 15.5 Gregorian years). In Gaza, Law No. 303, issued in 1954, sets the minimum age for marriage at 17 years for girls and 18 years for boys. According to the law, the judge is granted powers to allow the marriage of a girl below this age if she reaches the age of maturity and has her father's consent. However, girls under the age of 9 and boys under the age of 12 are strictly banned from marriage. If a girl under the age of 17 asks the judge to marry her off, the judge must inform her father, and if the father approves, the marriage can take place.

In the Syrian Personal Status Law, Article 16 sets the minimum marriage age at 18 for boys and 17 for girls. However, it allows exceptions for boys aged 15 or girls aged 13 with the permission of a judge and approval of the guardian. This is also stipulated in Article 18 (Istanbuli, 1985, p. 35).

The Iraqi law also sets the legal marriage age at 18, but allows marriage under this age with the approval of the guardian. Judges can also allow anyone aged 15

Gregorian years to get married “if such marriage is necessary for the public interest” (background paper on marriage in Iraq).

One of the forms of underage marriage for girls that has strongly emerged in Iraq is known as *sayyed* (“master”) marriage, which is a way to circumvent the minimum age by allowing a cleric to hold the marriage ceremony, avoiding the requirement for court registration.

In Jordan, the amended Personal Status Law No. 63 of 2010 sets the marriage eligibility age at 18 Gregorian years. However, a judge may allow the marriage of someone who is 15 years old if the marriage is necessary for the public interest, provided that the age gap between the spouses does not exceed 20 years, that the girl’s consent has been ascertained, and that the marriage is not a repeat marriage and does not disrupt school education.

In Lebanon, marriage age is determined according to sect. For Muslims, Sunnis set the age at 18 for boys and 17 for girls, whereas Shias require proof of maturity but may not allow the marriage of boys under 15 and girls under 9. For the Unitarian Druze, the marriage age is 18 for boys and 17 for girls. Meanwhile, among Christians the minimum age for marriage varies from one denomination to another. For example, Catholics set the age at 16 for boys and 14 for girls, while competent church leaders have the right to lower the minimum age by two years for legal reasons. On the other hand, Orthodox Christians set the minimum at the age of majority (18). In the Evangelical community, boys are required to reach the age of majority and girls must be at least 16 years old. Law No. 24 of the Sacrament of Marriage Code and No. 879 of the Laws of the Eastern Churches frown upon underage marriage without parental consent, and even prefer that priests refrain from blessing it.

All the laws above have major loopholes in terms of marriage age for both boys and girls. Despite setting a minimum age, they all add an exception that a judge or a cleric can use to circumvent the law. As such, we believe that the abovementioned conditions for underage marriage are ambiguous and generic, which leaves room for violations when a marriage occurs. For example, the Jordanian law’s requirement for the completion of school education does not clarify an implementation mechanism or punishment for violators, thereby allowing the husband to prevent his wife from completing her education should he wish to do so. In Lebanon, underage marriage among Christian denominations is merely frowned upon, rather than prohibited. Catholics can also permit the marriage of a 14-year-old girl. Meanwhile, Shias require proof of maturity or reaching the age of majority, which is unspecified, and the minimum marriage age is too low (17 for boys and 9 for girls).

Regarding the Jordanian law’s requirement to complete school education, statistical data indicate that early marriage prevents girls from doing so. According to the data, nearly 70% of Jordanian females who got married under the age of 18 did not complete their secondary education. In some cases, the school administration may refuse to allow a married girl to enter school for fear of her “negative” influence on the other students (Higher Population Council, 2017, p. 86). As for setting the maximum age gap at 20 years, conditional upon the girl’s consent and choice, this raises questions as to how a girl’s consent is to be ascertained. The age gap between girls who get married at the age of 11–13 and husbands aged 30–60 or older ranges

from 20 to 47 years. Meanwhile, the age gap between girls who get married at the age of 14–15 and husbands aged 35–60 ranges from 20 to 45 years. For girls who get married at the age of 16–17 to men aged 50–60, the age gap ranges from 24 to 34 years. This means that the older the husband, the younger the underage wife is.

Reports indicate a rise in underage marriage in Jordan from 2011 to 2015. According to data from the Supreme Judge Department, the number of marriages involving underage girls rose by 34.3% from 8,093 in 2014 to 10,866 in 2015. These numbers do not include out-of-court *urfi* or *barrani* marriages. Therefore, we will rely on the statistical data of the 2015 General Population and Housing Census (Department of Statistics, 2015), which includes a comprehensive survey of the marriage of girls under 18 at the national level, including both Jordanian and non-Jordanian women.

According to the 2015 General Population and Housing Census data, the number of Jordanian and non-Jordanian girls married under the age of 18 was 414,385, with Syrian girls accounting for 113,370 marriages. Out of the total number of marriages, 21% occurred at an early age: 17.6% among Jordanians, 31% among Syrians, and 19.2% among other nationalities. This means that one in every three Syrian girls got married at 17 or younger, while nearly one in every five Jordanian or other nationality girls got married at 17 or younger, and shows that Jordan is among the countries with the highest rates of early marriage, as defined previously.

The highest numbers of girls married at 17 or younger were concentrated in the regions of Mafraq, Ain Al Basha, Irbid, and Ajloun, all of which are among the poverty pockets in and around Jordan (Higher Population Council, 2017, p. 87). Figure 3.4 indicates a low level of education among the majority of girls married at 17 or younger, as nearly a quarter of the non-Jordanians are illiterate or semi-illiterate, and nearly two-thirds of them only have basic education, while the Jordanian girls are more educated. Due to their low level of education, the majority of these girls are neither working nor looking for work (Fig. 3.5), indicating that underage marriage is more prevalent among the poor, less educated, and unemployed groups, and that they have little chance of finding work.

In Lebanon, the rate of early marriage is generally low, especially in Beirut and the Jebel region, but higher in northern Lebanon. 2.6% of women aged 45–49 got married under the age of 15, while 16.7% got married under the age of 18. In the

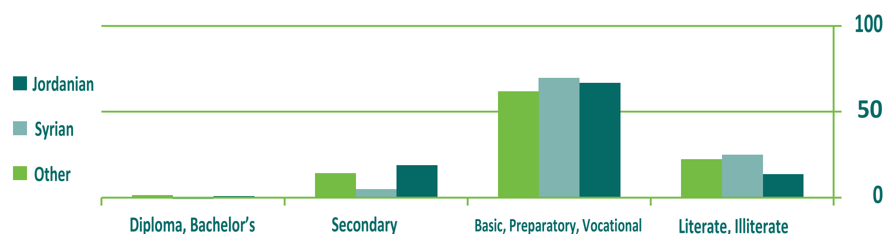


**Fig. 3.4** Percentage of Jordanian and Syrian girls married at 17 or younger in 2010–2015, by level of education and nationality. *Source* Higher Population Council (2017, p. 88)

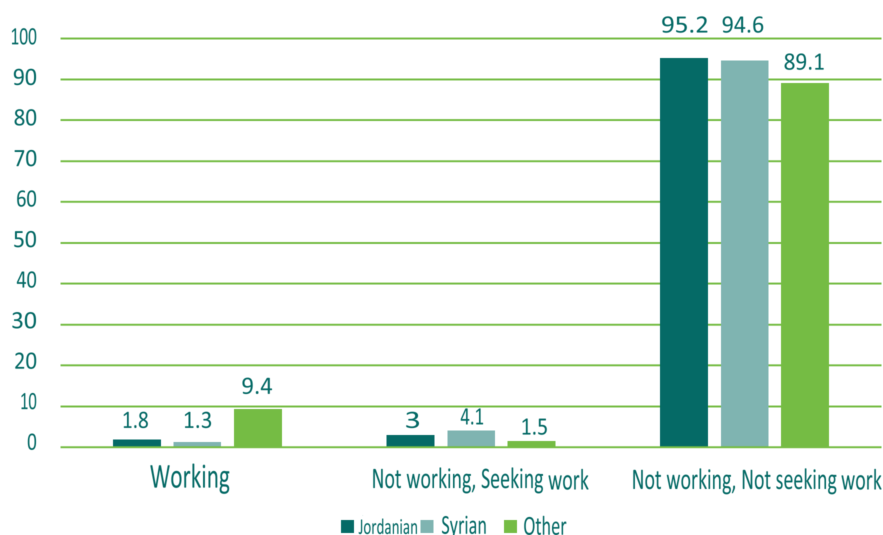


**Fig. 3.5** Percentage of girls in Jordan married before the age of 18 in 2010–2015, by nationality and economic activity status. *Source* Higher Population Council (2017, p. 89)

40–44 age group, 3.4% got married at under 15, while 15.7% got married at under 18. In the remaining age groups, the respective rates were as follows: 3.7 and 16.4% in women aged 35–39; 2.4 and 14.4% in women aged 30–34; 2.2 and 13% in women aged 25–29; and 1.2 and 6.1% in women aged 20–24. Meanwhile, in the 15–19 age group, the rate was very low, at only 0.2% married under the age of 15 (Central Administration of Statistics & UNICEF, 2009, pp. 65–66). These percentages show that compared to the other four countries, Lebanon has low rates of early marriage.

As for the mother's education level, 19% of mothers of women aged 20–49 who had got married under the age of 18 were illiterate, while 23.1% had primary school education; 22% had middle school education; and 9.8% had secondary school education. The lowest percentage was that of mothers with university education: 0.3% of mothers whose daughters got married under 15, and 2% of mothers whose daughters got married under 18 (Central Administration of Statistics & UNICEF, 2009, p. 66).

One of the most striking marriage indicators in Lebanon is the age gap between spouses, measured by the percentage of women married to men ten or more years older than them. According to data that demonstrate the age gap between spouses, about a third of women in Lebanon aged 20–24 are married to men ten or more years older than them. Beirut has the highest percentage of such age gaps (48%), followed by the Beirut suburbs (38.2%) and Mount Lebanon (37.5%). Meanwhile, the lowest percentage of such spousal age gaps is found among women with university degrees (Central Administration of Statistics & UNICEF, 2009, p. 66).

In Palestine, the percentage of girls who got married between the ages of 15 and 19 was 6.7%, compared to 0.8% of boys in the same age group. The percentage was higher in Gaza than in the West Bank (7.9% for females and 1.2% for males). In

**Table 3.10** Number of marriage contracts registered in Palestine in 2015, by age of the spouses

| Age | Husbands | Wives |
|---|---|---|
| Under 14 | 0 | 758 |
| 15–19 | 3,034 | 20,851 |
| 20–24 | 21,081 | 20,742 |
| 25–29 | 17,230 | 5,000 |
| 30–34 | 4,704 | 1,611 |
| 35–39 | 1,621 | 776 |
| 40–44 | 829 | 401 |
| 45–49 | 610 | 205 |
| 50+ | 1,329 | 94 |
| Total | 50,438 | 50,438 |

*Source* Palestinian Central Bureau of Statistics (2016c, p. 91)

the 20–24 age group, the rate was 14.6% for females and 8.1% for males. In 2016, the percentage of married girls aged 15–19 rose to 8.2%, compared to 0.4% of boys of the same age. Yet despite this increase, statistics indicate that Palestine may fall into the category of countries with a high rate of early marriage, as indicated by registered marriage contracts, and as shown in Table 3.10. According to marriage contracts registered in Palestine in 2015, girls married under the age of 14 constituted 1.5% of the total. In the 15–19 age group, the rate stood at 41.3% of females and 6% of males.

In Syria, in the 15–19 age group, married girls constitute 11.2% of the total, and boys 0.4%. The marriage rate begins to rise among women aged 20–24, reaching 41.2%, and 7.5% for men in the same age group. The marriage rate then rises further in the 25–29 age group to 40.5% of men and 65.2% of women.

These data indicate that early marriage rates in Syria are low, but according to Syrian women's marriage contracts in Jordan, early marriages in general constituted 21% of the total number of marriages (31% among Syrian women and 19.2% among women of other nationalities). This means that almost one in every three Syrian women got married under the age of 17. These data show a high rate of early marriage among displaced Syrian girls, especially those coming from rural areas in neighboring countries, without verifying the statistics inside Syria itself.

A trend towards early marriage appears to be emerging in Iraqi society, and increasing among new generations. The 2014 National Human Development Report (Ministry of Planning and House of Wisdom) indicated that Iraqi society still prefers early marriage for both boys and girls. Girls married under the age of 18 accounted for 23.4% of the total in Iraq and 22.4% in the Kurdistan Region (1.7% and 5.5%, respectively, married under 15). Meanwhile, girls aged 15–19 who were currently married accounted for 18.7% of the total in Iraq and 19.1% in the Kurdistan Region. In addition, three in every 10 women aged 15–49 who were or had been married began their reproductive lives and got married for the first time at under 18. A 2013

study by the Ministry of Planning and the National Committee for Population Policies indicated higher rates of early marriage (below 15 or 15–19), as shown in Table 3.11.

The Ministry of Planning report indicated near similar rates of marriage at 15 or younger—and, to a lesser extent, in the 15–19 age group—between the Kurdistan Region and Central/Southern Iraq. However, early marriage rates in the 15–19 age group were found to be higher in rural areas (45.9%) than urban areas (39.6%). Muthana, Wasit, Najaf, and Babylon topped the list of provinces for marriages under 15, while Salah Al Din, Qadisiyah, Nineveh, and Karbala had the most marriages between the ages of 15 and 19. The report sounded the alarm about this phenomenon as it threatens the well-being of a large portion of the Iraqi population, as well as areas of human development in general and the development of Iraqi women in particular (Ministry of Planning, 2013, p. 31).

In Iraq, early marriage is linked to poverty pockets and closed communities in which religious influence is strong. A study on out-of-court marriages in Sadr City showed that nearly 58% of these cases got married under 18; 30.1% under 15; and 8.3% at 12 (Rashid, 2015). Young wives are often exposed to physical, psychological, and sexual violence, as well as ill-treatment by the husband and his family. They are also subject to health risks, in addition to leaving school before completing their education, which makes their future dependent on the husband.

The phenomenon of early marriage in urban areas is generally reinforced by positive attitudes towards it among some groups in society. According to focus group discussions and in-depth interviews conducted by the author of the Marriage Report in Iraq, there are two attitudes towards underage marriage. The first rejects early marriage and considers it a form—even the most dangerous form—of violence. The second attitude, which was prevalent among the respondents, sees early marriage as a legally acceptable and desirable social habit, as well as a way to guard a woman's honor and chastity and prevent her from deviancy. Iraqi society's opening up to the world post-2003, as well as the advent of modern communication technology, has helped fuel the fear of girls' delinquency, thus pushing for them to be married off at an early age.

So-called *sayyed* out-of-court marriage has helped spread early and underage marriage in Iraq, as it is conducted by a cleric and in accordance with religious

**Table 3.11** Percentage distribution of women aged 15–49 in Iraq, by age at marriage and province/region

| Province/Region | Age at marriage | | | | | |
|---|---|---|---|---|---|---|
| | Under 15 | 15–19 | 20–24 | 25–29 | Over 30 | Total |
| Urban | 7.0 | 39.6 | 34.9 | 12.7 | 5.7 | 100 |
| Rural | 7.8 | 45.9 | 32.2 | 9.7 | 4.3 | 100 |
| Central/Southern | 7.2 | 41.9 | 33.9 | 11.6 | 5.3 | 100 |
| Kurdistan Region | 7.7 | 38.3 | 35.3 | 13.2 | 5.4 | 100 |
| Total | 7.3 | 41.4 | 34.1 | 11.8 | 5.3 | 100 |

*Source* Ministry of Planning (2013, p. 32)

teachings. This form of marriage differs from the *urfi* marriage seen in some Arab countries. Despite being socially acceptable, it does not entail any obligations or rights, as it is not documented in court. In most cases, the absence of a marriage contract and a civil status identity document proving that the marriage has taken place encourages the husband to not recognize it. According to Najaf Appeals Court documents, there were 1,300 out-of-court marriage attestation cases between 2009 and 2010. Only 123 cases (about 9.5%) were ratified, while 90.5% of the cases were ruled out due to the husband's denial of marriage (Iraqi Al-Amal Association, 2012, p. 91). In the event that the husband divorces his wife and the cleric who carries out the divorce is not authorized by the court to do so, the wife loses the right to alimony and the dowry; and in the event of the husband's death, the wife and her children lose their right to inheritance. Even more alarmingly, people married under such contracts are not entitled to register their children in the civil registry or have them issued with a civil status identity document. Birth registration requires a marriage contract issued by the court. In such cases, the spouses present the marriage contract of one of their relatives—the husband's brother or the wife's father—and the child is registered in the name of this relative.

The phenomenon of out-of-court marriage has spread remarkably in recent years. Although there are no official statistics on the issue, given that they are not documented in court records, reports published by non-governmental organizations have warned of an unprecedented rise in the number of such marriages. A report by a local NGO revealed that 180 cases of out-of-court marriage take place every month, a rate of six cases a day, in Najaf alone (Iraqi Al-Amal Association, 2012, p. 89). The extent of this phenomenon and the rate of its spread can be inferred from the number of marriage contract attestation cases submitted to court. According to data from the Supreme Judicial Council, Personal Status Courts approved 13,601 applications to register out-of-court marriages during the second quarter of 2012. The phenomenon is more apparent in Sadr City, where marriages increased significantly after 2003, due to improvement in the incomes of individuals, and due to the population density and the traditional nature of the area, which considers marriage a social and religious duty (Auda, 2005, p. 100).

In the previous section, indicators confirmed that Iraq had the highest rate of early marriage, which is also common in Syria and Palestine. The rates in Jordan were rather low, and even lower in Lebanon. The review also indicated that early marriage is linked to economic, social, and cultural factors, such as a decline in living standards, widespread poverty, and growing disparities in living standards between urban and rural areas, as well as refugee camps in the case of Palestine. It was also found to be linked to poverty-associated factors, such as low levels of education and poor awareness of reproductive health, whether among underage girls or their mothers. In addition, early marriage is linked to growing internal conflicts and the state's weak ability to monitor the enforcement of laws, not to mention the legal loopholes that some parents and clerics use in cases of early and underage marriage. Some of the following indicators point to the impact of early and underage marriage on girls' health and well-being in general, not to mention the potential for their empowerment in life.

According to some studies, early marriage shows girls' limited capacity for decision-making. For example, a study by the Center for Women's Affairs indicates that the most difficult decision in a girl's life (marriage) is made by others. In another study on choice and power 50.4% of wives reported that their families made the decision for them to get married. There was no link between the family's choosing the husband and the girl's age or the parents' level of education. This applies even to independent women, as their families interfere in making this decision. The study showed that the father was the decisive factor in early marriage. Only 18% of girls indicated that they were their own decisive factor in marriage, while siblings and mothers did not play a strong role in the marriage decision.

### *3.3.4 Early Marriage*

Early marriage is associated with an increase in divorce rates. According to available data, the highest divorce rates were found in the 15–19 age group for both males and females, albeit higher among males, followed by the 20–24 age group. This applies to the Palestinian Territories in general and to each of the West Bank and Gaza Strip separately. It is concluded from the foregoing that early marriage leads to higher rates of divorce, compared to other age groups (Palestinian Central Bureau of Statistics, 2003).

Early marriage necessarily increases the chances of deprivation of education as a result of dropping out of school. It also means a high fertility rate, thus reinforcing the reproductive role of women, which then denies them equal opportunities in education, development, and growth, as defined in the Convention on the Rights of the Child. It also leads to their isolation from public life and community participation.

Thus, early marriage becomes an indicator of the extent of the empowerment gap between men and women. A girl who gets married at under 18 is a child who has not been given sufficient time to mature emotionally, socially, physically, and mentally, nor has she had the opportunity to develop her skills or cognitive potential, discover herself, or know the extent of her endurance of public and family responsibilities. She becomes the prisoner of a situation she did not foresee, and, in less than a year she becomes a mother while she herself is still a child, and her inevitable role is established. Therefore, her participation in the public sphere becomes almost impossible.

According to the Central Administration of Statistics, early marriage means more children, a higher rate of poverty, fewer educational opportunities for children, and non-specialized professions. Despite Article 16 of the Convention on the Elimination of All Forms of Discrimination Against Women stipulating equal rights for men and women in all matters relating to marriage and family relations, in our society the girl remain the weakest link and become vulnerable to early marriage under the pretext of "protecting" them. According to the Convention, "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."

Early marriage deprives girls of their rights—as stipulated in the Convention on the Rights of the Child, the Universal Declaration of Human Rights, and the Convention on the Elimination of All Forms of Discrimination Against Women—to protection, care, a sense of security, health, education, and development, in addition to realizing their potential and enjoying the free time that every child deserves.

Early marriage also works against the best interests of the child, violating the rights of boys and girls to give their opinions in matters concerning them. Perhaps the most unfair thing for a girl is to be denied the education necessary to develop her capabilities and potential. Education is a strategy to prevent decisions that are not based on awareness or free choice. In both its formal and informal capacities, education also targets the family itself. Many studies on this issue have indicated a link between high education rates among girls and low early marriage rates in the Palestinian Territories, Iraq, Jordan, and Syria.

This review of the reality of early and underage marriage has shown its profound effects on couples, in addition to its societal effects in terms of its association with low levels of education of both boys and girls. It is also linked to poverty and the parents' low level of education. In addition, it comes with health risks, as described earlier in this chapter. All five countries have laws that determine the legal age of marriage, but legal loopholes—particularly when judges are allowed to estimate the girl's age—allow people to circumvent them. These loopholes contradict the international covenants signed by the five countries on the protection of children's and women's rights.

Yet working on the legal front alone is not enough. Many parents who want to marry their children off resort to various methods to circumvent the law, such as delaying marriage registration until the girl reaches the legal age, or resorting to a *sayyed* marriage contract, which gives some religious legitimacy to the marriage but remains illegal because it does not get registered with the court. Families may sometimes even forge birth certificates or claim to have lost them in order to justify a marriage.

## 3.4 Marital Relations

The extent of marital and emotional satisfaction varies according to the purpose of the marriage, and from one society or time period to another. The purpose of marriage also differs from one society to another: if it occurs between relatives, then the marriage takes place in a society concerned with procreation, and therefore the purpose is conceiving children with the family name. Infertility, then, is a sufficient reason to divorce the wife in such a society.

In other societies, the purpose of marriage varies between independence, stability, starting one's own family, having children, companionship, happiness, love, self-reliance, economic security, pleasure (intimate relations), and the exchange of

emotions. As such, having children is not the only purpose of marriage, and better marital compatibility is achieved. According to some studies, marital compatibility is based on each spouse's ability to get along with the other, and with the needs of a marriage. It can be seen in the spouses' ways of achieving their marital goals, facing marriage problems, expressing emotions and feelings, and fulfilling communication and interaction needs. As such, marital compatibility includes the spouses' voluntary, intentional behaviors based on their motives, goals, and needs (Morsi, 1998, p. 105).

Other studies have indicated the difference between marital compatibility and marital satisfaction. The former is a type of social consensus through which individuals aim to establish harmonious relations with their partners so that the needs of each are met and a state of satisfaction is reached that is known as marital satisfaction. This marital satisfaction, then, is the ultimate goal, while marital compatibility refers to the factors and sources leading to it (Kafafi, 1999, p. 84). Compatibility, here, is based on the assumption that the spouses have the freedom to choose the right partner, have reached emotional maturity, are prepared for married life, have similar cultural and intellectual ideas, have no major age gap, and have the ability to solve problems and achieve harmony and mutual affection. Therefore, marital compatibility is an ongoing process that begins from the moment the partner is chosen and continues to the ability to accept the consequences of this choice in order to achieve marital satisfaction (Ali, 2008, p. 78).

There are no agreed-upon standards that lead to the success and continuity of a marriage. Marital compatibility differs from one individual to another, and from one society to another. The prevailing values and culture influence the way the partner is chosen, as well as his/her age and features. In an Arab context, the husband chooses the wife, preferably younger, beautiful, and obedient, and there is no agreement on whether or not she should work, as some people still believe that a woman's work outside the home affects the happiness of the family and the children and reduces marital compatibility. Some also consider the extent of the wife's religiosity important, while others consider the extent of her fitting in and being accepted with the husband's family as one of the key factors of marital compatibility. Some indicators referred to in surveys and studies will be demonstrated here, focusing on the key acceptable values when choosing a spouse, namely the importance of family, religiosity, and the belief in equality with women, as some of the following findings indicate.

In a World Values Survey poll, the majority of respondents in Palestine, Iraq, and Jordan (90%), as well as Lebanon (75%) noted the importance of family, as shown in Table 3.12.

In the first three countries, the majority (79.3%) noted the importance of religion. In Lebanon, 52.9% noted the same. As shown in the Table 3.13, most answers indicated very high trust in family, compared to friends or coworkers: 84.9% said they had complete trust in their family, with the highest percentage in Iraq (96.9%) and the lowest in Lebanon (65.2%).

For Arab people, the role of the family is entrenched through their sense of freedom of choice and ability to make their own choices. A small percentage (14.4%) of respondents in the four countries said they enjoyed a large degree of freedom of

**Table 3.12** What matters most in life? The importance of family, in Palestine, Iraq, Jordan, and Lebanon

| | Total | Countries | | | |
|---|---|---|---|---|---|
| | | Palestine | Iraq | Jordan | Lebanon |
| Very important (%) | 89.6 | 95.7 | 92.9 | 95.8 | 75.0 |
| Somewhat important (%) | 6.6 | 3.6 | 6.4 | 4.0 | 11.9 |
| Doesn't matter (%) | 1.1 | 0.6 | 0.5 | 0.2 | 3.0 |
| Not important at all (%) | 1.5 | – | 0.2 | – | 5.4 |
| No answer (%) | 0.2 | 0.1 | – | – | 0.5 |
| Don't know (%) | 1.1 | – | – | – | 4.1 |
| Number | 4,600 | 1,000 | 1,200 | 1,200 | 1,200 |

*Source* World Values Survey (2014). Selected samples: Iraq, 2013; Jordan, 2014; Lebanon, 2013; Palestine, 2013

**Table 3.13** To what extent do you trust your family? Palestine, Iraq, Jordan, and Lebanon

| | Total | Countries | | | |
|---|---|---|---|---|---|
| | | Palestine | Iraq | Jordan | Lebanon |
| Completely trust (%) | 84.9 | 87.2 | 96.9 | 90.8 | 65.2 |
| Somewhat trust (%) | 9.2 | 10.6 | 2.8 | 7.9 | 15.8 |
| Don't trust much (%) | 3.4 | 1.6 | 0.2 | 1 | 10.5 |
| Don't trust at all (%) | 1.9 | 0.3 | 0.1 | 0.3 | 6.7 |
| Don't know (%) | 0.6 | 0.3 | 0.1 | – | 1.9 |
| Number | 4,600 | 1,000 | 1,200 | 1,200 | 1,200 |

*Source* World Values Survey (2014). Selected samples: Iraq, 2013; Jordan, 2014; Lebanon, 2013; Palestine, 2013

choice and control over their lives. The highest number of respondents agreeing with this statement came from Jordan (19%), while the lowest percentage came from Iraq (8.8%). Meanwhile, a large majority (73.3%) described themselves as religious (the lowest in Lebanon at 63.6%, and the highest in Jordan at 80.4%) (Table 3.14).

The vast majority of respondents in these countries believed in the prevailing customs and traditions, with more than 70% saying that the traditions they inherited from their religion or families strongly represent them, while only 4% thought this statement did not represent them, as indicated in Table 3.15.

Marriage decisions and arrangements are primarily made by men or the men's families. As shown in Table 3.16, 44% of male respondents said the decision to get married and the ensuing planning and arrangements were made by men, while 5% of female respondents said this. Meanwhile, 1% of males said the decision was up to women, compared to 16% of females. In addition, 25% of males and 39% of females said it was a joint decision. Finally, 28% of males and 19% of females said the decision was made by one or more members of the husband's family.

**Table 3.14** People identifying as religious, in Palestine, Iraq, Jordan, and Lebanon

| | Total | Countries | | | |
|---|---|---|---|---|---|
| | | Palestine | Iraq | Jordan | Lebanon |
| Religious (%) | 73.3 | 72.4 | 76.8 | 80.4 | 63.6 |
| Not religious (%) | 21.8 | 24.5 | 14.8 | 19.2 | 29.2 |
| Atheist (%) | 1.2 | 1.2 | 0.3 | 0.1 | 3.3 |
| No answer (%) | 1.5 | 1.9 | – | 0.3 | 3.9 |
| Don't know (%) | 2.1 | – | 8.0 | – | – |
| Number | 4,600 | 1,000 | 1,200 | 1,200 | 1,200 |

*Source* World Values Survey (2014). Selected samples: Iraq, 2013; Jordan, 2014; Lebanon, 2013; Palestine, 2013

**Table 3.15** "People who identify with traditions and customs inherited from religion or family are…," in Palestine, Iraq, Jordan, and Lebanon

| | Total | Countries | | | |
|---|---|---|---|---|---|
| | | Palestine | Iraq | Jordan | Lebanon |
| Very much like me (%) | 42.5 | 36.3 | 43.8 | 62.1 | 26.7 |
| Like me (%) | 28.5 | 31.6 | 34.9 | 21.6 | 26.4 |
| Somewhat like me (%) | 14.3 | 16.1 | 1.2 | 8.0 | 21.2 |
| A little like me (%) | 7.7 | 9.0 | 5.1 | 5.5 | 11.5 |
| Unlike me (%) | 4.0 | 3.7 | 2.7 | 1.8 | 7.7 |
| Not at all like me (%) | 2.1 | 1.5 | 1.1 | 0.8 | 5.0 |
| Don't know (%) | 1.0 | 1.8 | 0.4 | 0.3 | 1.5 |
| Number | 4,600 | 1,000 | 1,200 | 1,200 | 1,200 |
| Mean | 2.08 | 2.15 | 1.91 | 1.65 | 2.62 |
| Standard deviation | 1.26 | 1.21 | 1.08 | 1.04 | 1.45 |
| Base mean | 4,555 | 982 | 1,195 | 1,196 | 1,182 |

*Source* World Values Survey (2014). Selected samples: Iraq, 2013; Jordan, 2014; Lebanon, 2013; Palestine, 2013

**Table 3.16** Who makes marriage decisions and arrangements, in Palestine, Iraq, Jordan, and Lebanon

| | Male respondents | Female respondents |
|---|---|---|
| Usually the husband (%) | 44 | 5 |
| Usually the wife (%) | 1 | 16 |
| Husband and wife together (%) | 25 | 39 |
| One or more members of the wife's family (%) | 1 | 21 |
| One or more members of the husband's family (%) | 28 | 19 |
| Other people (%) | 1 | 1 |
| Total no. of respondents who were already married | 725 | 830 |

*Source* El Feki et al. (2017, p. 224)

On the other hand, the respondents also clearly opposed having greater equality between men and women in their family roles or accepting the role of working women, and they mostly accepted the role of women as housewives. Only 20.5% agreed that women's equality with men is a fundamental pillar of democracy in society. The highest rate of support for this statement was found in Lebanon, at 26.9%, and the lowest in Jordan, at 17.5%.

As for rejecting the role of the working woman in marriage, Table 3.17 shows that for husbands, a woman earning more than her husband will almost certainly cause problems between the spouses. Nearly 40% indicated that they agreed with this statement. The highest percentage was in Jordan, at 50.2%, and the lowest in Iraq, at 27%.

The poll also indicates conflicting values relating to women's work. Husbands need their wives to work, but they seem not to want to accept the consequences of such work, nor do they accept the resulting changes in the stereotypical roles of spouses as determined by customs and traditions. A large percentage (46.9%) of respondents said they accepted women's work as a factor leading to their independence, with the highest percentage in Lebanon (52.8%), and the lowest in Iraq (35.9%). However, a quarter of the respondents (25%) rejected this statement, with the highest percentage in Iraq (28.7%), and the lowest in Lebanon (18.4%), as shown in Table 3.18.

The majority of the respondents clearly preferred the wife to be a housewife, with 70% agreeing with the statement that the role of a housewife is just as fulfilling as paid work. The highest percentage of disagreement with the statement was in Palestine (26.6%), almost the same as in Lebanon, while the lowest was in Jordan (14%), as shown in Table 3.19.

The prevailing view is that the wife's primary role is to be a housewife and take care of the husband and children. As such, it is believed that women's work outside the home must have bad consequences for the family, rather than good outcomes that include raising the family's economic status, increasing understanding in the family, improving the woman's self-confidence, and the family appreciating her for her work. The extent of acceptance for the statement that women's work causes children to suffer was such that more than 75% of the respondents agreed with the

**Table 3.17** "If a woman earns more than her husband, it will almost certainly lead to problems between the spouses," in Palestine, Iraq, Jordan, and Lebanon

| | Total | Countries | | | |
|---|---|---|---|---|---|
| | | Palestine | Iraq | Jordan | Lebanon |
| Agree (%) | 39.2 | 41.0 | 27.0 | 50.2 | 38.8 |
| Neither agree nor disagree (%) | 28.7 | 24.1 | 36.9 | 23.1 | 29.8 |
| Disagree (%) | 30.0 | 31.8 | 33.8 | 25.8 | 29.1 |
| Don't know (%) | 2.2 | 3.1 | 2.4 | 0.9 | 2.4 |
| Number | 4,600 | 1,000 | 1,200 | 1,200 | 1,200 |

*Source* World Values Survey (2014). Selected samples: Iraq, 2013; Jordan, 2014; Lebanon, 2013; Palestine, 2013

**Table 3.18** "Having a job is the best way for a woman to become independent": Palestine, Iraq, Jordan, and Lebanon

| | Total | Countries | | | |
|---|---|---|---|---|---|
| | | Palestine | Iraq | Jordan | Lebanon |
| Agree (%) | 46.9 | 46.3 | 35.9 | 52.5 | 52.8 |
| Neither agree nor disagree (%) | 25.5 | 23.9 | 31.8 | 21.2 | 24.9 |
| Disagree (%) | 25.0 | 27.6 | 28.7 | 25.7 | 18.4 |
| Don't know (%) | 2.6 | 2.2 | 3.7 | 0.6 | 3.8 |
| Number | 4,600 | 1,000 | 1,200 | 1,200 | 1,200 |

*Source* World Values Survey (2014). Selected samples: Iraq, 2013; Jordan, 2014; Lebanon, 2013; Palestine, 2013

**Table 3.19** "The role of a housewife is just as fulfilling as paid work": Palestine, Iraq, Jordan, and Lebanon

| | Total | Countries | | | |
|---|---|---|---|---|---|
| | | Palestine | Iraq | Jordan | Lebanon |
| Strongly agree (%) | 30.6 | 28.5 | 24.7 | 45.5 | 23.4 |
| Agree (%) | 39.3 | 37.1 | 49.5 | 36.8 | 33.4 |
| Disagree (%) | 21.2 | 26.6 | 18.6 | 14.0 | 26.4 |
| Strongly disagree (%) | 5.7 | 5.2 | 2.8 | 3.2 | 11.3 |
| Don't know (%) | 3.3 | 2.6 | 4.5 | 0.4 | 5.4 |
| Number | 4,600 | 1,000 | 1,200 | 1,200 | 1,200 |

*Source* World Values Survey (2014). Selected samples: Iraq, 2013; Jordan, 2014; Lebanon, 2013; Palestine, 2013

statement; the highest percentage of agreement was in Jordan (56.9%), while the highest percentage of disagreement was in Iraq (24.8%).

From the above, we can conclude that a maritally compatible wife is one who gets along with the husband's family, is religious, follows customs and traditions, remains a housewife, and does not have roles that conflict with her husband's, but agrees with him based on these accepted values. It also appears that failure to accept these roles may lead to conflict and violence in the family, as some surveys and studies also indicate.

### *3.4.1 Domestic Violence*

Violence in marriage is widespread in all societies, including Arab societies, to one degree or another. It takes many forms, including psychological violence (verbal abuse or insult), social violence (a ban on leaving the home, deprivation of work or

studies, or defamation), economic violence (deprivation of money, food, or material needs), physical violence (any harm to the body), and sexual violence. International and local institutions follow violence against women in general, and domestic violence in particular, with great interest. However, in light of the wars and conflicts rampant in the five countries, it is difficult to separate general violence from the domestic violence practiced within the family. This is because domestic violence is expected to rise as a result of the many forms of violence facing people and spouses in Palestine, Lebanon, Iraq, and Syria, as was clearly indicated in the Violence Survey in Palestine. This survey addressed the violence practiced by the Occupation, especially against men and children, as well as domestic violence, which is practiced against wives, or against children by the father or mother, or even against the elderly, and sometimes by the wife against the husband.

In the Violence Survey in Lebanon, women aged 15–49 were interviewed in order to identify cultural beliefs that might be associated with the prevalence of domestic violence by husbands against their wives. It was based on the assumption that women who believe that a husband has the right to hit his wife in certain situations are subjected to beatings by their husbands. The findings indicated that a percentage of women believe that a husband has the right to beat his wife if she (a) leaves the house without telling him; (b) neglects the children; (c) argues with him; (d) refuses to sleep with him; or (e) burns the food. According to the survey, the percentage of women aged 15–49 who believe a husband has the right to beat his wife for any of the aforementioned reasons can be used as an indicator to assess attitudes towards domestic violence. In Lebanon, 9.7% of women believe that a husband has the right to beat his wife, with the top justification being the wife neglecting the children (7.4%). The index varies greatly from one region to another: in northern Lebanon, a quarter of women believe that a husband has the right to beat his wife for any of the abovementioned reasons. The index also has a negative correlation with age (22.2% among girls aged 15–19 vs. 8.1% among women aged 41–45). The percentage also declines among educated women. In addition, it was found that younger wives are more likely to accept violence against them in marriage (Central Administration of Statistics & UNICEF, 2009, p. 66).

In Iraq, a large percentage of women said they accepted the violence practiced against them by their husbands. In an integrated survey of the social and health conditions of Iraqi women (Central Organization for Statistics, 2011b), 58% of the sampled women aged 15–49 said their husbands had the right to beat them once or multiple times for one of the said reasons. Of the respondents, 38.6% believed men and women have equal rights, while 55.1% believed there is discrimination in favor of men in terms of making decisions within the family and 59.4% in terms of acquiring property (Ministry of Planning & House of Wisdom, 2014, p. 65). It seems that women's acceptance of such values may have something to do with trying to avoid harsher forms of punishment should they rebel, especially in light of their limited options. In Iraq, especially in villages, early marriage under the age of 15 prevails, leaving girls no choice in light of a shortage of girls' schools (particularly post-primary education), which can also be too far away from their places of residence. There is also a shortage of job opportunities, in the event that they want to work.

In Jordan, women have a general culture of accepting violence by men, with 70% of women justifying a husband's violence against his wife if she (a) had a relationship with another man; (b) insulted him; (c) did not feed him; (d) neglected the children; or (e) burned the food (Department of Statistics & ICF International, 2013, p. 13). Moreover, one-third of married women said that they had been subjected to violence starting at the age of 15, while 13% said they had been subjected to violence in the past twelve months. It was also found that violence was practiced more against divorced, separated, or widowed women (57%) than against currently married women (33%). In addition, 10% of married women said they had experienced sexual violence, while 6% said they had experienced this type of violence in the twelve months prior to the survey (Department of Statistics & ICF International, 2013).

Of married women, 20% said they had suffered marital violence (whether physical or sexual) during their lifetime; 14% said they had been subjected to physical or sexual violence by their husbands in the twelve months prior to the survey; and 20% said they had experienced verbal violence from their husbands. Violence was found to be more prevalent against less educated women, those with only primary school education (36%), but it was less prevalent among wealthy women (17%). Meanwhile, 50% of women who suffered violence from their husbands did not seek help, nor did they tell anyone about what had happened. In addition, only four in every 10 women who were subjected to physical or sexual violence sought help (Department of Statistics & ICF International, 2013, p. 14).

In Syria, since the beginning of the Syrian crisis in March 2011, the human rights situation has deteriorated significantly. This prolonged crisis has had an escalating impact on the vulnerabilities of Syrian women and girls, creating increased and diverse risks for men, women, girls, and boys. The crisis has torn many families apart, wrecked communities, and destroyed schools and hospitals, all in light of weakened protection, security, and justice systems. It is widely recognized that gender-based violence against women and girls increases during conflict, including domestic and sexual violence, as well as sexual exploitation and child marriage. By December 2015, nearly 13.5 million Syrians needed aid, including five million women of childbearing age. Studies conducted by the United Nations Population Fund (UNFPA, 2013) found that nearly 50% of female survivors who had access to gender-based violence services in Jordan had suffered some form of domestic violence.

A report on Syrian refugee women in Jordan stated that 67% of women in Syria reported having been "punished" by their husbands, including 87% in the form of physical violence (UNFPA, 2016, p. 22).

In Palestine, many statistics and studies have tracked the phenomenon of violence in all its forms in Palestinian society, whether practiced in the public space against women, men, and children by the Israeli occupation authorities or in the family by the husband against the wife, or by parents against children, or against the elderly. Detailed data indicated that about half of Palestinian families were subjected to violence by the Occupation, while 37% of wives experienced some form of violence within marriage, mostly psychological violence (58.6%). In addition, 51% of children aged 12–17 experienced violence from the father or the mother, in similar proportions. The highest percentage was for psychological violence, at 69%. The

data also indicated that 7.3% of the elderly in the family are subjected to violence, mostly in the form of health neglect (17.1%). In addition, the survey found that 17% of husbands were subjected to violence by their wives, mostly in the form of psychological violence (35%) and physical violence (20%). The violence practiced against the wife or the husband also affects all family members, including children and even the elderly. Violence against the family, in society and in the public space, finds its way inside every family, as the data on Palestine indicate (Tables 3.20, 3.21 and 3.22).

It is worth noting here that one of the worst forms of violence is practiced against young wives aged 15–19, in which the marriage ends in divorce. According to data from the five countries, the highest rates of divorce are found in this age group, as mentioned previously.

The results of studies and surveys on marital compatibility and satisfaction, as well as on spousal relations, indicate that the marriage decision is primarily in the hands of the man and his family, rather than the woman. Thus, one of the key pillars of marital compatibility in the five countries is the husband's parents accepting and being satisfied with the wife, not his own satisfaction. Despite the high rates of nuclear families, this attitude is further strengthened by a deterioration in the living and security conditions of many families, forcing young couples to rely on their parents or resort to living within the confines of the extended family. The surveys also indicated that one of the most important elements of marital compatibility in the five countries has to do with the importance of family, religiosity, preservation of inherited customs and traditions, obedience to the husband, the preference for housewives as opposed to working women, and the limited acceptance of equal rights between men and women. In addition, men are more likely than women to believe in the right of a husband to abuse or discipline his wife if she fails to meet his demands, whether in terms of taking care of him or of the family and children. Meanwhile, intimate relations between spouses worsen amid wars and conflicts. According to a survey on masculinity in the Arab region, war and displacement affect marital relations. Both male and female Syrian refugees in Lebanon said that intimate relations have decreased dramatically due to the lack of privacy in places of residence, as several families are forced to live in one house or one tent, in addition to the stress and tension that refugees experience due to the general situation. Lebanese people, on the other hand, take the opposite approach. "Whoever wages war wants to kill our children. Therefore, through reproduction, we resist the desire of those who want to destroy us, by giving birth to more children," as women say (El Feki et al., 2017, p. 177).

A large percentage of women and men have accepted the importance of the working woman's contribution to family expenses. While a woman's work is considered important for her independence and self-confidence, it does not reflect an ability within the household to modify the dynamics of the spousal relationship and make it more equal and participatory in terms of family burdens and childcare. This was reflected in surveys that also covered how women spend their time, with long hours dedicated to housework. The situation becomes more complicated among young wives, especially in the 15–19 age group, where domestic violence and divorce

**Table 3.20** Statistics on violence in Palestine (percentages)

| Political violence by occupation forces and settlers | Palestinian territories | West Bank | Gaza Strip |
|---|---|---|---|
| Political violence against society | 5.2 | 8.1 | 0.1 |
| Political violence against family/individuals | 49.7 | 52.6 | 37.9 |
| Economic violence against family/individuals | 17.9 | 18.1 | 17.1 |
| *Women subjected to violence by their husbands* | | | |
| Subjected to violence | 37.0 | 29.9 | 51.0 |
| Psychological violence | 58.6 | 48.8 | 76.4 |
| Physical violence | 23.5 | 17.4 | 34.8 |
| Sexual violence | 11.8 | 10.2 | 14.9 |
| Social violence | 54.8 | 44.8 | 78.9 |
| Economic violence | 55.1 | 41.6 | 88.3 |
| *Children aged 12–17 subjected to violence by a parent* | | | |
| Subjected to violence | 51.0 | 45.8 | 59.4 |
| *By father* | | | |
| Psychological violence | 69.0 | 64.6 | 75.9 |
| Physical violence | 34.4 | 28.7 | 43.2 |
| *By mother* | | | |
| Psychological violence | 66.4 | 61.9 | 73.3 |
| Physical violence | 34.5 | 27.7 | 45.2 |
| *Elderly persons aged 65+ subjected to violence by a family member* | | | |
| Subjected to violence | 7.3 | 8.5 | 4.5 |
| Psychological abuse | 11.4 | 13.4 | 7.3 |
| Physical abuse | 2.8 | 3.1 | 2.2 |
| Health neglect | 17.1 | 20.9 | 8.6 |
| Economic abuse | 3.8 | 3.8 | 2.8 |
| Social abuse | 1.7 | 1.6 | 1.9 |
| *Women who said they abused their husbands* | | | |
| Husband abused by the wife | 17.0 | 13.3 | 24.2 |
| Physical violence | 20.3 | 13.4 | 32.9 |
| Psychological violence | 35.1 | 29.8 | 44.6 |
| Social violence | 4.5 | 3.6 | 6.1 |
| Economic violence | 4.9 | 4.4 | 6.1 |

*Source* Palestinian Central Bureau of Statistics (2018)

**Table 3.21** Percentage of previously married women in the Palestinian territories who were subjected to some form of violence by the husband in the past twelve months

| Percentage of previously married women who… | Palestinian Territories | |
|---|---|---|
| | 2010/2011 | 2005/2006 |
| …were subjected to violence by the husband at least once | 36.7 | 31.9 |
| …were subjected to psychological violence by the husband at least once | 58.6 | 61.7 |
| …were subjected to physical violence by the husband at least once | 22.4 | 23.3 |
| …were subjected to sexual violence by the husband at least once | 11.8 | 10.9 |
| …were subjected to social violence by the husband at least once | 54.9 | – |
| …were subjected to economic violence by the husband at least once | 55.1 | – |
| …were subjected to violence and sought guidance from a women's organization or center | 0.7 | 1.7 |
| …were subjected to violence and sought guidance over the phone from an organization | 0.4 | 3.0 |
| …were subjected to violence and left their house to stay with a sibling | 30.2 | 30.4 |
| …were subjected to violence and remained silent about the assault and did not report it | 65.3 | – |
| …were subjected to violence and sought treatment at a medical or health center | 3.2 | – |

**Table 3.22** Percentage of husbands in the Palestinian territories who were subjected to some form of violence by their wives, according to the wives, in the past twelve months

| Percentage of husbands | Palestinian Territories | |
|---|---|---|
| | 2010/2011 | 2005/2006 |
| Subjected to violence by their wives | 17.1 | – |
| Subjected to psychological violence by their wives | 35.1 | 25.6 |
| Subjected to physical violence by their wives | 20.2 | 4.2 |
| Subjected to social violence by their wives | 4.5 | – |
| Subjected to economic violence by their wives | 4.9 | – |

*Source* Palestinian Central Bureau of Statistics (2018)

cases are higher. This makes it difficult for them to remarry without making more concessions, especially in terms of the husband's age or prior marriage, and especially if they have low levels of education or no work, as is the case for most girls in this age group. When discussing domestic violence, it is important not to limit the discussion to violence against wives. Rather, it is important also to take into consideration violence against children, whether by the father or the mother, as well as violence against the rest of the family, especially the elderly.

### 3.5 Work and Marriage

The Arab region in general, and the five countries under consideration in particular, are characterized by low levels of women's employment compared to the rest of the world. Women's participation in the labor market is no higher than 23%, the lowest in the world, while the world rate stands at 50% (United Nations, 2015, p. 41). Despite some progress here and there, and increasing rates of women's education in general and higher education in particular, Arab countries have achieved only 3% growth in the employment of women since the signing of the Beijing Declaration in 1995, and they have not benefited from the human capacity of women in advancing their own development. This does not mean, of course, that Arab women do not work. Rather, they work in informal activities and are not counted in the national statistics. They also play a fundamental role in caring for children and family, work that is neither valued nor counted in national records.

Statistics in the five countries indicate that married women work more than unmarried women do. In Jordan, for example, 86.6% of married women work, compared to 66% of unmarried women. However, the rate is lower than for married men (95.8%). Meanwhile, women's participation in the economy stands at 13.1%. Women in the five countries, especially those who are married, tend to work in the government and public sectors, as well as the services sector (education and health), due to the short working day, and because work in these sectors is considered appropriate for women. As such, the majority of women in Lebanon, for example, work in the services sector.

In Palestine, women accounted for 19.4% of the workforce in 2017. In Lebanon the rate was 23%, and in Syria it was 23.1%. In Iraq, women accounted for 12.1% of paid work in non-agricultural sectors, according to the 2008 Employment and Unemployment Survey. The estimated figure for 1990 was 10.6%, meaning that it only increased by less than 2 percentage points in nearly 20 years.

Women's work in Iraq remains restricted to limited work in certain sectors, such as education, in which about 31% of employed women work. Women working in the public sector are granted one year of maternity leave with full pay in the first six months and half pay in the remaining six months, and with daycare services provided by some ministries. These benefits are greater than those stipulated in the international regulations on women's rights, and women working in the public sector are granted the same benefits as men (NCPP, 2011, p. 57). In Iraq, where about 54% of women are of working age, the 2008 survey of social and health conditions showed that 11% of women had paid work during the time of the survey, while 89% of them did not have paid work. In rural areas, 92% of women do not have paid work, compared to 87% in urban areas (Central Organization of Statistics, 2008). Working women in Iraq are concentrated in the government sector due to the prevailing social view that accepts women working in this sector, in order to feel safe and secure as a result of the legislation governing their work in state bodies, especially when it comes to women's work in education, health, and other areas. This is particularly true in large cities, compared to lower rates in the private sector, which is managed by individuals, leading to fears of women being subjected to sexual harassment or

not having guaranteed rights in terms of leave, social security, health insurance, and retirement. Thus, women make up no more than 3% of those working in the private sector, compared to 53% in the public sector (Ministry of Planning, 2013, p. 28). According to some reports, women get paid less than men for the same kind of work, especially in the private sector.

Working in the government services sector in Iraq has become the aspiration of young girls aged 10–14, with 64.1% of them indicating their desire to work in the education and health sectors, while 19.5% said they wanted to be housewives. This wish seems to be related to the view of society in general, and men in particular, as to what constitutes the most appropriate work for women in Arab societies, which is then reflected in the women's view of their own roles. In the first survey conducted by UN Women and other international organizations on what men think about women's work and the appropriate roles for them in the family, the views expressed were shocking. More than 75% of men said the most important role for women is caring for the family, a view shared by 50% of women. As for work, the vast majority of men in Palestine—where jobs are scarce for both men and women—said that in the event of a scarcity of job opportunities, men should be prioritized over women. Meanwhile, 83% of male respondents believed that men should have priority over women in obtaining job opportunities if they are scarce, while 70% of female respondents shared that opinion. This shows that both men and women believe men take priority over women when it comes to work. In Lebanon the percentage was lower, with 57% of men and 31% of women sharing this view. Meanwhile, in Palestine 40% of men believe that sons should take priority over daughters for education if resources are scarce, compared to 18% of women. In Lebanon the percentages were 32% of men and 12% of women. Furthermore, 52% of men in Palestine and 79% in Lebanon noted the right of married women to work outside the home, just like their husbands, compared to 73% of women in Palestine and 86% in Lebanon, indicating that women are more likely than men to support the work of married women.

### *3.5.1 Division of Household Labor*

According to many studies, women's work helps them achieve independence and increase their options. However, a survey on masculinity noted some possibly contradictory attitudes, with 81% of men and 92% of women in Palestine and 88% of men and 93% of women in Lebanon saying that working women should contribute to family expenses. It is also clear that the majority of people do not think women's work affects the division of household labor so that husbands participate more. Table 3.23 shows that the vast majority of women take care of the family inside the home, while men perform tasks outside the home, such as paying bills, supervising spending, or buying groceries. Meanwhile, women do the laundry, cook, clean, and care for the children. In Palestine, 17% of men—compared to 96% of women—said they do the laundry (among the Lebanese and Syrians it was 26% of men and 95% of women), while 70% of men—compared to 57% of women—do home repairs (among

the Lebanese and Syrians it was 88% of men and 67% of women). Moreover, 82% of men in Palestine—compared to 67% of women—said they buy groceries (for Lebanese and Syrians it was 82% of men and 96% of women), while 27% of men—compared to 96% of women—cook the food (for Lebanese and Syrians it was 64% of men and 97% of women).

It was abundantly clear that women took care of cleaning the house, with 17% of men and 95% of women saying they clean the kitchen or the living room (the percentage was similar among the Lebanese and Syrians, at 21% of men and 95% of women). When it came to cleaning the bathroom, 39% of men in Palestine—compared to 96% of women—said they took care of that (for Lebanese and Syrians it was 12% of men and 93% of women). Table 3.23 also shows that men are more likely than women to control the household budget, with 89% of men in Palestine and 78% of women saying they control the weekly budget (among the Lebanese and Syrians it was 96% of men and 89% of women). In addition, 89% of men and 36% of women said they pay the monthly bills (for Lebanese and Syrians it was 97% of men and 79% of women) (El Feki et al., 2017, p. 168).

As for the division of childrearing duties, women have said that more than 90% of their time is spent with the children, whether in caring for them or in teaching, disciplining, or playing with them. Meanwhile, men participated more in duties outside the home, such as taking the children to school or playing with them (El Feki et al. 2017, p. 236). If we take into account the relatively large size of today's families in the five countries, we can see that married women allocate most of their time to taking care of the children and the house. In Lebanon, for example, the average size of a Lebanese family was 4.23 in 2007, down from 4.27 in 2004. In Palestine, the average family size was 5.2 in 2015, down from 6.1 in 2000. In Syria, the average family size is five members (4.7 in urban areas, compared to 5.4 in rural areas) (Central Bureau of Statistics, 2011, pp. 13–14). Meanwhile, Iraqis have large

**Table 3.23** Division of household labor in Palestine: percentage of married people taking part in housework in the past month

| Household chore | Male | Female |
|---|---|---|
| Laundry (%) | 17 | 96 |
| Home repairs (%) | 70 | 57 |
| Buying groceries (%) | 82 | 67 |
| Cooking (%) | 27 | 96 |
| Cleaning the kitchen or living room (%) | 17 | 95 |
| Cleaning the bathroom (%) | 39 | 96 |
| Controlling the weekly budget (%) | 89 | 78 |
| Paying the bills (%) | 89 | 36 |
| Participating in chores commonly associated with women (%) | 89 | 39 |
| Total number | 725 | 830 |

*Source* El Feki et al. (2017, p. 168)

families with an average of 6.7 members (7.8 in rural areas, compared to 6.3 in urban areas) (Ministry of Planning, 2013, p. 60). Marriage adds enormous burdens to working women, which may explain why women prefer to work shorter shifts, as in the public sector and services that do not require a long working day, which would otherwise affect their roles in caring for the family and children. This also explains the difficulty of competing for higher positions at work or in political and social work in general.

In terms of decision-making, the Ministry of Planning survey indicated that most decisions—such as using birth control, spending on food or large investments, deciding how to spend free time, or leaving the house—are made by the husband (56% by the husband, 41% by the husband and wife together, and 3% by the wife). As for deciding how to spend free time or time with family and friends, 68% said that the decision is in the hands of the husband, 31% said the spouses decide together, and 1% said the wife decides. When it comes to spending money on large investments, 65% said the husband decides, 32% said the spouses decide together, and 1% said the wife decides. Regarding spending money on clothes and food, the majority said the husband decides (55 and 63%), followed by the spouses together (35 and 33%), and the wife (8 and 3%). In Iraq, where the father's role is central, we can see that fathers make major decisions for the family (41%), while mothers only make decisions in 6.2% of cases, with joint decisions between spouses accounting for 14.7%. Meanwhile, other family members (extended family) also take part in the decision-making (35.9%) (Ministry of Planning, 2013, p. 60). Furthermore, women's participation in decision-making tends to be low even in cities, which are considered more open than the countryside. This is due to the ruralization of cities, societal changes towards greater conservatism, and the worsening of male chauvinism as a result of war and internal conflict, as well as the loss of security (Ministry of Planning, 2013, p. 62). The situation is different only if the wife works while the husband is unemployed. Only then does the wife have a larger role in decision-making. As such, work that requires travel or long hours in order to receive training opportunities, for example, will be more difficult for married women, not to mention the freedom to spend the money they earn.

The conditions of war, insecurity, and general instability affect nuclear families, which constitute the majority of families in the five countries, forcing them to resort to the larger extended family or clan. In light of the absence or weakness of formal social protection systems, and due to the weak performance of central and local governments in maintaining security and providing protection for citizens, as well as individual needs for the family to mediate in resolving disputes or for financial dependence, the percentage of Iraqi youths aged 15–29 who completely rely on their families for their livelihood stands at 65.3% (Ministry of Planning, 2013, p. 61). This leads to an increase in domestic burdens on women at home, as well as more interference in decision-making. This means that the less they depend on the family, the greater their independence and self-confidence.

The masculinity survey also indicated that the redistribution of roles within the household in both Lebanon and Palestine is more affected by the upbringing of children than it is by women's work in itself. Husbands who, as children, saw their

own fathers perform household chores were more willing to assume the same roles upon marriage, if they were among the more educated and wealthy husbands.

The findings of the Workforce Survey in Palestine indicated that the main reason for women remaining outside the workforce is being busy with housework (51.3%), busy with studies (19.8%), or old age/illness (16.2%) (Palestinian Central Bureau of Statistics, 1996). A later survey found that between 2000 and 2013 women spent an increasing amount of time working outside the home, whether in institutional settings or in primary sector activities or to bring in extra income. At the same time, they spent more time on household duties such as housework or caring for family members, thus reducing the time they could spend on volunteer work or community service.

The participation of women in the labor market is the lowest in the world, for structural reasons, as indicated at the beginning of this section. This is due to the limited capacity of governments to generate job opportunities, especially for young people of marriage age. And because of the lack of job opportunities, the pressure on society's acceptance of women's work increases greatly, as the vast majority of men and a large number of women still believe that, in the event of a scarcity of work opportunities, preference should be given to men. The division of family roles between women and men still leaves working women with the burden of housework and taking care of the children and the family, which places huge additional burdens on working women inside and outside the home. In the five countries, the prevailing division of work does not allow the promotion of women to higher jobs that require more time, effort, and training, and the vast majority of working women prefer to work in the public sector due to the short working day, especially in services such as education and health, which are considered an extension of women's work in caring for the family and the home. The conditions of war and general insecurity have forced many young families to live within the confines of the extended family or the clan seeking protection and to save on scarce resources, which reduces the possibilities of independence for the wife in decision-making and self-reliance.

From the socio-economic context in the five countries, it is clear that married women are turning to the labor market in an offputting and hostile environment, whether in terms of social factors that limit the sectors and times in which married women can work, or in terms of economic indicators that discriminate against women in rights and privileges. All of this renders women's work ineffective from an economic point of view, and poses a social risk, which may lead women to decide to stay at home and not participate in the labor market.

## 3.6 Migration and Marriage

Iraq, Lebanon, Syria, and Palestine have witnessed large waves of emigration as a result of wars and conflicts. Several ethnographic studies on unmarried women have noted the effect of migration and displacement on their unwillingness to marry, whether for fear of becoming widows or because of financial inability to start a

new family in volatile and insecure conditions. This section reviews the volume of migration from these countries and its potential effects on marriage.

In Lebanon, the 2006 war and growing insecurity led to a rise in people considering emigration for the whole family, with the number of individuals and families wishing to emigrate doubling after the war. In Beirut, only 7% of families had one or more member wishing to emigrate before the war, rising to 14.6% after the war (up by 7.6 percentage points). The next highest increase was in Dahieh, where rates rose from 14.7% pre-war to 22% post-war (up 7.3% percentage points). The data also indicate that the percentage of whole families who wished to emigrate rose in Beirut from 7% pre-war to 16.4% post-war (up by 9.4 points); in Mount Lebanon the figure almost doubled, from 6.9 to 12.7%. Families who actually began taking steps to emigrate made up 35.5%. According to the 2007 population census, families wishing to emigrate were headed by younger, more educated people with higher incomes than families who did not wish to emigrate (Central Administration of Statistics, 2007, p. 40).

When looking at emigrants from Lebanon seeking work and study, it is observed that the largest percentage appears in the 25–29 age group (28.1%), followed by the 20–24 age group (27.5%), which corresponds to the decline in the male to female ratio in the population pyramid. It is also noted that due to war conditions large percentages of people are living in emergency or temporary accommodation, which reinforces the sense of insecurity and instability and affects marriage rates as well, especially among younger age groups.

As for Iraqi emigrants, the countries receiving them do not provide accurate figures for the number of refugees. International organizations dealing with refugees record approximate numbers of Iraqi refugees, but none of them has conducted an accurate count. The United Nations High Commissioner for Refugees estimated the number of Iraqi refugees at 1.6 million on October 13, 2006, 1.8 million by November 3 of that year, and up to two million by the beginning of 2007. Regardless of the accuracy of these figures, the clear increase in the estimates (of up to 200,000 refugees per month) largely reflects the seriousness of the situation at the time. By the beginning of 2008, the number of Iraqi refugees was estimated at one million in Jordan and 1.5 million in Syria, although neither country issued official data on the number of Iraqis in its territory. Meanwhile, unofficial statements speak of the return of more than half a million emigrants to Iraq as of late 2010 (NCPP, 2011, pp. 24–26).

In Palestine, the recurrent wars on the Gaza Strip (2008–2009 war, and 2014 war), and the systematic targeting of civilians in between, increased the desire to emigrate, especially among young people. The percentage of families with at least one member wishing to emigrate rose from 24%, during the period from the 2009 aggression to just before the 2014 aggression, to 29% after the 2014 aggression (Palestinian Central Bureau of Statistics, 2015a, p. 15).

The migration of many young men, especially to Europe, has caused problems in terms of finding a suitable wife. Without their mothers' or sisters' role in helping to find a wife, young emigrants became responsible for the task. However, in new work situations and with a desire to settle down, young men rarely have the time or opportunity to find a suitable wife. In a report on youths emigrating from Syria to

Europe, finding a suitable wife is highlighted as a challenge, as many young men refuse to marry a foreigner who does not know their language or culture and follows a different religion, thus making it difficult for her to integrate into Syrian society after the end of the crisis. As emigrants are distributed across different cities in countries of asylum, it is hard for them to find their own communities in the diaspora, and thus it becomes hard to find a wife. Some Syrian youths from Hasakah, Raqqa, and other war-torn Syrian cities note that the families of some Syrian girls, in Germany, for example, would ask for exorbitant dowries of up to 10,000 or 5,000 euros in cash, along with gold, which is a heavy burden for new emigrants with temporary residence permits or in the process of settling down.

Some have found a solution in creating Facebook pages that, as their administrators put it, aim to "bring two people together in a *halal* way," thus helping refugees in Europe find their other half. The group becomes all the more effective once young men living alone in Europe, far from the mothers and sisters who used to take on that role in their own countries, give up hope. Among the young emigrants have emerged "electronic matchmaking" groups, a service to supervise marriage requests in France and Belgium, while others follow up on requests coming from other countries and work on connecting young men and women who want to get married (Al Hakkar, 2018).

Waves of war and conflict in Iraq, Syria, Lebanon, and Palestine have led to the displacement of millions of people. This reality surrounding individuals and families has caused the migration of increasing numbers of young people, whether temporarily or permanently, and disrupted the population pyramid, especially in Lebanon. Displacement and migration, as discussed in the section on underage marriage, have activated traditional forms of control over women, leading to an increase in underage marriage rates in refugee camps. A large percentage of migrants are young people who are looking for work amid limited opportunities, while struggling with low wages, as in Lebanon, Palestine, Iraq, Jordan, and Syria. Therefore, it is important to: target the youth segment, especially those with high levels of education, with active and renewable employment programs, in order to accommodate this trained human capacity; and activate online programs to connect migrant youths with their home countries, particularly in terms of facilitating marriage from there.

## 3.7 Marriage During Conflict and War

Iraq, Lebanon, Syria, and Palestine have witnessed large waves of internal displacement, which included large numbers of families and individuals, due to war and conflict causing the loss of permanent homes and a general sense of insecurity and instability, not to mention the psychological and material pain that has affected huge numbers of the population. Table 3.24 demonstrates the displacement in Lebanon during the 2006 war, indicating that more than a third of the population had to leave their homes in search of somewhere safer to live.

**Table 3.24** Residents leaving primary homes during the war

| Left primary home? | Percentage (%) | Number |
|---|---|---|
| No | 65.0 | 2,445,064 |
| Yes | 34.2 | 1,284,139 |
| Did not live with family during the war | 0.8 | 29,932 |
| Total | 100.0 | 3,759,136 |

*Source* Central Administration of Statistics (2007, p. 144)

Not everyone shared the same displacement pains. In Lebanon, one-third of the population had to leave the capital, Beirut. In some areas, nearly 90% of residents had to leave, causing a major disruption of all services, whether transportation, schools, hospitals, or housing, not to mention the psychological and health repercussions. Table 3.25 demonstrates the huge scale of displacement in some Lebanese regions during the 2006 war. The data indicate that 34.2% of the population left their primary homes, and up to 88.6% in some areas (Dahieh), with the percentage reaching 80.8% in the most affected areas of southern Lebanon.

Table 3.26 shows the percentages of families who had to share homes with relatives or friends, as well as families who had to stay in public areas such as parks, public institutions, mosques, churches, or schools. Naturally, in such circumstances, families or individuals who lose their primary homes do not even consider marrying their children off, or getting married themselves.

In Syria, a recent report on displacement estimated the number of internally displaced persons (IDPs) at 6.5 million in 2015, making up nearly one-third of an estimated population of 22 million (ESCWA & University of St. Andrews, 2016, p. 26). Of the displaced people, 1.7 million lived in camps, while 360,000 lived in

**Table 3.25** Percentage of residents leaving primary homes during the war, by region

| Left primary home? | | | | |
|---|---|---|---|---|
| Region | No (%) | Yes (%) | Did not live with family during the war (%) | Total (%) |
| Beirut | 68.3 | 30.3 | 1.4 | 100 |
| Mount Lebanon | 77.8 | 21.6 | 0.6 | 100 |
| Dahieh | 10.2 | 88.6 | 1.2 | 100 |
| Northern Lebanon | 96.1 | 3.4 | 0.5 | 100 |
| Beqaa | 79.0 | 20.5 | 0.6 | 100 |
| Less affected South (Saida, Jezzine, Hasbaya) | 64.0 | 34.6 | 1.4 | 100 |
| Most affected South (Nabatieh, Tyre, Bint Jbeil, Marjayoun) | 18.4 | 80.8 | 0.8 | 100 |
| All Lebanon | 65.0 | 34.2 | 0.8 | 100 |

*Source* Central Administration of Statistics (2007, p. 145)

**Table 3.26** Residents leaving primary homes during the war, by type of residence to which they moved

| Type of residence | Percentage (%) | Number |
|---|---|---|
| Secondary home of family or individual | 8.4 | 108,019 |
| Home of children, parents, or relatives | 30.0 | 385,394 |
| Home of friends or others | 14.5 | 185,733 |
| Rented home | 16.2 | 208,104 |
| Hotel | 0.7 | 8,485 |
| School | 11.4 | 145,876 |
| Public area (park, …) | 0.5 | 6,481 |
| Religious establishment (monastery, church, mosque, …) | 0.6 | 7,847 |
| Other | 1.1 | 14,547 |
| N/A | 16.6 | 213,275 |
| No answer | 0.0 | 379 |

*Source* Central Administration of Statistics (2007, p. 147)

places under siege, meaning they did not receive basic life necessities, nor did they receive health or education services (ESCWA & University of St. Andrews, 2016, p. 26).

The number of Syrians in neighboring countries (Turkey, Lebanon, Iraq, Jordan, Egypt) was estimated to be more than 6 million, including nearly 5 million officially registered (ESCWA & University of St. Andrews, 2016, p. 27).

The Syrian population was largely exposed to poverty: in 2013, 68% of the population said their main source of income was a monthly salary or retirement pension, dropping to 58% in 2015 following the closure of many labor-intensive establishments (ESCWA & University of St. Andrews, 2016, p. 28). Meanwhile, 33.7% of families depended on self-employment as a source of income in 2015, up from 26% in 2013. Families who depend on self-employment usually resort to employing children or marrying girls off at a young age to get rid of the financial burden they represent, especially with increasing poverty rates. With the decline in the purchasing power of the local currency and the dependence of many families on aid or self-employment, many families have had to resort to various coping strategies to meet their basic needs. It was found that one in three families resort to borrowing money from relatives or friends to cover their needs for food, housing, health, and education. Moreover, 17% of families have had to sell one or more durable goods to meet their food needs. Even worse, 10% of families have had to sell productive goods (a sewing machine, irrigation equipment, livestock, car, or bicycle) that were used to generate income for them in order to buy food (ESCWA & University of St. Andrews, 2016, pp. 27–28).

The decline in income is due to structural changes in the labor market. A large number of young people over the age of 18 have been forced to join up to do military service, while others have lost their jobs in the labor market. An estimated 2.1 million jobs (actual or estimated) were lost between 2010 and 2015, with unemployment rates

reaching 55% in 2015. Youth unemployment increased dramatically from 69% in 2013 to 78% in 2015 (ESCWA & University of St. Andrews, 2016, pp. 28–29). By the end of 2015, the number of Syrians dependent on humanitarian aid for their livelihood was estimated at 13.5 million (3.8 million men, 3.7 million women, and 6 million children). Meanwhile, the number of people in need of drinking water, sanitation, and waste disposal was estimated at 12.1 million.

The education sector was also badly affected, with the rate of enrollment in education dropping from 95% before the crisis in Syria to less than 75%, and the rate of enrollment in primary education dropping from 98.2% in 2010 to 61.5% in 2015 (ESCWA & University of St. Andrews, 2016, p. 31).

In 2015, 27% of schools suffered from a shortage of teachers, compared to 0.3% in 2010, and 5,800 schools were decommissioned in 2015 (26% of all schools), either due to their having been destroyed or because of IDPs living in them (more than 600 schools). This disastrous situation led to many children being deprived of education for several years, as the number of school-age children who were not enrolled in school was estimated at two million, with 446,000 children at risk of dropping out of school. Among the displaced children were 713,000 (53%) of school age who were not enrolled in school, which means an entire generation of children were growing up without education. Meanwhile, the literacy rate in Syria dropped from 94.9% in 2010 to 91.2% in 2015, with nearly 360,000 illiterate children emerging across the country.

It is also noted that the education rate among females is higher than that among males, as the latter need to work if the head of the family is absent or joins up for military service. In addition, a large number of university-age youths have had to join the fighting or leave the country (ESCWA & University of St. Andrews, 2016, p. 30).

The deterioration of health conditions led to an increase in the death rate among the population from 3.7 per thousand in 2010–10.9 per thousand in 2015 (almost triple). In some of the governorates most affected by the conflict, such as Aleppo, Daraa, and Deir El Zur, as well as the Damascus suburbs, the rate reached 12.4 per thousand. Moreover, the rate of maternal mortality during childbirth increased from 56 per 100,000 births in 2010 to 63.9 in 2015. Meanwhile, the death rate of children under five also increased, from 21.4 per thousand in 2010 to 25.9 per thousand in 2015. The same applied to newborns, whose death rate increased in the same period from 17.9 to 23.7 per thousand (ESCWA & University of St. Andrews, 2016, p. 32).

Before the crisis, the vaccination rate for children was 100%, but it declined to 75.2% at the national level and even lower in some places, like Aleppo (32.9%) and Hasakah (66.8%). This resulted in the re-emergence of diseases that had disappeared from Syria, such as tuberculosis, measles, and polio (ESCWA & University of St. Andrews, 2016, p. 33). Securing adequate housing (with electricity, water, and sanitation) became very difficult for the population in general and for young people of marriage age in particular. The deterioration of conditions in Syria has either left youths reluctant to get married, due to military service, fighting, or emigration, or increased rates of early marriage, as mentioned earlier, due to rising levels of poverty in the population.

According to a bulletin of the Ministry of Displacement and Migration in Iraq, issued by the Information Department on 21 November 2007, the number of people displaced internally from February 2006 to November 2007 came to 999,772 individual members of 163,574 families, 36% of whom were concentrated in the capital, Baghdad. 62.8% of IDPs are settled outside their original governorates, while nearly 36.6% are settled in their own governorates. These figures confirm the predictions of the International Organization for Migration (IOM) on 7 January 2007, relating to an assessment of the needs of IDPs.

As for the distribution of displaced families by place of residence, the largest percentage of them (36%) is found in Baghdad. Since the numbers of externally displaced people far exceed the numbers of internally displaced people (almost double), Baghdad has witnessed the displacement of at least 12–15% of its population (Central Organization for Statistics, 2008).Other reports on the number of people displaced to Kurdistan show similar contradictions. An International Medical Corps (IMC) report indicates that 3,800 families were displaced to Duhok, while the IOM report put the number at 7,000 families, and also quoted the International Program for Relief and Development as saying that 7,502 Christian families had fled to Duhok Governorate. A similar discrepancy was seen in the numbers of people displaced to Karbala, varying between 2,075 and 8,350 families.

In Iraq as a whole, 7.2% of the population relocated from their place of residence (6.6% of males and 7.9% of females). In Syria, the 2016 Human Development Report estimated the number of IDPs at 7,600,000 (UNDP, 2016).

In Palestine, the Gaza Strip has suffered from several wars that targeted the civilian population, both in 2008–2009 and in 2014, leading to the displacement of 59% of individuals, with 78% of people leaving their primary places of residence. A large number of people have also had to change their place of residence more than once.

Displacement, especially given the terrible extent of devastation inflicted on all aspects of life for individuals and families, has led to the dispersal and disintegration of many families. Many people were forced to leave their primary homes due to insecurity or denial of basic infrastructure services, such as clean drinking water and electricity, as well as public services such as education, healthcare, and transportation. The primary concern for families became the search for safety and how to protect themselves, which greatly affected marriage as a result of instability, the draining of family savings in search of shelter, managing daily livelihoods, and the loss of privacy as many families were forced to live in public places. Many families have even had to live together in a single house or tent. In light of these conditions, it is important for the authorities in the five countries to respond quickly to the needs of people who have been displaced or forced to migrate by providing swift, albeit temporary, services. They must provide shelter, healthcare, home repairs, precautions against epidemic diseases, and everything necessary to secure the needs of displaced families.

## 3.8 Conclusion

As mentioned in the analysis, the five countries have witnessed changes to the structure and forms of marriage, as well as the dynamics of the relationship between spouses, that require policies and informed interventions to be designed to ward off the risks of wars and conflicts and the imbalances they cause. The following set of recommendations is therefore intended to contribute to strengthening the institution of marriage in the Mashreq countries:

- Study the needs of different segments of the population, especially underage girls in the 15–17 age group who are at risk of early marriage, and work to fulfill them; also conduct in-depth studies on male and female celibates to identify their needs and lifestyles in light of societal rejection of extramarital relations.
- Develop general surveys, especially on time-use for all family members, including the husband, wife, and children, in order to know how they spend their time, and to know the extent of pressures faced by individuals in their daily lives; adjust the collection and renewal of data and statistics on an ongoing basis to know the impact of changes in the structure and forms of marriage on families and individuals and on gender relations within families; carry out more detailed and in-depth studies on neglected segments in Arab societies, such as unmarried, widowed, and divorced women, whose problems were not addressed in detail in this chapter.
- Adopt policies and programs that respond quickly to the needs of groups who have been displaced or forced to migrate by providing swift, albeit temporary, services of shelter, healthcare, home repairs, precautions against epidemic diseases, and everything necessary to secure the needs of displaced families, including food, education, and health; support young people who are about to get married, either with affordable housing or by providing some form of support to reduce their marriage costs.
- Support housing policies and programs for young people in general; work to meet the special needs of unmarried women in particular, including adopting a package of policies aimed at empowering them and extending the social protection available to them, such as developing legislation to increase their financial security, and providing productive projects and soft loans for unmarried, undereducated, or rural women (because they are more likely to be marginalized and have a deeper sense of isolation); provide training and capacity building programs to enable them to become self-reliant; raise community awareness of the needs of this segment, and highlight the many success stories of unmarried women.
- Target school students to raise public health awareness of the dangers of early marriage for underage girls and their children, while also supporting poverty-stricken areas and groups in which this form of marriage is widespread (villages, camps, and some poor neighborhoods) and providing opportunities for underage married girls to return to the classroom.

- Work to set a standard legal age of marriage for both genders at the age of majority without leaving any loopholes, while also tightening enforcement of the law; and monitor the forms of marriage that have spread amid crises and wars and study their effects on women and children due to the lack of legal safeguards.
- It is imperative that states and stakeholders provide affected groups with what they need to continue building homes, and restore infrastructure to support affected families and individuals.

## References

Al Alawi, W. A. M. (2008). *The issue of delayed marriage age among Iraqi women: A field study in Baghdad Governorate 2003–2007.* Unpublished master's dissertation, University of Baghdad, Department of Sociology (in Arabic).

Al Amin, D. (2013, February 5). Khatifa as an escape from marriage costs. *Al-Akhbar*, 1923 (in Arabic).

Al Daheri, S. H. (2008). *The fundamentals of marital and family counseling*. Dar Safaa (in Arabic).

Al Ezzawi, A. (2008). *The clans of Iraq*. https://goo.gl/JEyMTM (in Arabic).

Al Hakkar, F. (2018, March 3). Young refugees and the dilemma of Halal marriage in Europe. *Al-Akhbar.* http://www.al-akhbar.com/node/291728 (in Arabic).

Al Hassanat, A. (2009, February 10). *Urfi marriage.* Dar Al Iftaa in the Hashemite Kingdom of Jordan. Retrieved February 24, 2018, from https://goo.gl/8LGvXX (in Arabic).

Al Jabouri, H. A. A. (1998). *The link between polygamy and procreation: A comparative analysis between rural and urban areas in Al-Qadisiyah Governorate.* Unpublished master's dissertation, University of Baghdad, College of Arts (in Arabic).

Al Jibali, A. (2017, June 20). In Iraq, one divorce case every 10 minutes! *Kitabat.* https://goo.gl/Yp5JD4 (in Arabic).

Al Johari, M., Al Husseini, A., & Ali, M. (1980). *Fields of sociology*. Dar Al Maaref (in Arabic).

Al Moussawi, N. O. (2015, June 9). The legal position on clan customs: The phenomenon of settlement or forced marriage as an example. *Al Hewar Al Motamaden*, 4832. https://goo.gl/ieCZHc (in Arabic).

Al Naqeeb, K. H. (1991). *The authoritarian state in the contemporary Arab Mashreq: A comparative structural study*. Centre for Arab Unity Studies (in Arabic).

Al Qassas, M. (2016). The pathological repercussions of consanguineous marriage. *Al Ameed, 5*(19), 292–293 (in Arabic).

Al Sa'ayda, T. (2014, June 2). Girls' marriage age rises in Jordan. *Al Ghad*. https://shorturl.at/cexHM (in Arabic).

Al Saedi, M. (2011, December 24). What lies behind underage girl marriage? *Deutsche Welle.* https://goo.gl/RU9BZT (in Arabic).

Al Shawabkeh, M. (Supervisor). (2013, September 24). Undocumented "barrani" (external) marriage contracts for Syrian refugees. *Arij Network.* https://shorturl.at/ckmnC

Al Wazzan, S. (2008, July 29). *Muta'a* ("pleasure") marriage: Sectarian sensitivities prevent media coverage. *Niqash.* https://goo.gl/oYimXy (in Arabic).

Al Zayoud, B. (2010, June 1). *Urfi* marriage in Jordan, surprising facts: 2138 cases without contracts, Interior Ministry allows marriage of Christian woman to Muslim man, and Druze woman to Arab man. *Ain News.* Retrieved February 24, 2018, from https://goo.gl/pBr2p9 (in Arabic).

Ali, B. H. (2012). *Causes and effects of polygamy: Field study in Sadr City.* Unpublished master's dissertation, University of Baghdad, College of Arts (in Arabic).

Ali, H. (2008). *Psychological exhaustion and its relationship to marital compatibility and some demographic variables among a sample of teachers of special groups in Minya Governorate.* Unpublished master's dissertation, Minia University, Faculty of Education (in Arabic).

American Bar Association. (2006). *The status of women in Iraq: Update to the assessment of Iraq's de jure and de facto compliance with international legal standards.*

Attiyah, A. (1992). *Society, religion, and tradition.* Jarrous Press (in Arabic).

Auda, Y. K. (2005). *Structural change in Sadr City.* Unpublished master's dissertation, University of Baghdad, Department of Sociology (in Arabic).

Barakat, M. (1998, June 19). The *misyar* storm. *Al Watan Al Arab*, 1111 (in Arabic).

Central Administration of Statistics & UNICEF. (2009). *Multiple indicator cluster survey* (in Arabic).

Central Bureau of Statistics. (2004). *Syria's general population and housing census 2004* (in Arabic).

Central Bureau of Statistics. (2011). *Family health survey: Damascus* (in Arabic).

Central Organization for Statistics. (2008). *Survey of the social and health conditions of the family.* Ministry of Planning in Iraq (in Arabic).

Central Organization for Statistics. (2011a). *Family health survey*. Ministry of Planning in Iraq (in Arabic).

Central Organization for Statistics. (2011b). *Integrated survey of the social and health conditions of Iraqi women 2011: Detailed report*. Ministry of Planning in Iraq (in Arabic).

Central Organization for Statistics and Information Technology in Kurdistan Region. (2007). *Multiple indicator cluster survey in Iraq 2006. Annex A: Final report, October 2007* (in Arabic).

Cetorelli, V., & Leone, T. (2012). Is fertility stalling in Jordan? *Demographic Research, 26,* Article 13, 293–318. Department of Statistics. (2015). *General population and housing census 2015: Marital status* (in Arabic).

Department of Statistics. (2017). *Demographic statistics* (in Arabic).

Department of Statistics. (2018a). *Unemployed Jordanians aged 15+ according to sex, level of education, and year*. https://goo.gl/LbHyFA (in Arabic).

Department of Statistics. (2018b). *Estimated population in 2017 and selected data.* https://goo.gl/9BGGGV (in Arabic).

Department of Statistics. (2018c). *Jordan's estimated population according to sex, age group, and gender ratio.* https://goo.gl/vBkR6k (in Arabic).

Department of Statistics [Jordan] & ICF International. (2013). *Jordan population and family health survey 2012.* Department of Statistics and ICF International.

El Feki, S., Heilman, B., & Barker, G. (Eds.). (2017). *Understanding masculinities: Results from the International Men and Gender Equality Survey (IMAGES)—Middle East and North Africa.* UN Women and Promundo-US.

ESCWA & University of St. Andrews. (2016). *Syria at war: Five years on.* United Nations House.

Fernea, E. (1989). *Guests of the Sheikh: An ethnography of an Iraqi village.* Anchor Books.

First National Conference on Population. (2001). *The demographic distribution of the population* (Damascus) (in Arabic).

Gerasa. (2009, December 21). Marriage age increases and spinsterhood emerges in Jordan due to economic conditions. *Gerasa News Agency.* https://goo.gl/pbmmhp (in Arabic).

Hakwik, N. T. (2010). *Online marriage.* Unpublished master's dissertation in social sciences, Lebanese University, Doctoral School of Literature, Humanities & Social Sciences (in Arabic).

Hamamy, H., Jamhawi, L., Al-Darawsheh, J., & Ajlouni, K. (2005). Consanguineous marriages in Jordan: Why is the rate changing with time? *Clinical Genetics, 67*, 511–516.

Hamza, K. M. (2012). *Girls' early marriage: A social study in Iraq*. Leadership Institute for Women (in Arabic).

Hassan, M. (1981). *Families and their issues.* Dar Al Nahda (in Arabic).

Hassoun, A. J. (2008). *The socioeconomic effects of women's celibacy in Iraq.* Central Organization for Statistics, Ministry of Planning in Iraq (in Arabic).

Hatem, M. F. (2000). The pitfalls of the national discourses on citizenship in Egypt. In S. Joseph (Ed.), *Gender and citizenship in the Middle East.* Syracuse University Press.

Higher Population Council. (2017). *Study on underage girl marriage in Jordan* (in Arabic).

Humaya, R. (2009, September 29). Khatifa phenomenon escalates in Beqaa. *Al-Akhbar,* 933 (in Arabic).

Iraqi Al-Amal Association. (2012). *Shedding light on women's issues in Iraq* (in Arabic).

Istanbuli, A. (1985). *A guide to the Personal Status Law* (1st ed.). Al Assad National Library, Ministry of Justice Correspondence (in Arabic).

Jabbar, A. (2014, November 17). Mixed marriages despite sectarian strife in Iraq. *Al Araby Al Jadeed*. https://goo.gl/PXhjPr (in Arabic).

Jad, I. (2009). The politics of group weddings in Palestine: Political and gender tension. *Journal of Middle East Women's Studies, 5*(3) Fall 2009, 36–53.

Jarallah, Y. (2008). *Marriage patterns in Palestine.* Population Reference Bureau.

Johnson, P. (2007). Palestinian single women: Agency, choice, responsibility. *Review of Women's Studies, 4*(2007), 47–64.

Juni, R. (2015, February 4). Khatifa marriage rises in Nabatieh for economic reasons, parental rejection, and as an escape from spinsterhood. *Addiyar* (in Arabic).

Kafafi, A. (1999). *Counseling and family psychotherapy: A communicative systemic perspective.* Dar El Fikr El Arabi (in Arabic).

Kandiyoti, D. (1991). *Women.* Macmillan Press.

Khoury, S. A., & Massad, D. (1992). Consanguineous marriage in Jordan. *American Journal of Medical Genetics, 43*, 769–775.

Lebanese Information Center. (2013). *The Lebanese demographic reality*. https://www.lstatic.org/PDF/demographenglish.pdf

Lee, R. B. (1993). *The Dobe Ju.* Harcourt Brace College.

Ma'atouk, F. (1993). *A dictionary of social sciences.* Academia (in Arabic).

Ministry of Planning & House of Wisdom. (2014). *National human development report: Challenges and opportunities facing Iraqi youths* (in Arabic).

Ministry of Planning & National Committee for Population Policies (Iraq). (2013). *Women's empowerment: A helpful environment and supportive culture*. Ministry of Planning (in Arabic).

Mohamed, A. (2010). Social reasons behind delayed marriage age among Iraqi women: Field study. *Al Qadisiyah Journal of Humanities, 13*(4). University of Al Qadisiyah (in Arabic).

Mohamed, S. S. (1996). *Social change and the behavior of a university student: A field study at the University of Baghdad.* Unpublished master's dissertation, University of Baghdad, Department of Sociology (in Arabic).

Morsi, K. (1998). *Marital relations and mental health in Islam and psychology* (2nd ed.). Dar Al Nashr (in Arabic).

National Committee for Population Policies. (2011). *The population of Iraq 2010: The first national report on the state of the population in the framework of the recommendations of the Cairo Conference on Population and the Millennium Development Goals*. UNFPA Iraq country office (in Arabic).

Palestinian Central Bureau of Statistics. (1996). *Workforce survey: Key findings (September/October 1995).* Workforce survey series, No. 1 (in Arabic).

Palestinian Central Bureau of Statistics. (1998). *Demographic survey of the West Bank and the Gaza Strip.* Report series by topic, No. 3: Marriage: Detailed findings (in Arabic).

Palestinian Central Bureau of Statistics. (2003). *Marriage and divorce in the Palestinian Territories (1996–2001)* (in Arabic).

Palestinian Central Bureau of Statistics. (2010). *Women and men in Palestine: Issues and statistics* (in Arabic).

Palestinian Central Bureau of Statistics. (2011b). *Migration in the Palestinian Territories survey 2010* (in Arabic).

Palestinian Central Bureau of Statistics. (2013a). *Selected indicators of social and economic conditions, January 2013.* https://goo.gl/nzAUFV (in Arabic).

Palestinian Central Bureau of Statistics. (2013b). *Women and men in Palestine: Issues and statistics* (in Arabic).
Palestinian Central Bureau of Statistics. (2015a). *Press report: The main findings of the survey on the impact of the 2014 Israeli aggression on social and economic conditions in the Gaza Strip* (in Arabic).
Palestinian Central Bureau of Statistics. (2016a). *Conditions of Palestinian people living in Palestine* (in Arabic).
Palestinian Central Bureau of Statistics. (2016b). *Labor statistics*. https://goo.gl/um4utH (in Arabic).
Palestinian Central Bureau of Statistics. (2016c). *Marriage and divorce indicators by region*. https://goo.gl/kZ8DAF (in Arabic).
Palestinian Central Bureau of Statistics. (2016d). *Palestine statistical yearbook 2016* (in Arabic).
Palestinian Central Bureau of Statistics. (2016e). *Women and men in Palestine: Issues and statistics* (in Arabic).
Palestinian Central Bureau of Statistics. (2017a). *Palestine statistical yearbook 2017* (in Arabic).
Palestinian Central Bureau of Statistics. (2017b). *Women and men in Palestine: Issues and statistics* (in Arabic).
Palestinian Central Bureau of Statistics. (2018). *Key violence indicators*. https://goo.gl/dfEcpN (in Arabic).
Rashad, H. (2015). The tempo and intensity of marriage in the Arab region: Key challenges and their implications. *DIFI Family Research and Proceedings, 2015*(1). https://doi.org/10.5339/difi.2015.2
Rashid, A. J. (2011, October). *Political and social transformations and their impact on marriage types in Iraq*. Unpublished paper presented at symposium of the Department of Social Studies on marriage in Iraq, Baghdad House of Wisdom (in Arabic).
Rashid, A. J. (2013). *The image of the Iraqi woman and its reflections on the self-image: A field study in the city of Baghdad*. Dar Mesopotamia (in Arabic).
Rashid, A. J. (2015). *Factors associated with marriage outside the court and its effects: Field study in Sadr City*. Unpublished study, Baghdad Women Association (in Arabic).
Rashid, A. J., et al. (2009). *Male centrality and its impact on the status of women in the Iraqi clan*. Unpublished field study (in Arabic).
Selim, S. M. (1956). *Chibayish: An anthropological study of a village in the Iraqi marshes* (Part 1). Al Rabitah Press (in Arabic).
Shalash, H. A. (2010). *Temporary marriage in Iraqi universities: University of Baghdad as an example*. (Graduation research project—year four). University of Baghdad, Department of Sociology (in Arabic).
Shami, S., & Taminian, L. (1995). Children of Amman: Childhood and childcare in squatter area in Amman. In E. Fernea (Ed.), *Children in the Middle East*. University of Austin Press.
Suleiman, I., & Abu Rass, A. (2011). *The population structure in Syria*. Aleppo University Press (in Arabic).
Supreme Judge Department. (2011). *Annual statistical report of 2010* (in Arabic).
Supreme Judge Department. (2017). *Annual statistical report of 2016* (in Arabic).
Syrian Commission for Family Affairs & Higher Institute of Population Studies and Research. (2011). *The population policy of the Syrian Arab Republic* (in Arabic).
UNDP. (2015). *Human development report 2015: Work for human development*. http://hdr.undp.org/en/content/human-development-report-2015
UNDP. (2016). *Human development report 2016: Human development for everyone*. http://hdr.undp.org/en/content/human-development-report-2016
UNFPA. (2013). *State of world population 2013: Motherhood in childhood: Facing the challenge of adolescent pregnancy*. UNFPA.
UNFPA. (2016). *More than numbers*. United Nations.
United Nations. (2015). *The Arab consolidated report on progress achieved in implementing the Beijing Platform for Action twenty years on*. ESCWA, UN Women, Arab League (in Arabic).

White, D. (1988). Re-thinking polygyny: Co-wives, codes and cultural systems. *Current Anthropology, 29*(4), 529–553.

World Bank. (2010). *Economic integration in the Mashreq*. World Bank, Middle East and North Africa Region.

World Values Survey. (2014). *World values survey wave 6: 2010–2014*. Retrieved February 28, 2018, from https://goo.gl/kaCdsW

Zeidan, S. (2015, September 2). Settlement marriage in Iraq: Girls' abduction with parental consent. *Raseef22*. https://goo.gl/t58Bsh (in Arabic).

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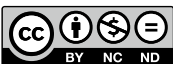

# Chapter 4
# The State of Marriage in Somalia, Djibouti, and Comoros

**Yusuf Sheikh Omar**

There are many types of marriage in Somalia, Djibouti, and Comoros, the main ones being arranged and great marriages. One of the main differences in arranged marriage is that the ethnic Afar group in Djibouti does not give strong consideration to the bride-price and material gains during the marriage process, while ethnic Somalis do. Instead, Afar people put a lot of emphasis on the attitudes and attributes of the girl's suitor, as well as the best ways to strengthen social bonds within the kinship group that both the bride and groom belong to. For the ethnic Somalis, marrying outside one's own clan is encouraged in order to widen social relationships and create alliances, or to reconcile warring groups from different clans. In the great marriage of Comoros, the economy is the main factor that enables people to have this costly marriage, which influences social attitudes, views, and mainstream society's perceptions of the groom and his bride.

The worst type of marriage identified by the researcher is forced marriage in Somalia and Djibouti, particularly in Somalia. Although forced marriage was abolished in 1975 during the socialist regime, it has re-emerged since the collapse of the regime in 1991 amid civil war, chaos, and anarchy. Uneducated young women from disadvantaged families are the main victims of forced and polygynous marriages as well as early marriage, which harms their health as young mothers, limits their educational and employment opportunities, and weakens their engagement in society and their personal and social development.

Furthermore, Somalia's civil war and lawlessness have created new forms of forced marriage in which some visible minority groups marry their daughters to armed men or warlords from superior clans in order provide protection for their families and communities.

In contrast to early marriage as explained above, late marriage is becoming more acceptable among educated and professional women, particularly those living in

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urban areas, compared with less educated women. In fact, some professional and educated women are delaying marriage to pursue their professional careers. Moreover, education, awareness, and urban life promote the culture of family planning and the use of contraceptives in order to delay pregnancy or space births, whereas low levels of education and rural life are associated with low levels of contraceptive use and poor family planning in general.

Meanwhile, the report found that marriage in Somali, Djiboutian, and Comoran societies is mainly governed and shaped by traditions, social expectations, perceived Islamic rules, and stereotypes rather than civil laws and government policies, which have less effect; and the more that culture, traditional customary laws and misinterpreted Islamic laws are involved in the marriage process, the more women's rights and choices are undermined.

Regarding family violence, despite the widespread nature of rape and violence against women, including spousal rape, victims are reluctant to report it for fear of social rejection and stigma. In addition, victims perceive government judiciary systems (e.g., family laws) to be ineffective and unreliable.

Marriage and work are also undergoing changes. With the passage of time, labor divisions between men and women have gradually diminished due to social changes, urbanization, and educational advancement. In addition, alongside their traditional domestic tasks, women are also advancing and extending their work opportunities into fields dominated in the past by men, such as business management, public services, politics, and so on. Because of the prolonged civil war, many women in Somalia have become the main breadwinners for their households. However, many husbands perceive these role reversals as threats to their traditional roles, social status, and identity. The diminishing of labor divisions together with women's advancement have resulted in women demanding greater input into family leadership and decision-making.

Turning to migration and marriage, the researcher did not find any documents exploring this issue or explaining mixed marriage with other nationalities in Somalia, Djibouti, or Comoros. However, a few cases of mixed marriage with other nationalities have emerged among diaspora Somalis as a result of migration and direct contact and interaction with other nationalities and races.

## 4.1 Marriage Context

This introductory section starts with a brief description of the three countries. It also highlights the significance, the purposes of marriage, the research methodology employed, country profiles, and organization of this chapter.

Somalia and Djibouti are located in the Horn of Africa, while Comoros is located off the southeast coast of Africa. In terms of social composition, Somalia and Djibouti are tribal and patrilineal societies in which descent is traced through the male line, while Comoros, consisting of a mixture of descendants of Arabs, Malays, Persians, and Africans, combines both patrilineal and matrilineal systems.

In Comoros, descent can be traced through either females or males, depending on the social group and tradition of any given island. The three countries are members of the Arab League and African Union. In terms of religion, all three countries are Sunni Muslim with a high level of Islamic practice.

With some differences, the local customary laws and religious practices of all three countries are described as active and effective, in contrast to government systems and law enforcement agencies, which are considered ineffective. This means that the process of marriage, family establishment, and treatment of women are largely influenced by culture, customs and religion. Meanwhile, the three countries are all very poor, with very low levels of human development. Unemployment levels are very high in all three countries. However, educational attainment is steadily improving in Comoros relative to Somalia and Djibouti, and these differences contribute to shaping marriage and family establishment.

In terms of stability, Somalia has experienced a prolonged civil war while Djibouti and Comoros have enjoyed relative stability, yet their stability has not contributed much to social development, particularly in Djibouti. As a result, a large number of citizens of these countries have migrated abroad seeking safety and protection, in the case of Somalia, or a better life and greater opportunities, in the cases of Comoros and Djibouti.

All these factors mentioned above have impacted on the perceptions, practices, and processes of marriage and family establishment, with some differences among the three countries contingent on context and the degree of social change.

This chapter investigates, reviews, describes, and analyzes the available data on the processes of marriage and family establishment in these three countries, exploring changes regarding social norms, human attitudes, perceptions and practices in order to explain and understand future trends in this important social institution: the state of marriage and the family.

Marriage has various purposes for Somalis, Djiboutians, and Comorans, most of which are influenced by the Islamic faith. These purposes include *mawadda* (love and tranquillity) and *rahma* (compassion) (Al-Sharmani, 2016) as well as sexual fulfilment. Although these purposes are natural and universal in nature, they are also influenced by Islamic perspectives, such as that “among [Allah’s] signs is this: that He has created mates for you from among yourselves that you might find peace of mind in them, and He put between you love and compassion. Surely there are signs in this for a people who reflect.” (Quran, *Surat Al Rum*, verse 21, cited in Abdul-Rauf, 1993, p. 1). The third purpose of marriage is to preserve the human race from extinction by legitimate religious means. Furthermore, because Somalis, Djiboutians, and Comorans live in Muslim societies, they believe that marriage is the Prophet Muhammad’s way of life and that Muslims should therefore follow in his footsteps. There are numerous teachings attributed to Muhammad that encourage marriage, such as: “Marriage is my recommended custom. [And] whosoever turns away from my recommended custom is turning away from me.” (cited in Abdul-Rauf, 1993, p. 1).

Furthermore, in Somalis’ and Djiboutians’ patriarchal culture, one of the main purposes of marriage is to produce many children, particularly boys, who will add

strength and honor to their father's lineage and elevate the family's status within their clan, together with the need for manpower in the nomadic life (Abdi, 2015, p. 21; Lewis, 1981). This purpose is partially influenced by the Prophet's saying: "Get married so you multiply. I shall indeed be proud of your multitude on the Day of Resurrection." (cited in Abdul-Rauf, 1993, p. 1).

New-born girls are not welcomed in the same way that boys are welcomed in Somali and Djiboutian societies, particularly among the nomads; women are excluded from estimates of a clan's strength, because nomadic Somalis and Djiboutians believe that women are not strong enough to take part in the battlefield (Abdi, 2015; Lewis, 1981).

As in Somalia and Djibouti, Islam has influenced Comorans' main purposes in marriage. Unlike Somalis and Djiboutians, however, Comorans practice a unique form of marriage called *ada* (great marriage), the main purpose of which is to gain status, respect, and power in society. There is a perception that Comoran men can only become complete through great marriage, becoming role models for their younger brothers and sons, and paving the way for them to have their own great marriages. Another purpose of great marriage is to comply with social pressures (Al-Jazeera, 2016; Blanchy, 2013; Inside Africa, 2015).

This study employs descriptive and analytical research methodologies. The descriptive research method describes an existing situation, where the researcher seeks to measure and report what has happened or what is happening, for example the frequencies or preferences of people and other similar data, using survey data, literature, comparative and correlational methods, and fact-finding enquiries. For the analytical method, the researcher uses facts and information that are already available, analyzing, and critically evaluating them to explain the situation (Kothari, 2004, p. 2).

Country profiles

### Somalia

Somalia is located in the Horn of Africa. The environment is both demanding and dangerous and, except for a few places, subject to frequent droughts, famines, diseases, and feuds between warring clans (Samatar, 1982, p. 9). In the late nineteenth century, European powers divided up Somalia. Somaliland (northern Somalia) became a British protectorate in 1887, as Italy colonized central Somalia in 1889 and later also southern Somalia (BBC, 2017c).

Before it was colonized, some parts of Somalia were independent sultanates, while other parts were collectively and voluntarily ruled by traditional leaders such as clan chiefs, elders, and religious scholars, through a *guurti*, which means "collective council" (Oxfam Netherlands, 2003). There was no firm, institutionalized, political power, or authority. Bradbury (1994, p. 8) states that "until the colonial period, the Somali nation did not form a single political unit."

The country became independent from Britain and Italy in 1960, forming a united Somali republic. Somalia's central government collapsed in 1991 and the country descended into anarchy and chaos.

Somalis possess all the traditional prerequisites for effective statehood, such as linguistic, religious, and cultural unity; however, they are internally divided into tribes and clans (Lewis, 1981; Middleton & Rassam, 1995).

**Some facts about Somalia**:

Population: 10.8 million
Capital: Mogadishu
Languages: Somali, Arabic, English, and Italian
Religion: Sunni Muslim
Population growth: (unknown)
Urban population: (unknown)
Life expectancy: 54 (men), 57 (women)
(BBC, 2017c, 2017d)

## Djibouti

Djibouti is a tiny nation located on the Bab El-Mandeb Strait. Djibouti serves as a gateway to the Suez Canal, one of the world's busiest shipping routes. The port of Djibouti generates the main income of its economy, providing employment and livelihoods. Its relative stability has made Djibouti an important location for foreign military bases and ensured a steady flow of foreign assistance. Djibouti was colonized by France in 1888 under the name of French Somaliland, and declared its independence from France in 1977 under the new name of Republic of Djibouti. Regarding social composition, the Somali ethnic group represents over 60% of Djibouti's population, followed by the Afar, representing 25–30%, and then other minority groups including French and Arabs.

**Some facts about Djibouti**:

Population: 923,000
Capital: Djibouti
Languages: French, Somali, Arabic, and Afar
Major religion: 94% Sunni Muslim
Population growth: 2.2%
Urban population: 77%
Life expectancy: 63.2
(BBC, 2017b; CIA, 2017b)

## Comoros

Comoros is a small country located in the Indian Ocean. It consists of four major islands—Grande Comore, Moheli, Anjouan, and Mayotte—together with several smaller islands. Comoros became a French protectorate in 1886. When the country declared independence from France, the island of Mayotte voted against independence and is still governed by France. Comoros's main natural resources include vanilla, cloves and perfume essence. Remittances from Comorans living abroad are an

important source of income. Regarding social composition and ethnicity, Comorans are comprised of a mixture of descendants of Arab traders, Malay immigrants, Persians, and Africans (BBC, 2017a).

Agriculture represents one of the country's main income sources, employing 80% of the workforce. Comoros leads the world in the production of ylang-ylang (a flower used in perfume production). Similarly, the country is the second-largest producer of vanilla (Bohrer, 1996a).

Comoros's human development index in 2015 was 0.497, which puts the country in the low human development category (UNDP, 2016b, p. 2). On a more positive note, Comoros came out on top in a survey of women's rights in twenty-one Arab League states, in a poll of 336 gender experts by the Thomson Reuters Foundation (Amir, 2013; BBC, 2017a).

**Some facts about Comoros**:

Population: 773,000
Major languages: Arabic, French, Comoran (a blend of Swahili and Arabic)
Major religion: 98% Sunni Muslim
Population growth: 1.6%
Urban population: 28.5%
Life expectancy: 61.9 (men), 66.6 (women)
(BBC, 2017a; CIA, 2017a)

This chapter investigates the process of marriage and family establishment in Somalia, Djibouti, and Comoros. It consists of seven sections. This first section is an introduction, which gives an overview of the significance and organization of this chapter, the purposes of marriage, the research methodologies employed, and country profiles. Section 4.2 identifies the types and processes of marriage in these three countries including arranged marriage, relative marriage, inter-clan marriage, peace marriage, proxy marriage, replacement marriage, great marriage, polygyny, and many other forms of marriage, explaining the contextual aspects shaping the types and processes of marriage, such as social perceptions, culture and religion, education, demographics, and so on. Section 4.3 provides information about age and marriage, including early marriage, late marriage, spousal age differences, and singlehood, shedding light on factors facilitating age-related marriages. In addition, this section scrutinizes the link between early marriage and the serious health and social problems posed by female genital mutilation/cutting (FGM/C). Section 4.4 is about violence and marriage, underlining the roles of cultural practices, social perceptions, and family laws surrounding family violence. It also construes divorce as a form of violence against women, highlighting social problems leading to divorce. Section 4.5 discusses cultures, social attitudes, and expectations defining men's and women's work-related roles and responsibilities in society. Section 4.6 explains the interrelationship between migration and marriage, investigating patterns of mixed marriage or racial intermarriage arising from migration and interaction with other societies. Finally, Sect. 4.7 describes the circumstances surrounding marriage during

conflict and war, giving examples of new marriage phenomena created by war in the Somali context.

## 4.2 Types of Marriage

There are many types of marriage practiced in Somalia, Djibouti, and Comoros, including arranged marriage, relative marriage, inter-clan marriage, marriage for peace, proxy marriage, inherited or replacement marriage, *dhabar-garaac* marriage (kidnapping for marriage purposes), polygynous marriage, raping for marriage purposes, great marriage, little marriage, and so on. The sections below explain the types of marriage practiced in Somalia and Djibouti followed by the types of marriage practiced in Comoros (Table 4.1).

**Table 4.1** Types of marriage in Somalia and Djibouti

| Type of marriage | Rationale for this type of marriage |
|---|---|
| Arranged marriage | To maximize bride-price or to assist two young people to form a couple if they cannot manage to get married for themselves |
| Elopement marriage | To escape from an unwanted arranged marriage and at the same time get married to someone with whom the young person is in love |
| Relative marriage | To maintain purity of kinship or to strengthen kinship relationships |
| Inter-clan marriage for peace purposes | To restore peace or to build up alliances and clan relationships |
| Proxy marriage | This happens when one member of the couple cannot physically attend the marriage location because of distance |
| *Dumaal* (levirate) or *xigsiisan* (sororate) marriages | The main reason is to safeguard the interests of the children |
| *Dhabar-garaac* (kidnapping women for marriage purposes) | To show the superiority of a man's clan by taking and marrying a young woman from a weaker or hostile clan by force |
| Raping for marriage purposes | This happens when a young man feels that the bride's price is too high and he can't afford it, so he rapes her to force the girl's father and family to reduce the bride-price |
| Polygyny | To have more children, or maybe the senior wife is not getting pregnant. There can also be other reasons. Polygyny is permitted in Islam |
| *U'gelid* (entering a man's house for marriage purposes) | This may happen when a woman despairs of getting married |
| *Qodba-sire* (secret marriage) | To keep it secret from the senior wife |

### 4.2.1 *Somalia and Djibouti*

#### 4.2.1.1 Arranged Marriage

Many types of marriage are practiced in Somali and Djiboutian society, the main one of which is believed to be arranged marriage. Somali and Djiboutian communities place a high value on premarital virginity, and girls' virginity commands a high bride-price. Societies that value girls' premarital virginity and bride-price tend to control the marriage of women by organizing arranged marriages for girls, in order to maximize the bride-price, limiting girls' choices and restricting communication between young men and young women (Meekers, 1993, p. 35). In the Somali, ethnic culture marriage, and particularly girls' marriage, is usually arranged by parents, brothers, relatives, or in some cases clan elders (Lewis, 1981). A Somali mothers' song for their newly born daughters indicates the wealth a baby daughter can bring to the family:

Daughter, where there is no girl
Daughter, no wealth is received
Daughter, and no camels are milked…. (Abdi, 2015, p. 21).

The greater the bride-price, the more husbands expect their wives to obey their orders and instructions. In that sense, wives may lose their freedom and equality (Ahmed, 2004).

There are two types of arranged marriage in Somalia and Djibouti. In the first type, the girl has to identify her suitor before informing her family. For example, in most cases, before the arranged marriage takes place, the man and woman (mostly young man and young woman) engage in a long secret courtship called "*shukaansi.*" As soon as they decide to get married, the girl asks the man to approach her family requesting them to endorse and formalize the marriage (Ahmed, 2004, p. 53). For her side, to fulfil Islamic teachings, she should inform her *weli* (guardian) about her intention to marry and the man she wants to marry (Warsame, 2004).

In the process of this type of arranged marriage, the father or a close, respected relative of the groom informally asks for the hand of the bride from her father, brother, or uncle, or a respected man from the clan (Ahmed, 2004; Mohamed, 2001). Family and clan members remain important in the arranged marriage process and in family life in general, especially in pastoralist populations in the countryside, where traditional rituals around marriage and kinship are still widely respected and practiced (Countries & Their Cultures, 2017).

Before responding to the groom's request, the girl's family begins to investigate the man's personality and characteristics, such as whether he is able to provide for their daughter; if he is from a decent family; if he has committed any crime in the past; and if he is a practicing Muslim. During the investigation, the girl's family members contact other people living in the area where the man lives to learn more about him and his family in order to take an informed decision (Hirsi, 2016).

If the marriage proposal is welcomed by the girl's family, then several adult men (ten to twenty, or thereabouts) from among the man's respected relatives go to the

girl's house to meet their counterparts from the other side. The girl's father or other representatives must consult first with her mother and gain her support, because without it the marriage will face many challenges in the long term, as the mother is the most influential person in her daughter's life. When the young man's and young woman's representatives agree to the marriage, the *yarad* (bride-price) is paid to her family; the amount depends on the economic and social status of the groom's family. Next, the sheikh proceeds with the marriage contract, and the bride is paid or promised a *meher* (dowry), which from the Islamic perspective is a mandatory gift. The *meher* has religious significance, as it is a security for the wife in case of a divorce (Meekers, 1993; Mohamed, 2001). If the girl's family refuses to endorse an arranged marriage of this type, she must choose between her family and her lover. If she sticks with her lover, she risks being disowned by her family (Ahmed, 2004).

The second type of arranged marriage practiced in Somalia and Djibouti is one arranged without the girl's consent, and can therefore be considered a forced marriage. The girl's family, particularly her father, may justify this forced arrangement in the belief that marriage is in the interests of his daughter's well-being. Sometimes payment of a large bride-price may also facilitate the arrangement and seduce the father into conducting a forced arranged marriage for his daughter. It is very young women from disadvantaged families who mostly experience this type of marriage, as they find it hard to refuse unless they elope, or unless there is some resistance to the marriage within their families (Immigration and Refugee Board of Canada, 2007). This traditional forced marriage denies women rights that Islamic Sharia gives them, such as freedom of choice of husband. In fact, Islamic Sharia opposes any type of forced marriage (Landinfo, 2012). In Somalia, this practice of forced arranged marriage was abolished by the Family Law of 1975 under the socialist regime, yet it is still happening, particularly since the collapse of Somalia's government in 1991 (Ahmed, 2004, p. 53).

In Djibouti, marriage in the form of a forced arrangement is more common in rural areas where the state does not have much power to protect these young women (Immigration & Refugee Board of Canada, 2013). In fact, a report prepared by the European Country of Origin Information Network (2017) argues that although the Djiboutian Family Law provides protection for women, the state of Djibouti rarely intervenes in forced marriages, and therefore among the Djiboutian population there is the sense of a lack of government protection. As a result, in practice the Family Law is not often implemented. Unlike Somalia, Djibouti is a functioning state; however, the Immigration and Refugee Board of Canada (2013) explains that there are many obstacles to enforcing the laws that aim to protect women's rights in Djibouti. These obstacles include women's lack of awareness of family laws; lack of confidence in the implementation of these laws; the extreme poverty in the country; lack of resources; and the impact of traditions and stereotypes on women's role in society.

Among the Afar ethnic group in Djibouti, forced marriage is regulated by a cross-cousin marriage custom called "*absuma*," in which parents organize the marriage of their daughters with the aim of strengthening ties between villages, families or tribes. In the Afar *absuma* custom, if a girl refuses the suitor that her family has proposed to she is immediately rejected by her family as punishment, because she

has shamed her family, and ties to her family are seriously damaged (Alemu, 2015). If the girl is not happy with the proposed marriage, she tries to run away rather than file a complaint against the marriage her parents have arranged, because of the lack of law enforcement in Djibouti. The girls who are able may try to emigrate to Europe or North America in order to escape their family's wrath (Immigration & Refugee Board of Canada, 2013). The Somali ethnic group in Djibouti, which constitutes the majority of the Djiboutian population, does not follow such a strict custom as the Afar's *absuma*. By contrast, they (the Somalis) practice forced marriages based on financial gain. For example, a rich man who is ten, twenty, or even thirty years older than a girl from a less fortunate family can easily ask for her hand by offering a lot of money to her family (Immigration & Refugee Board of Canada, 2013).

Another aspect of forced marriage within the Afar ethnic group in Djibouti is that if a man cannot find a wife because of his age or economic limitations, he can approach his female cousin and ask her for the hand of one of her daughters to marry. In response, his cousin must accept his demand (European Country of Origin Information Network, 2017).

Apart from her parents, a young Afar girl can be forced into marriage by her brothers, uncles, or other close members of her clan. When asked for her hand, if parents refuse the marriage of their daughter to the suitor, the mother's tribe may force the marriage. For instance, if a girl's parents oppose the proposed marriage, the girl's maternal grandfather may organize a clan meeting where he will hold discussions with the clan members until the marriage is approved. If her parents continue to refuse the marriage of their daughter, the maternal grandfather will curse his own daughter, that is, the mother of the girl, and the mother's clan will cut all ties with the mother. If the girl refuses to marry her suitor and her parents support her decision, the parents will be quarantined and isolated. If only the girl opposes the forced marriage, without her parents' support, she is exposed to society's rejection and may be subjected to pressure, harassment, and manipulation. It is mostly younger and less educated Afar women who are subject to forced marriage. Because of a lack of education, girls are not aware of the procedures enabling them to file a complaint to avoid forced marriage in Djibouti. Although Djiboutian Family Law is assumed to protect women, it is, however, rarely implemented (European Country of Origin Information Network, 2017).

Arranged marriage, particularly the first (unforced) type, is still relatively popular, though with some changes to the process. In general, in cities the arranged marriage takes place after the couple-to-be have discussed the matter and agreed to it. Diasporas from Somalia and Djibouti are also still practicing arranged marriages, with slight modifications and with consideration for the new context. A young man and a young woman may first discuss the marriage between themselves, through telephone discussions, messages, email, social media, or at school or university and so on. If they agree, then they refer the issue to their parents or relatives to proceed with the arranged marriage. In some cases, parents may refuse to marry their daughters or sons to someone on the grounds of his/her belonging to a specific clan, or on the grounds of personal character and conduct. However, most times girls have the choice of

either complying with their parents' refusal or going ahead with their lovers (Omar, 2011).

#### 4.2.1.2 Elopement Marriage

With elopement, known as *masafa* marriage, which mainly takes place in the countryside in Djibouti and Somalia, a young woman resorts to eloping in order to avoid an arranged marriage with someone she is not happy with and instead marry a man she is in love with but her family is unhappy with for different reasons, such as undesirable personal characteristics, behavior, and attitudes, or being financially unable to pay the bride-price or to feed his wife and children (Ahmed, 2004; Lewis, 1981). While the young woman is in the hands of the "husband-to-be" she elopes with, her parents are requested to marry their daughter to the man. If they refuse, the marriage contract will go ahead without her parents' consent having been obtained. Elopement is a dangerous type of marriage, because it may cause a feud between two families and two tribes. It could also be disastrous for the girl if the marriage fails before she has reconciled with her family (Ahmed, 2004; Lewis, 1981; Meekers, 1993). However, a gradual decline in elopement and other traditional forms of marriage has been observed in many African societies. This can be attributed to social change, urbanization, and the increased level of education. In addition, modern parents may be less inclined to refuse to let their daughters marry someone with whom they are in love (Meekers, 1993, p. 35).

#### 4.2.1.3 Relative Marriage (Endogamy)

In Somalia, marriage with close relatives such as cousins is mainly practiced by minority groups who inhabit coastal towns like Marka and Barawe and parts of Mogadishu (Ahmed, 2004; Lewis, 1981). The major Somali clans, however, encourage relative marriages mostly between cousins who are the children of a brother and a sister (*ilma-abti*), as long as such cousins are likely to be from different lineages on their fathers' side (Lewis, 1981). In many African societies, the majority of men marry from their matrilateral cross-cousins, and only in rare circumstances will an African man marry his patrilateral cross-cousin (Ottenheimer, 1984, p. 354). In fact, marrying outside of one's patrilateral close relatives or sub-clan is encouraged across ethnic Somalis in Somalia and Djibouti, in order to create strong bonds among different clans and families. However, relative marriage within clan has increased since the civil war in Somalia in 1991. This is because trust between different clans has been damaged and eroded by the civil war. In addition, war has separated clans, as the main clans have moved back to their traditional lands (Mohamed, 2001). Overall, in the course of the marriage process in Somalia and Djibouti collective interests are put before the interests of the two individuals getting married (Ahmed, 2004, p. 52; Lewis, 1981).

In contrast to the Somali ethnic group—which is less strict about the process of marriage—the Afar ethnic group in Djibouti has a traditional preference for patrilateral cross-cousin marriage (Lewis, 1994). Lewis acknowledges that among some Afar tribes, if a boy is too young to marry his female cross-cousin she may be temporarily married by the tribal elders to someone else and will then be returned to her cousin when the boy has become mature and reached adulthood. The temporary husband then pays the girl's cousin livestock for each child she has had in the meantime. Although it was not common in the past, lately there has been an increase in Afar-Somali intermarriages in Djibouti (Countries & Their Cultures, 2017).

#### 4.2.1.4 Inter-clan Marriage for Peace Purposes (*Godobreeb*)

Most Somali and Djiboutian clans encourage inter-clan marriages. The reasons behind this include: to build stronger social bonds with other clans; to widen relationships; to stop fighting; to reconcile warring clans; to form alliances against other clans; and to ensure access to water and pasture. With reconciliation marriage, after ceasefires and at the end of violent conflicts warring clans may exchange women to demonstrate their mutual commitment and willingness to reconcile and restore peace and stability (Ahmed, 2004; Cassanelli, 1982; Landinfo, 2012). During the reconciliation process, women are culturally married to men who are close relatives of the men killed in the war. This type of marriage is known as *godobreeb* in northern Somalia and *godobtir* in the south (Geeddi et al., 2009, p. 129; Immigration and Refugee Board of Canada, 2007). The Somali saying "*meel xinijir lagu bururiyay xab baa lagu bururiya,*" translated as "a baby should be born in the spot where blood has been spilt," indicates the rationale for exchanging brides (Warsame, 2004, pp. 43–44). What is understood from the abovementioned saying is

> that the children it was hoped would be born to these women would heal the wound of the grievance of whoever had died. Looking it from another perspective, it also brought about relations based on marriage (*xididnimo*) and friendship which then took the place of conflict. This marriage exchange thus had the aim of strengthening peace and ensuring that former wounds would no longer exist. (Geeddi et al., 2009, p. 129)

It was much easier for the elders and traditional leaders of the two tribes who had already developed an alliance through the marriage relationship to reach shared understanding and agreements when conflicts arose (Warsame, 2004).

In this form of inter-clan marriage women are treated with maximum respect, as any wrongdoing by their husbands or their husbands' clans is perceived as detrimental to stability and as a violation of the peace and reconciliation (Ahmed, 2004; Cassanelli, 1982; Landinfo, 2012).

However, there is increasing criticism of marriage for peace, it being argued that girls are treated as currency and a commodity for negotiations and reconciliation, not as human beings. Therefore, marriage for peace is perceived to be similar to a forced marriage, since it is not of girls' choice or volition (UNDP, 2016a, p. 12). Similar to forced marriage for a high bride-price, girls who experience this type of

*godobreeb/godobtir* marriage are usually uneducated and very young women who find it difficult to refuse the marriage unless some members of their families also oppose it (Immigration and Refugee Board of Canada, 2007).

Intermarriage does not often include all clans; some clans look down on other clans who fulfil specialized, and in their view degrading, tasks such as hunting and leather and metal work. These groups are segregated from other clans through restrictions on intermarriage (Cassanelli, 1982; Lewis, 1981).

In Djibouti, both family law and Islamic Sharia permit mixed or intermarriage, and therefore mixed marriages between different clans and ethnicities are reported to be common. A few cases of intermarriage even between the Somali ethnic group and looked-down-on clans such as the Midgaan have been registered in Djibouti City, where traditions are less strong than in the countryside (Countries & Their Cultures, 2017; European Country of Origin Information Network, 2017; Immigration and Refugee Board of Canada, 2007).

#### 4.2.1.5 Proxy Marriage

In proxy marriage, either the bride or groom may nominate a representative to take part in the marriage ceremony on their behalf. If both are unable to attend, the ceremony takes place with both parties represented by proxies. Proxy marriage occurs in Somalia and Djibouti, particularly when it is impossible for both bride and groom to be in the same place (Mohamed, 2001). Proxy marriage is based on Islamic precepts and is becoming popular among diaspora Somalis, who tend to get married from distant countries and across continents (Omar, 2011).

#### 4.2.1.6 *Dumaal* (Levirate) Inherited/Replacement Marriage and *Xigsiisan* (Sororate) Marriage

Among the Somali nomads, if a husband dies his widow will probably marry his adult brother. This is called *dumaal* marriage (levirate-widow inheritance). If the husband has no brother or if for any reason the brother is not ready, e.g., he is very young, then the widow marries his closest relative (Lewis, 1981; Mohamed, 2001).

Similar to *dumaal* practices, if a wife dies, the widower is entitled to *xigsiisan*, that is, a replacement bride, often the deceased wife's younger sister. If she has no unmarried younger sister, then another woman from among her closest relatives on her father's side, such as a cousin, will be the option.

Replacement marriage is now disappearing among urbanized Somalis and Djiboutians but is still common among the nomadic pastoralists (Lewis, 1981; Mohamed, 2001). Unlike men, if women refuse to accept the replacement marriage they face strong pressure and sanctions from both families: their own and those of their dead husbands (Immigration and Refugee Board of Canada, 2007).

Replacement is considered to be in the best interests of the children (Lewis, 1981; Mohamed, 2001). Levirate and sororate marriages are also practiced by Afar people in Djibouti (Lewis, 1994).

#### 4.2.1.7 *Dhabar-Garaac* (Kidnapping Women for Marriage Purposes)

*Dhabar-garaac* is another form of forced marriage practiced in the past by ethnic Somalis in Somalia and Djibouti. This form of marriage takes place in nomadic pastoralist populations, where a woman is kidnapped by "raiders" who force her to marry one of them (Musse, 2004, p. 77). This type of forced marriage is extremely coercive, to the point of a girl sometimes being beaten, starved, or physically and psychologically abused until she agrees to be married. The girl will only be permitted to return to her family once she has become pregnant, because the marriage cannot be invalidated by her family after pregnancy. Although the prevalence of abduction for forced marriage had begun to decline, there has been a resurgence of this practice as a result of the civil war (Immigration and Refugee Board of Canada, 2007; Musse, 2004).

#### 4.2.1.8 Raping for Marriage Purposes

In Somalia's nomadic culture, the value of a daughter is in part ascribed to the bride wealth she can bring to her family through marriage. Therefore, rape and sexual assault may occur when a suitor feels that a girl's father has demanded a bride-price that he cannot afford and he (the suitor) then conspires to rape the girl in order to force her father to negotiate and reduce the bride-price. If rape occurs, the girl's family may negotiate about reducing the bride-price in order to secure marriage for their daughter, which will minimize the social stigma of having a raped yet not married girl in the family (Immigration and Refugee Board of Canada, 2007; Logica, 2013). If the rapist for some reason is not ready to marry her, he must nevertheless pay her family the full prescribed bride-price as if marriage had taken place (Abdi, 1993).

This type of marriage occurs mainly in nomadic pastoral societies where women are valued for the fortune they bring to their families. It has also been observed in urban Somalia during the civil war (Immigration and Refugee Board of Canada, 2007; Logica, 2013; Musse, 2004). A woman who has been raped will generally be forced to take part in such an arranged marriage in order to uphold her family's honor and maintain social harmony (Immigration and Refugee Board of Canada, 2007). In Somalia's customary law, priority and emphasis are given to social harmony and pacification rather than punishing the perpetrator (World Bank, 2013). A woman who refuses to marry her rapist can reportedly face severe consequences from her own family and clan (Immigration and Refugee Board of Canada, 2007). Recent studies have shown that unmarried young women who have been raped are the most reluctant victims to report that they have been raped. This is because they are worried about their future and whether being a victim of rape will lessen their chances of

marriage. Thus it has been reported that 90% of young women who have been raped are reluctant to go to the authorities because they are afraid, or they are not confident that anything will be done (Ingiriis & Hoehne, 2013).

#### 4.2.1.9 Polygyny

Polygyny is common in Somalia. It has been estimated that 40% of married Somali men have more than one wife (Mohamed, 2001; Ntiri, 1987, p. 7). In another finding, Lewis (cited in Mohamed, 2001) reports that in one sample of 77 married Somali men in Somalia, 44% had only one wife while 56% had two to four wives. Polygyny is also practiced in Djibouti, but there are not enough data to say how widespread it is there (UNICEF, 2011). In the past, polygyny was particularly common among rich men, sheikhs, and clan leaders; however, it has recently become common practice among all Somalis (Lewis, 1981; Mohamed, 2001).

According to the Islamic code, a man may marry a maximum of four wives at one time on certain conditions, such as treating them fairly and justly, and his capacity to afford his wives an average life in the country they live in (Omar, 2011). While the first, senior, wife enjoys special privileges such as managing family money and income, men often pay more attention to the youngest wife because of her physical attractiveness and fresh energy. As a result, there is much jealous friction and hostility among different wives and their children (Lewis, 1981). Since Somalis are a nation of poets, Somali women have expressed their disdain regarding polygyny in poetry such as:

> Misery resides in three things
> The stinging cold of the *dayr* season (autumn)
> The treacherous thorn of Garloogubay (a place)
> And the polygamous man
> Against the cold, fire is lit
> Against the thorn, shoes are made
> For the polygamous man, there is no remedy. (Warsame, 2004, pp. 26–27)

Reasons for polygyny include religious reasons—a *hadith* of the Prophet says that he (the Prophet) will feel proud in the *akhira* (afterlife) because of the large number of Muslims—and the need for manpower in the nomadic life. Additionally, there is an entrenched belief that the wife is responsible for a baby's sex, and it is considered shameful only to have girls. Therefore, if a wife produces only girls her husband can either divorce her and leave the family or else marry another wife in order to get sons (Abdi, 2015, p. 21).

Polygyny is rare among diaspora Somalis and other Muslims who live in countries where polygamy is illegal, but some Somali men may return to Africa or the Middle East to marry a second wife and keep her there, visiting her once or twice a year (Omar, 2011).

#### 4.2.1.10 *U'gelid* (Entering a Man's House for Marriage Purposes)

*U'gelid* marriage is one where if a woman finds herself single at an age where she might be seen as a spinster, and she feels forced to take radical action to get married, she initiates marriage by selecting a husband and going to his house and staying there until he agrees to marry her. The practice is known as "*u'gelid.*" The man selected must marry the woman or else give her compensation. If he is reluctant to marry or compensate her, he may also face the community's condemnation. It has been reported that this type of marriage still occurs occasionally, albeit rarely, among the Somali ethnic group in Djibouti, but no longer exists in Somalia. In the past there was no stigma attached to such a marriage, yet it was not as highly regarded as other forms of marriage that take place through the normal channels (Ahmed, 2004, p. 54).

#### 4.2.1.11 *Qodba-Sire* (Secret Marriage)

This type of marriage is more familiar in cities and urban areas than in rural areas. Secret marriage is mainly practiced by a man who already has another wife. The main purpose of making this marriage secret is to hide it from his senior wife, because if she becomes aware of it this could lead to family conflict and perhaps a family breakdown (Cabdullahi, 2000).

### *4.2.2 Comoros*

There are several types of marriage in Comoros: great marriage, little marriage, matrilocal marriage, intermarriage and polygyny. The details of these types of marriage types are given below (Table 4.2).

**Table 4.2** Types of marriage in Comoros

| Type of marriage | Rationale for this type of marriage |
|---|---|
| Great marriage | To gain social status, respect, etc. |
| Little marriage | It is affordable for those who cannot manage a great marriage. It also precedes great marriage until someone is ready for great marriage |
| Matrilocal marriage | The wife has her own house, inherited from her mother or family, and therefore her husband will move in and stay with her at her house |
| Intermarriage | Each social class/rank may intermarry within its own ranks, at most, but not with other social classes |
| Polygyny | To have more children, or perhaps the senior wife is not in a condition to give birth. It is also permitted in Islam |

#### 4.2.2.1 Great Marriage

*Ada* marriage, or great marriage (also known the "*ndola*" marriage or "grand" marriage), is the most distinctive Comoran custom passed down through generations, which has made Comoros very famous in the imagination of tourists. Great marriage symbolizes the alliance of the groom's and bride's families (Alles-Jardel et al., 2002, p. 223; Blanchy, 2013). It is a method of social expression of friendship and passion within Comoran society that dates back more than 1,000 years (Al-Jazeera, 2016; Shanghai Star, 2003). Blanchy (2013, p. 1) argues that "this life cycle of celebration is linked to specific social and political institutions: the age and rank system and matrilineal descent groups, which form the backbone of the community-level specific polity, the city."

The main purpose of great marriage is to gain status and respect in society. Comorans argue that even if a man is well educated and holds a bachelor's, master's, or Ph.D. degree, he cannot be respected in the community unless he organizes a grand marriage or great marriage. Only through great marriage can Comoran men become complete (Inside Africa, 2015). The idea of "accomplishment" or the "complete" man is an ideal to be achieved in a man's lifetime (Blanchy, 2013). Without great marriage, "even the President of the Republic [of Comoros] would remain small in the eyes of the community and society" and would not have the respect of the people and the community (Al-Jazeera, 2016).

The second aim is for men to be role models for their younger brothers and pave the way for them to have their own great marriages; and the third aim is to comply with social pressures. Therefore, every Comoran, especially from Grand Comore, must try to hold a great marriage to obtain social status (Al-Jazeera, 2016).

All men strive for the lavish, expensive, and lengthy marriage known as "*ada*" or "great marriage." Preparation for great marriage takes years, perhaps decades, to accumulate the required cost (Al-Jazeera, 2016; Shepherd, 1977, p. 344). As Comoran Minister Yehia Mohamed Elias told Al-Jazeera during his grand marriage, after twenty years of being married: "We got married twenty years ago, and we have seven children. Hopefully, in a few days, we will celebrate our grand marriage." (Al-Jazeera, 2016).

In terms of gender, all men are now entitled to have a great marriage if they can, so that they can have a voice in the community and in their city, but in the past only the eldest son was entitled, and the eldest son still continues to enjoy his family's greatest mobilization and support (Blanchy, 2013, p. 572). For women, great marriage is required for a firstborn daughter in the family—who culturally manages matrilineal land inherited from her mother and family—for her first marriage (Alles-Jardel et al., 2002, p. 223; Shepherd, 1977, p. 344).

Similarly, girls from wealthy families who are able to marry their daughters are eligible to have great marriages (Shepherd, 1977, p. 344). Comorans who have not achieved great marriage are subject to stigma and low status in society (Alles-Jardel et al., 2002). For instance, women who achieve great marriage are superior to others who do not have a great marriage but only little marriage. Great marriage spouses

may be from the same kinship group or from the same town or island (Alles-Jardel et al., 2002; Shepherd, 1977).

The celebrations for a great marriage will normally continue for around two weeks, starting on a Friday at the mosque and ending on the third Friday, again at the mosque. In the early morning of the following Sunday the groom, accompanied by his mother and eldest sister, move to his bride's house, which she has inherited from her mother (Alles-Jardel et al., 2002, p. 223; Shepherd, 1977, p. 344). The groom will be carrying with him an expensive gift worth thousands of US dollars, while he himself wears, for the first time, a very expensive turban and coat decorated with gold which only men who have had a great marriage are entitled to wear, to distinguish them from those without a great marriage. Because of their unique outfit, they are socially respected and accorded high status (Alles-Jardel et al., 2002; Shepherd, 1977).

Great marriage benefits the people of the town by contributing to the city's public projects and giving money and other valuable things to needy people, particularly the elderly poor. Great marriage also feeds the general population of the city during festivities with luxury food, e.g., meat, rice and so on. If a man who has not made a great marriage attempts to speak at the town's public events, his request will be declined since he has not contributed materially to the people in his town. Therefore, politically, men who achieve great marriage enjoy political advantages and priority over others since they are well respected and well known in their towns (Shanghai Star, 2003; Shepherd, 1977). By holding a great marriage "the husband becomes a political father" (Blanchy, 2013, p. 572). Although there have been constant changes, great marriage for those descended from slaves is cheaper than for high-ranking groups (Shepherd, 1977, pp. 347–352).

In the past, when preparing for first marriage parents would usually choose a suitable spouse for their child, preferably a first cousin. In the process of marriage, a girl sent gifts, particularly travel cakes, to her future husband, and if she was too young she was assisted by her mother and other relatives to prepare such travel cakes. The travel cake dates back to an ancient practice where Comoran men used to travel with their boats for trade purposes across the Indian Ocean. That kind of traveling culture has ended, but its influence has remained visible (Ottenheimer & Ottenheimer, 1979, pp. 330–333).

#### 4.2.2.2 Criticism of Great Marriage

Critics argue that the huge amounts of money spent on great marriage should be invested in education, businesses and strengthening economic and social development (Shanghai Star, 2003).

Early studies in the nineteenth century showed that Islamic Sufi brotherhoods who were calling for reform and social equality criticized the huge cost of great marriage. These Sufi scholars called for the abolition of inequalities in the traditional system of Comoros, such as great marriage, and introduced a more egalitarian marriage system free from politics, but the form of marriage they initiated has not survived (Blanchy, 2013, p. 577).

There are some emerging voices that believe great marriage complicates the lives of ordinary Comorans, as an interviewee recounted to Al-Jazeera: "These traditions and customs [great marriage] have become a burden on ordinary Comorans." The excessive cost is criticized by some external observers, as well as young Comorans studying abroad, who describe great marriage as counterproductive for development and a burden on individual lives. Recently Comoran religious scholars returning from Arab Muslim universities have tried to stop the practice of great marriage but been expelled from mosques by "accomplished men" and had fines imposed on them [religious scholars] as punishment. In Maore, where rapid demographic growth and development are creating new versions of social classes and hierarchies including great marriage, these hierarchies such as great marriage are perceived as negatives, suggesting that great marriage should not be given any special status (Blanchy, 2013, p. 574). Ali Soilih's Marxist government from 1975 to 1978 banned the practice of great marriage, criminalizing great marriage events. At that period, the descendants of slaves had a sense of social equality as there were no masters or social ranks, but since Soilih's demise great marriage has returned. Because of the Marxist impact on social perceptions during this short period, social hierarchies gradually became less influential throughout the twentieth century in Ngazidja (Grand Comore) (Blanchy, 2013, p. 578).

In addition, some Comoran intellectual elites in the West, such as those in France, believe that great marriage is shameful and a waste of poor people's money, work, and energy. These intellectuals are seeking political and social progress in Comoros. Instead of celebrating great marriages, a new Comoran diaspora culture is emerging in which families and the community celebrate educational achievement (Alles-Jardel et al., 2002, p. 224). The status of great marriage is also declining in Maore Island because of rapid social change, demographic growth, and social development (Blanchy, 2013, p. 571).

#### 4.2.2.3 Little Marriage

*Mna-daho*, or little marriage, is a simple, formal, and legal marriage conducted by a *qadi* (Islamic judge) in the presence of witnesses. Little marriage often precedes great marriage. The cost of little marriage is minimal. After the little marriage has taken place, the new family moves to the bride's village, where she usually owns a house given by her parents. That house will remain her own house regardless of whether she remains married or divorces. An animal such as a cow might be slaughtered to publicly announce the marriage. A *maulidi*, which is a praise poem sung in commemoration of the Prophet Muhammad, is performed on the sixth day after the wedding in a little marriage. In the past, if women married through *mna-daho* were from a lower social class, they did not expect *ada* or great marriage in the future; however, that has changed, and now anyone who can afford it can make a great marriage (Al-Jazeera, 2016; Blanchy, 2013; Shepherd, 1977).

#### 4.2.2.4 Matrilocal Residence Marriage

In some parts of Comoros, men can marry several unrelated wives who maintain separate households inherited from their mothers. In this situation, the husband visits his wives at different times allocating the time he spends with his wives equally among them. Since houses belong to women, in matrilocal marriage women are expected to have great influence on family and community affairs.

It is believed that matrilocal marriage began in ancient times, when men used to engage in trade, sailing with their vessels across the Indian Ocean while leaving behind their wives and families. However, with the arrival of colonial France men's mobility was greatly restricted, while matrilocal marriage has endured. Thus, men in the Comoros Islands continue to marry more than one wife, residing with their wives among their families. Some men may marry more than one wife in different suburbs of one city, or in different cities on the same island. This type of marriage has proven sustainable and harmonious as it is, without conflict between husbands and their wives, otherwise it would have disappeared. In matrilocal residence marriage, a husband visits his wives' houses mainly to sleep and eat with them, with little involvement in domestic activities, though he still brings money and luxury items to his family (Ottenheimer, 1984, pp. 351–352).

#### 4.2.2.5 Intermarriage

In Comoros, intermarriage is practiced by three main social groups, categories, or ranks. These groups are:

(1) the sherifs (*masherifu*), who are believed to be descendants of the Prophet Muhammad. The sherifs were the rulers and sultans of the islands in the past;
(2) the freeborn or free population (*waungwana*); and
(3) descendants of slaves (*warumwa*).

These three ranks have maintained endogamy, or marrying within one's own class, which is linked to the principle of *kufu'* in Islamic *fiqh* (jurisprudence), which proposes that a woman should marry within her own social class. This has created a culture in which descendants of slaves, for instance, cannot marry someone from the sherif class. However, a few individuals may break this culture and marry outside their social class (Shepherd, 1977). During the French colonial period, the sherifs lost some of their prestige; however, their social status is still high and obvious, since they are believed to possess *baraka* (God's blessing) because of their perceived blood relationship to the Prophet Muhammad. Furthermore, sherifs are still wealthy compared to other social categories. They also held the most important positions available to Comorans under French colonial rule, such as religious posts as imams, religious teachers, *qadis* (Muslim judges), Sufi or spiritual leaders, and so on.

The free population group, or good families (*waqabaila*), are said to be descended from Arabian tribes not related to the Prophet Muhammad. The free population are also rich, but less so than the sherifs in terms of wealth and social position. There are

also other free population groups across the islands whose economic position is less than that of the sherifs and those linked to Arab tribes. The less wealthy Comorans are, the less chance they have of marrying someone from a wealthier group. This means that the economy is one of the main factors that can influence social perceptions and practices of marriage. The slave descendants are the most marginalized group; however, for the past few decades they have migrated overseas to get jobs and have improved their social status through education and skills, and therefore started to close social gaps (Shepherd, 1977, p. 346). Because of urbanization and social development, these social ranks are continuing to change (Blanchy, 2013).

#### 4.2.2.6 Polygyny

Polygyny is practiced in Comoros, but at a lower level than in Somalia. A survey conducted in Comoros in 1996 showed that around 25% of married women were in polygyny, and the proportion was higher in rural areas (27% vs. 20% in urban areas). Polygyny was also higher among women without formal education, at 30% compared with 17% among women with higher or secondary education (Althaus, 1997, p. 187). Moreover, early studies conducted in 1977 showed that a significant number (20%) of men in the age group 15–59 migrated overseas seeking employment opportunities. Therefore, women considerably outnumbered men in that period in Comoros, experiencing more polygynous marriage (Shepherd, 1977, p. 345).

**Some observations for policy formulations**

- Similar to Comoros, the Somali and Djiboutian governments should develop gender equality-related independent bodies in every ministry to be responsible for improving the situation of women, drawing up policies, and developing public awareness and educational programs relevant to the context of Somalia and Djibouti, in which the emphasis is placed on transforming traditions, customs and irrelevant and harmful religious interpretations which influence the mindset and expectations of communities.
- The Somali and Djiboutian governments should develop public awareness and educational programs promoting women's ability to choose their partners. To do so, the harmful bride-price should gradually be reduced and then eliminated. Religious groups, women's associations, youth, and government departments dealing with this issue should closely work together to achieve this.
- The following two types of marriage in Somalia and Djibouti should immediately be eradicated: *dhabar-garaac* (kidnapping for marriage purposes) and raping for marriage purposes. These forms of marriage are dehumanizing to women and humanity at large. The Somali and Djiboutian governments, civil society groups, Islamic scholars and teachers, and traditional leaders, together with family institutions in the Arab world, should help Somalia and Djibouti work together to fight these harmful types of marriage.

- Poor, less educated, and disadvantaged Somali and Djiboutian families and communities are the most at risk of imposing forced marriage on their daughters in order to receive money and material support. Therefore, these families and communities should be given educational and income-generating opportunities that will enable them to abandon the harmful practice of forced marriage for material gain.
- Although polygyny is permissible in Islam, this permission is misused, as the incidence of polygyny is very high among less educated and disadvantaged women. To change this, the Somali government should be assisted by Arab countries to develop specific educational programs for young women from poor and disadvantaged families to build their lives and choose their partners. That will immensely reduce the uncontrollable level of polygyny that cripples the development of these young women, their families, communities, and society at large.
- Although the Comoran great marriage has some positive aspects, associated with the strengthening for young diaspora Comorans of a sense of identity and belonging to their country of origin, critics argue that this type of marriage comes at the expense of individual and social development. Moreover, it favors elites and those who can afford it, and not the ordinary people and grassroots poor. Since great marriage brings prestige, status, and access to power and influential positions, it only benefits the elites and rich people. In addition, ordinary people may work their whole lives to have a great marriage in order to join the elites without thinking about personal and social development. Therefore it is extremely important for the Comoros government to undertake research for further understanding of great marriage, in order to develop marriage-related policies that will create a balance between great marriage on the one hand and individual and social development on the other, while at the same time minimizing elites' monopoly of social status, privilege, and access to power through great marriage, at the expense of the majority who are poor.
- Harmonize Islamic perspectives and family laws concerning the minimum age for marriage. Islamic scholars should adjust their *fatwas* (Islamic legal opinions) related to family planning, including the use of contraceptives, and at the same time promote young women's educational and professional development needs, so they can delay marriage to some extent.

## 4.3 Age and Marriage

This section discusses factors and social conditions leading to early marriage in Somalia, Djibouti, and Comoros. It also highlights spousal age differences, singlehood, and late marriage.

### *4.3.1 Somalia and Djibouti*

Early marriage is more common in Somalia than in Djibouti and Comoros. It leads to girls dropping out of school; hinders their intellectual growth; and lessens their employment skills and upward social mobility, which will reflect negatively on their personal and societal development in the long term (Smith, 2009). Reports show that around 125 million African women alive today experienced early marriage at the age of 18 years or younger. Worldwide, more than 700 million women alive today were married before 18 years old (UNICEF, 2015).

Within the Somali ethnic group living in Somalia, Djibouti, Ethiopia, and Kenya, engagement and preparation for a girl's marriage may actually begin at her birth (Abdi, 2015). Similarly, in the custom of ethnic Afar in Djibouti, Eritrea, and Ethiopia, a girl's parents may agree to marry their daughter to a man soon after a girl is born, and the future husband will wait until she grows up. This indicates the age gap between the girl and her husband-to-be (Eritrean Ministry of Information, 2015). Other reports state that in Djibouti ethnic Afar girls can be married as early as the age of ten, particularly in the rural area (Lewis, 1994; Nichols, 2006).

In Somalia, a significantly higher number of girls are married at very young ages than in Djibouti. According to Somalia's and Djibouti's family laws, the age of marriage starts at 18 years for both men and women. However, women, particularly, can be married at the age of 16 with their guardians' consent. A court may also grant exemption from minimum age requirements in case of necessity (African Child Policy Forum, 2013; European Country of Origin Information Network, 2017; UNICEF, 2011). Legal experts, however, argue that there has been no explicit and effective law against child marriage in Somalia since the collapse of Somalia's central government in 1991 (Tahirih Justice Center, 2014).

Approximately 45% of Somali girls get married before the age of 18 (UNDP, 2016a, p. 4). In Djibouti, by contrast, marriage before 18 years old is said to be around 10% or below, particularly in urban areas (UNICEF, 2015). In Somalia and Djibouti, early marriage or child marriage mostly happens in rural areas where it is considered a longstanding traditional practice. Less-educated girls and those from poorer and disadvantaged families and communities are more likely to be married at younger ages than well-educated girls or those from wealthier and well-educated families, particularly those of the Afar ethnic group, in the case of Djibouti (Immigration & Refugee Board of Canada, 2013; UNDP, 2016a; United States Department of State, 2015).

Early marriage is also considered a significant factor in high maternal mortality rates (MMR), particularly in Somalia, where the MMR is seen as being among the highest in the world (Ahmed et al., 2014; World Bank, 2013). Early marriage also leads to early age of pregnancy, accompanied by a lack of experience of how to handle pregnancy, birth challenges, new babies, and family life (Ahmed et al., 2014; World Bank, 2013). As regards spousal age differences, it is common in Somalia for a girl to be married to an older man who may be the same age as her father or even grandfather (Smith, 2009).

It is very rare to see single people, especially women who have never married, in Somalia and Djibouti. Late marriage at the age of 30 and above, however, is becoming more acceptable in urban life, though not in rural areas or among nomads. Social norms put a lot of pressure on single people, particularly women, to get married early. In the nomadic population, if single people, particularly women, have not already managed to find suitable partners, their families and relatives will arrange marriage for them; and it is almost unthinkable to oppose marriage, because marrying and raising children are fundamental and the number one priority for Somali and Djiboutian women (Gardner & El-Bushra, 2016; Landinfo, 2012; Warsame, 2004).

Late marriage and singlehood, on the other hand, are stigmatized, particularly for women. There are, however, some differences between nomadic and urban populations. Urban educated women—as opposed to women from rural areas with little or no education—may have better opportunities to establish themselves, earn a living and get married later without being stigmatized (Gardner & El-Bushra, 2016; Landinfo, 2012; Warsame, 2004).

### *4.3.2 Comoros*

A UN report finds that early marriage is practiced in Comoros as thousands of girls are forced to give up schooling to prepare for marriage and then look after their husbands, who then become the guardians of their wives (United Nations Economic Commission, 2010). A survey conducted in Comoros in 1996 with 3,050 women and 795 men aged 15–64 showed that only 2% of women aged 15–19 had children and only 7% of the same age group were pregnant. The median age of marriage among women aged 25–49 was 18.5, and urban women married one year later than rural women (19.5 years old vs. 18.3). Similarly, educated women with secondary or higher education married six years later than rural women (23.4 years old vs. 17.8). For men, the median age of marriage was 27 in the rural area and 28.5 years in the urban area. Interestingly, the median age of marriage for women was increasing while the opposite was true for men (Althaus, 1997, p. 187).

In terms of early marriage and the legal system, there are two approaches related to marriage in Comoros:

(1) Muslim law, which states that the age of maturity is 14–15 years; and
(2) the secular Family Code, in which the age of marriage is 18 and above.

This inconsistency between the Islamic approach and the family code system on marriage can thus lead to the occurrence of early marriages (United Nations Economic Commission, 2010, p. 40).

Family codes in Comoros, Djibouti, and Somalia give equal rights to men and women to choose their spouses; however, the extent of freedom of choice is unclear. For example, a Comoran, Somali or Djiboutian Muslim woman cannot marry a non-Muslim man unless he converts to Islam, while her Muslim male counterpart is allowed to marry a non-Muslim woman without having to ask her to convert

to Islam. This is based on Islamic teachings (United Nations, 2011). According to the Comoran Family Code, any marriage conducted without the consent of the two spouses is invalid. However, freedom of choice is a new development, because in the past marriages were negotiated between the two sets of relatives: the bride's and the groom's (United Nations, 2011).

On the other hand, the Comoran Family Code gives the husband leadership of the household, and therefore the husband has the responsibility of feeding and looking after his wife and children. This makes the wife dependent on her husband, with no real say in decision-making on important matters concerning the family. The survey conducted in Comoros in 1996 with 3,050 women and 795 men aged 15–64 showed that around 1% of women and 4% men aged 40–44 were still single (Althaus, 1997, p. 187).

As part of policy implications, it is important to offer girls alternatives to early marriage by providing them with a safe environment, education, social skills, employment, and other relevant services. The Somali government and Somali society should make it their number one priority to support disadvantaged young single mothers by providing them with health services as well as educational, employment, and social skills opportunities. It is important to address the inadequate human resources for women's health by training more midwives and deploying them to rural and disadvantaged areas (World Bank, 2011).

## 4.4 Marital Relations

Rape and family violence are reported to be common in Somalia, Djibouti and Comoros as there is no law against spousal rape in these countries. Women who experience family violence are reluctant to report it due to social pressures to remain silent, and due to lack of confidence in judiciary systems perceived as ineffective. More importantly, Somali, Djiboutian, and Comoran societies do not encourage public discussion of matters concerning rape. Furthermore, the traditional customary laws of these three countries are not in favor of women reporting family violence.

This section explores rape and sexual and gender-based violence in Somalia, Djibouti, and Comoros. It also investigates the violent practice of FGM/C against women, explaining its negative impact on marriage, family life, social life, and health in general.

### *4.4.1 Somalia, Djibouti, Comoros*

Rape and family violence have increased since the collapse of Somalia's central government. For example, in September 2012 alone around 277 cases of sexual violence were reported in Mogadishu. More importantly, many female survivors of rape and sexual violence are reluctant to report or seek help, fearing stigmatization or

social rejection. Moreover, many women who are raped are unaware of the services available, if any.

Rape and sexual violence have weakened families and broken down the social fabric of Somali society. In some parts of Somalia where there is relative peace, high levels of sexual and gender-based violence still continue to create long-term threats to women's security and well-being. Perpetrators of rape and sexual violence against women are rarely prosecuted and punished. This is because the judiciary system and law enforcement agencies are widely considered to be unreliable at best, or hostile to women at worst. This is compounded by the fact that the traditional customary law does not take enough action on violations against women's rights (Tahirih Justice Center, 2014). Traditionally, Somali society has not been open to publicly discussing domestic violence and rape, which further hampers women's access to justice. For these reasons, rapes and sexual violence are underreported (UNDP, 2012, p. 23).

Although rape and family violence are said to be common in Djibouti, they are however not reported, due to lack of trust in the judiciary system dealing with women's rights. For example, in Djibouti's family law rape is a crime punishable by up to 20 years in prison, but the law is not widely enforced and the police do not always take action on domestic violence. Moreover, there is no law against spousal rape in the Djiboutian Family Code, although the law prohibits torture and barbaric acts against women (UNICEF, 2011).

Although there are few reliable statistics available, Djiboutian women who are victims of marital violence often refuse to report it and file a complaint against a violent husband, either because of family pressure due to social and traditional considerations, or because they think they might put their household at risk; or they may believe that even if they do report the violence and file a complaint it will not be addressed. The Djiboutian government itself acknowledges shortcomings in the law to combat gender-based violence (Republic of Djibouti Office of the Prime Minister, 2004; UNICEF, 2011). Domestic violence and marital rape are rarely exposed and discussed publicly, and are often dealt with within the family or traditional contexts (Make Every Woman Count, 2016). The media report only the most extreme cases, usually those involving death. Cases of violence against women are often handled by families and clans (UNICEF, 2011; United States Department of State, 2015).

Similarly to Somalia and Djibouti, violence against women is reported to be common in Comoros, yet action to combat the issue is still limited. Comoran women suffer physical, psychological and marital violence including insults and verbal abuse from their husbands, fathers, uncles, brothers, fiancés and brothers-in-law (African Development Bank, 2009). Violence against women is not openly talked about, and therefore it is hard to find out concrete facts about the level of violence. There are also reportedly a number of manifestations of violence occurring in private homes, in schools and in the workplace, such as physical violence, deprivation of food, psychological violence (verbal abuse, forced marriage, exploitation of women for monetary gain), and sexual abuse (rape, incest, and other sexual offences) (United Nations Economic Commission, 2010).

Research conducted in 2006 showed that one in three Comoran women had experienced violence in their lives. Rape in Comoros is illegal and punishable by imprisonment for five to ten years, or up to fifteen years if the victim is younger than 15 years of age. Spousal rape is not specifically addressed in the Family Code. Sexual harassment is illegal and punishable by up to ten years' imprisonment. Although rarely reported due to traditional and societal pressures, violence against women is a common problem. Factors that make women remain silent about the abuse include: culture and tradition; the shaming of women who have been sexually abused if they talk publicly about having been raped; parents forcing daughters into marriage; lack of the political will to address violence against women; ineffective policies to implement court decisions and enforce penalties for violence; insufficient preventive initiatives on violence against women; and the scarcity of resources to provide services for women (United Nations Economic Commission, 2010, p. 41).

Many Comoran women suffer spousal abuse and violence from their husbands or their husbands' relatives if they engage in politics without their husbands' consent. This is compounded by the fact that most victims of such violence are reluctant to denounce their husbands because they want to avoid humiliation and at the same time to preserve marital harmony (United Nations, 2011).

### *4.4.2 FGM/C as a Form of Violence Against Women*

Around 80–90% of Somali girls in Somalia undergo female genital mutilation by cutting (FGM/C), which is the worst type of FGM (Harkness, 2011). In Djibouti, the rate of FGM/C is 93% in urban areas and 96% in rural areas (UNICEF, 2011). This violent practice is engrained in Somali and Djiboutian traditions and has become a widespread cultural practice (Harkness, 2011; UNICEF, 2011).

In some places in Africa where FGM/C is practiced, there is a strong perception that uncircumcised girls are unclean and therefore not fit to be married. Furthermore, there is a strong perception that cutting is a prerequisite for marriage as it marks a transition from being a young girl to womanhood (Semu-Banda, 2017).

In contrast to Somalia, the government of Djibouti has taken a number of actions and initiatives in order to fight this cruel practice. FGM/C has therefore been made illegal, with harsh penalties for those responsible. Several information and public awareness campaigns and events were carried out in 2008 (UNICEF, 2011). Also, the most notable feature in the fight against this harmful practice was the establishment in 1988 of the National Committee to combat this harmful traditional practice as part of the National Union of Djiboutian Women (UNFD) (Republic of Djibouti Office of the Prime Minister, 2004, pp. 12–14). Article 15 of the Djiboutian Constitution condemns torture, physical abuse, and the inhumane, cruel, degrading, and humiliating treatment of women. Article 333 of the Penal Code also punishes acts of violence involving genital mutilation with five years' imprisonment and a DF1,000,000 fine (Republic of Djibouti Office of the Prime Minister, 2004, pp. 12–14). However, only in 2014 were two women convicted for the first time on charges related to committing

FGM/C, and both women received six-month suspended sentences. The government had as yet not punished anyone under this law (United States Department of State, 2015; UNICEF, 2011, p. 19).

Diaspora Somalis and Djiboutians also still practice FGM/C. For example, school holidays in Europe and North America (July, August, and September) are the busiest months of the year for organizing FGM/C. During this peak season, Somali and Djiboutian diaspora parents bring their daughters from North America and Europe to Somalia and Djibouti to undergo FGM/C (Semu-Banda, 2017).

### *4.4.3 Divorce*

Widespread divorce in Somalia is another form of violence against women. Divorce is uncommon among the nomads but is increasingly becoming a big social problem in the urban areas and cities. There are three main factors behind the high divorce rates in urban areas of Somalia:

1. Conflicts created by polygyny;
2. Economic difficulties; and
3. Demographic changes, with the transition from a pastoral and nomadic to an urban, lifestyle.

When a woman is divorced, she often leaves her children behind and goes back to her parents' home alone, taking nothing with her, or at best with a small amount of material support from her ex-husband (Adam et al., 2004). In the old Somali tradition, women were not usually given any property after divorce. This is because women were not traditionally allowed to own property, contrary to Islamic teachings. According to a popular Somali custom, women should never bring anything to the matrimonial home. A famous Somali saying that shows how men despise women owning anything goes as follows: "If a woman brings anything, even a pot, break it." (Warsame, 2004).

While divorce is technically available to both men and women, it is much harder for a woman to pursue unless she gives up custody of her children, property, and financial settlements from the marriage, among other hardships (Tahirih Justice Center, 2014).

The opposite is true in Somali and Djiboutian diaspora communities in Western countries, where the woman by law keeps her children and the house. Divorce and family break-up are among the biggest problems of Somali communities in Western environments, created by the difficulties of transition, the influences of new cultures, changes in gender roles—particularly those that favor women—and financial disagreements. Family break-up affects children in negative ways and hinders the process of their integration into the new environment (Omar, 2011).

In Comoros, meanwhile, only husbands have the unrestricted power to decide to end a marriage without paying any compensation to the woman. In contrast, if a woman wants to end her marriage she is required to prove that her husband has failed to provide financial support; or has been absent for a long time without meaningful

contact between them; or suffers from insanity or a serious and chronic illness; or has abused her; or is involved in homosexuality or drunkenness or adultery; or is suffering from an incurable ailment such as impotence; or has abandoned his religion (United Nations, 2011).

In Comoros, to prevent or limit excessive family breakdowns, the *talaq* or divorce must be pronounced in court and in the presence of the spouse. The court may also require the husband to reflect further before taking any decision (United Nations, 2011). As mentioned earlier, a husband may decide unilaterally to end the marriage without any compensation to the woman. In contrast, while a woman can file for divorce she has to pay the husband a *khol* (sum of money agreed between them). This measure is only applied on a consensus basis or based on a court decision (United Nations, 2011).

## 4.5 Work and Marriage

Cultures and customs can determine and define social attitudes and expectations of marriage and gender relationships. These expectations shape the behaviors of men and women and their rights, roles and responsibilities in their own families, in society and in the workplace. Based on societal expectations and perceptions, gender roles are produced, structured, and maintained by identifiable social processes. Because culture is not static but fluid and constantly undergoing change, these social expectations and perceptions of gender roles and responsibilities change accordingly (Abdi, 2015). This section explores work and marriage, and specifically men's and women's work-related roles in evolving social norms, behaviors and perceptions which are influenced by changing contexts and cultures. Factors influencing this issue include social movements from rural areas to urban areas and big cities, lifestyle changes, war, migration, displacement, and so on.

### *4.5.1 Somalia*

Somali women bear the main burden of domestic tasks together with other normal work, while men are seen as the main breadwinners for their families. However, with the passage of time the division of labor based on gender-related perceptions has been constantly changing. Researchers such as Ntiri (1987) argue that culturally, Somali women see themselves as mothers and wives first and foremost, with occupational considerations taking second place. Somali society is also to some extent patriarchal, with a male-dominated culture and therefore clear divisions of labor between males and females. Traditionally, men in Somalia were by and large the primary breadwinners, decision-makers, and protectors of their families, while women were mainly responsible for domestic tasks such as caring for and raising children and

cooking. Alongside these primary tasks, women used to engage in activities necessary for the survival of their families in a harsh and demanding environment. For example, in the nomadic life and in rural areas women would prepare the makeshift nomadic hut known as "*aqal*," fetch water and wood, milk the animals, cook for and feed the family, and take care of their children and livestock, specifically goats and sheep. They would also load and unload camels, process the primary products of the pastoral nomadic economy such as milk, meat and skins, and weave the grass mats used to cover the nomadic hut (FAO, 2017; Ingiriis & Hoehne, 2013; Logica, 2013; UNDP, 2012; Warsame, 2004). Therefore women's occupations are interwoven into their family responsibilities, to the point that it becomes difficult to separate what is occupational from what is done in the interest of the family (Ntiri, 1987).

Because men are culturally expected to be breadwinners, they are always outside the home (Abdi, 1993). This view has been echoed by Kallehave's research (2004, pp. 2–3) conducted on diaspora Somalis. Kallehave, who was a social worker for Somali families in Norway, showed that Somali men in Norway were often busy outside their families—meeting, cooperating and resolving conflicts with other men, representing their clans—in a continuation of their cultural background in a culturally different context. Kallehave described how Somali men were always away from their families:

> [C]alling in the evening to make an appointment, I several times experienced that the Somali husbands were not at home, and very often their wives did not know at what time they would return home… I was wondering, what is the role of the Somali man in the family when never at home? How could he be the decision-maker of the family when never at home? (Kallehave, 2004, pp. 2–3)

Kallehave states that some women believed that even if their husbands were unemployed, their place was not at home. Similarly, men themselves believed that staying at home was not appropriate for them; one Somali man is quoted (in Kallehave, 2004, p. 3) as saying "I do help my wife with the household and I also change the child, but I would never tell that to a Somali man." If he did, he would be shamed and taunted for doing a woman's job. Because Somali society is patriarchal, boys are granted full freedom while girls are restricted and described as being "kept at home" (Reitsma, 2001).

With respect to household finances, decisions regarding household expenditures and how income is used may be subject to internal discussions, but overall control of income management, at least formally, is still in the hands of men (Logica, 2013; UNDP, 2012). However, Lewis (1981) argues that wives are often forceful characters who astutely exercise more influence when making decisions than it appears. Socially, it is perceived that husbands do not spend their income easily, since they are the breadwinners who earn the income through their hard work (Logica, 2013, p. 2; UNDP, 2012).

While men have traditionally been the breadwinners, some recent studies indicate that Somali women have made some economic gains through employment in the area

of livestock and agriculture,[1] which was traditionally held by men, and therefore some women are assuming responsibility for household income generation. This has further facilitated women's economic advancement and power gains. Women's economic gain impacts both their own role and their husbands' role in the family (FAO, 2017; Logica, 2013; UNDP, 2012).

Some researchers in fact attribute these gains to the conflict, migration, and civil wars that have greatly transformed and in many ways improved the status of women in Somali society by inspiring them to take more proactive roles and income-generating situations (Ingiriis & Hoehne, 2013). A significant number of Somali women are becoming householders and breadwinners. Some of these women engage in small-scale enterprises, especially in urban areas (Logica, 2013, p. 2). Because women are not culturally targeted during war and clans' revenge (revenge killing is a form of male-on-male gender-based violence and a war-related phenomenon), they can easily move around without fear of being targeted, and therefore engage in business and trades (Gardner & El-Bushra, 2016; Warsame, 2004).

Because of Somali women's increasing employment and income, their contribution to decision-making is also steadily increasing (Logica, 2013). In fact Somali women have confirmed that since earning their own income their involvement in decision-making processes has become more obvious, and this has encouraged Somali women to become economically independent (Warsame, 2004).

This is in agreement with Meekers' (1993) findings that in urban areas and big cities many well educated African women earn money through their work and therefore often challenge their husbands' authority and want to be consulted in decision-making and family affairs. As women gain employment and income, marriage is less of a necessary economic partnership than it was in the past (Giddens, 2001, p. 180).

An unpublished World Bank report on Somalia (2013) found that men's job prospects in urban areas are limited compared to women's, and therefore many men are reliant on their wives' income and earnings. This means that their wives have become the family's main source of income, and this has changed men's status, role, and identity in society as breadwinners. This social transformation has created huge stress and identity crises among men. Some men may feel threatened by their wives' economic gain and growing status in society, and therefore they (the men) resort to violence against their wives. Often men who are opposed to their wives' income-earning activities outside the home and family tasks use religious justifications and traditional narratives, even though Islam does not prohibit the involvement of women in economic activities (Warsame, 2004, p. 52).

[1] While women are gaining employment in these new sectors traditionally held by men, they face challenges in owning land. It has been found that most women in Somalia (and Djibouti) do not have **their own land** since they are perceived to have access to their husbands' land (FAO, 2017; UNDP, 2012). A study conducted in the Jubba valley in Somalia before the war showed that women had limited access to and limited control over land: only 14% owned farms (FAO, 2017; UNDP, 2012). Unlike the general understanding of Islam, in Djibouti women do not inherit land and cannot access land as easily as men (Bohrer, 1996b). This limits women's productivity and independence in the labor market (FAO, 2017; UNDP, 2012).

Some men, however, have started to accept the new reality and social transformation and therefore are willing to partially relinquish their authority over their families and matters such as income control and decision-making to their wives (World Bank, 2013). Because of the gender demographic role changes imposed by the civil war, there is a new trend in marriage where men seek marriage to women who will support them financially. One of the main routes to such marriage is to have recourse to diaspora women. Men can find such women through their relatives, friends, or social media (Gardner & El-Bushra, 2016).

Interestingly, unemployed Somali men who were dependent on their wives' income were reluctant to assume their wives' traditional domestic tasks, including care of children, while their wives went out to work. As a result, Somali women in the labor market are burdened with both generating family income and at the same time taking responsibility for family domestic issues (Ingiriis & Hoehne, 2013).

Polygamy and men's long absence from their families because of migration or being killed in the civil war, or because of the high divorce rate, have further contributed to the increasing number of female workers and breadwinners. For example, many men with 2–4 wives are unable to support their families, which forces wives to work in order to provide for their children (Logica, 2013; UNDP, 2012). The extended absence of males, whether due to conflict or migration, has resulted in a significant number of female-headed households, as well as households in which women become the primary or contributing breadwinners for the family; and there are positive and negative implications associated with this shift of gender roles (Logica, 2013, p. 8; UNDP, 2012, p. 23).

Because of Somalia's prolonged civil war and the collapse of the state, Somali families have experienced enormous changes and challenges. As a result, a significant number of Somali fathers and husbands are absent from their families, or present but inactive, jobless, and dependent on their wives' and children's income (Gardner & El-Bushra, 2016). Because they lack their own income, "some husbands are compelled to take the gun and loot people to feed their families" (Gardner & El-Bushra, 2016, p. 5).

On the other hand, older men who had good jobs in Somalia's central government prior to 1991 have become more dependent on their wives and children. This is because these men are unwilling to take menial jobs that they perceive as incompatible with their former status and qualifications. They believe such demeaning jobs would diminish their manhood and their clans' status among other clans. In contrast, it is common to see former female doctors, teachers, bankers, and so on working in menial jobs such as selling tomatoes or tea in the streets to feed their families (Gardner & El-Bushra, 2016).

Fathers' unemployment has caused huge family problems, as there is evidence to suggest that boys and young men from families in which the father is unemployed are more vulnerable to recruitment by extremist militant groups, criminals and warlords (Gardner & El-Bushra, 2016). Moreover, because many fathers are not financially contributing to their families, their wives' meager income cannot cover family living costs and their children's education. As a woman in Mogadishu said:

> Men's responsibility for the family is dead now; men cannot sell tomatoes. For example, I had ten children. Only three of them went to school. Out of these three only one managed to go to secondary school and reach university level. I could not pay his university fees. Men now are just trying to stay alive and secure themselves from danger. (Cited in Gardner & El-Bushra, 2016, p. 5)

When men lose their status as breadwinners, families in IDP (Internally Displaced Persons) camps become dependent on NGO support, donations, and charity such as *zakawaat*. This means that for internally displaced families neither men nor women are breadwinners. However, it is observed that some women in IDP camps have engaged in small businesses, which further marginalizes men's role in society (World Bank, 2013).

### *4.5.2 Djibouti*

The Djiboutian Constitution grants equal treatment for men and women; however, it does not require gender-equal payment for working in equal jobs. Furthermore, a presidential decree requires that women should hold at least 20% of all high-level public service positions, although it is reported that the government has never implemented its promise (United States Department of State, 2015, p. 20). If the Djiboutian government's formal policies are not implemented, traditional societal discrimination against women has resulted in a secondary role for women in public life and fewer employment opportunities in the formal sector (United States Department of State, 2015).

In positive developments, the government of Djibouti has started to promote female leadership in the small business sector (United States Department of State, 2015). In the cities, men generally work in the civil service, horticulture, corporate business, the military, and port services, while women largely work as lower-level civil servants or run small businesses, though mostly in the informal economy and private sector (Countries & Their Cultures, 2017; Republic of Djibouti Office of the Prime Minister, 2004; United States Department of State, 2015). Women are often employed in insecure and vulnerable jobs in the informal sector (UNICEF, 2011).

The unemployment rate among Djiboutian women is 71.1%, higher than among men, for whom it is 56.1% (United Nations Population Fund, 2012, p. 2). The overall poverty rate within female-headed households is 19%, which is not much different from the poverty rate of 21% within male-headed households, so there are no significant differences in poverty between female- and male-headed households in the urban areas of Djibouti. However, the difference is very significant in rural areas, where the poverty rate of female-headed households is 29% compared to 17% for male-headed households (Kireyev, 2017, p. 10).

### *4.5.3 Comoros*

In the past, the labor division between men and women was clear-cut, with women's main focus on domestic-related matters together with agriculture while men usually handled external transactions. Despite social changes that have affected gender-based work, these labor divisions are still obvious in Comoros.

The labor market in Comoros is characterized by feminization. The agriculture sector employs the highest proportion of women (66.9%), while the civil service employs only 30% women. However, men and women receive equal pay for equal skills and qualifications (United Nations, 2011). In addition, more women are self-employed (56.1%) than men (47.5%) (African Development Bank, 2009, p. 3). As regards business, some women entrepreneurs operate under their husbands' authority and do not enjoy effective autonomy in the management and development of their enterprises (United Nations, 2011).

In Comoros, men would traditionally engage in trade across the islands and Indian Ocean to bring in luxury items, money, and wealth, while women were expected to manage domestic affairs. Women also used to work on their farms and in agriculture with assistance from their family members and relatives in order to provide a basic subsistence livelihood for their families (Ottenheimer, 1984, pp. 352–354; Shepherd, 1977, p. 345).

Although men's engagement in trade across the islands and Indian Ocean has severely reduced, the fundamental labor division between wives and husbands has continued. Men have transformed their role and become involved in agriculture, but in distinct areas of crop production that women are seldom involved in. For instance, men are rarely involved in growing staple food crops. They have also not competed with women in their area of agriculture in order to avoid gender conflict. Instead, men have successfully started to plant, care for and sell cash crops such as vanilla, perfume oils (especially ylang-ylang), cloves, coffee, sisal and copra, although the market for sisal and copra has been shrinking for some time. Men are also increasingly engaged in fishing (Ottenheimer, 1984, pp. 352–354; Shepherd, 1977, p. 345).

In addition, men have traditionally dominated jobs related to religion, politics, and trade outside domestic areas, while women have dominated work and activities related to their families' daily lives, such as childcare and preparing food (Ottenheimer, 1984, pp. 352–354).

Female-headed households represent 40.2% of the total number of households (African Development Bank, 2009, p. 3), and an even higher proportion in Anjouan. Female-headed households are usually headed by widows or unmarried, divorced or separated women (Zarhani, 2011). Comoran households managed by women alone allocate the largest part of their budget to the well-being of their household members, whereas men's are less inclined to do so. This means that women's policies on use of the budget will impact positively on their households. Statistics show that exclusively women-managed households devote 42.8% of their resources to household consumption (food and non-food items) compared to 37% for male-run households (African Development Bank, 2009, p. 3).

Education is an indicator of employability and skills. The Gender Development Index (GDI), which shows the respective shares of men and women with regard to the indicators of education, health and income, was 0.571 for Comoros in 2007, and comparison with the overall Human Development Index (HDI) for Comoros of 0.576 shows that there was no major gap between Comoran men and women regarding human development (African Development Bank, 2009, p. 3). In 2008, the net primary school enrollment rate in Comoros was 76.1%, and the government was aiming for a 100% net enrollment rate by 2015 for all primary-aged children, regardless of sex or geographical origin. However, greater efforts were required if the target of primary education for all was to be met by 2015 (United Nations, 2011). Thus, the government of Comoros was planning to eliminate gender disparity at all levels of education no later than 2015 (African Development Bank, 2009, p. 3).

Regarding government labor laws and policies, any dismissal on the grounds of pregnancy or marital status is prohibited under Comoran law. For example, the Labor Code prohibits dismissal for reasons of pregnancy or marital status. The Labor Code also provides for paid maternity leave without loss of former employment. This system is of considerable advantage to women, who may also take nursing breaks for up to fifteen months. A mother may also break her employment contract without notice and without having to pay compensation for doing so. The Labor Code also provides for a widow to keep her job and her salary during the four months and ten days of the mourning period following the loss of her husband. Comoros has no specific social services to enable parents to combine family obligations with work responsibilities. Nonetheless, child-raising is traditionally shared by various family members including grandparents, aunts, sisters-in-law and sisters, which allows mothers to work (United Nations, 2011).

To enhance women's business opportunities and also improve their rights in the workplace, the Comoros government has established a Department of Female Entrepreneurship to provide Gender Focal Points (GFP) in each ministry. This department is managed by a government entity called the General Commission for Solidarity and Gender Promotion (African Development Bank, 2009, p. 4).

## 4.6 Migration and Marriage

Mixed marriage is marriage between two people from different races or religions and is increasing in our global village, as it is perceived as positive. Mixed marriage is a progressive and positive change to a better future for generations to come, and therefore it deserves to be celebrated (Looker, 2014). Mass migration and advanced communication technologies and transport have expanded the opportunities for individuals to meet with other races and contract marriages across borders (Kringelbach, 2013). However, transnational/binational marriage, or mixed marriage between people from different races, cultures, and countries, is not a recent phenomenon but has existed for as long as there have been borders and migration between societies and nations (Kringelbach, 2013).

This section explores intermarriage between diaspora Somalis and other nationalities in their host countries. It also highlights the link between Comorans' migration, particularly to the West, and the continuation of great marriage in Comoros, as well as young diaspora Comorans' connection to their country of origin through great marriage. While mixed marriage between different races and nationalities is an old phenomenon, it was rare in Somalia before the civil war and before contacts with other nationalities through migration.

The researchers did not find any data related to migration and mixed marriage in regard to Djibouti or Comoros. However, they did find that one of the main reasons for Comorans to migrate overseas, particularly to France, is to work in order to finance their great marriage or their children's great marriages. These great marriages have to take place in their own villages in Comoros, because great marriage can happen only in Comoros.

Marriage between Somalis and non-Somalis has not traditionally been common in Somalia (Landinfo, 2012) and there is little data on Somalis and interracial marriage (Ibrahim, 2011). On the other hand, although Somali people have migrated across the world and interacted and lived together side by side with other nationalities, they rarely marry anyone other than Somalis. Recently, however, there have been signs of an increase in mixed marriages between young diaspora Somalis and non-Somalis (Looker, 2014).

For example, Hassan Mohamud, the imam of Minnesota Da'wah Institute in St. Paul, Minnesota, USA, explained that he was organizing and making more interracial marriages between Somalis and non-Somalis at his mosque, especially between young Somali women and white men. "We see more Somali females marrying outside of the Somali culture, compared to the Somali men marrying outside of the [Somali] culture," Mohamud said (cited in Ibrahim, 2011).

Similarly, a report on mixed marriage in the Somali community in the UK argues that young Somali women are increasingly choosing to marry white male converts instead of Somali men. This is because these converted men are perceived to practice Islam better than Somali men (Looker, 2014). This is confirmed by an article about Somali children from mixed marriages published in *Sahan Journal*, which explained that the majority of these mixed-race children had Somali mothers (Abukar, 2014).

Apart from religion, young Somalis in the West do not feel that culture and race are too important when choosing their spouses, but their parents do. Those young people who marry outside Somali society are seen as transgressing the cultural tradition of their community and social norms in their choice of partner. "My family were shocked, because I was the first person to actually marry outside of my race," said Idil Mohamed, who married a white American man who converted to Islam. This is understandable, since her parents do not speak English and her husband does not speak good Somali (Ibrahim, 2011).

Children from a mixed marriage living in the West encounter their own challenges. Their non-Somali classmates often ask them if they have been adopted when they see them being picked up by parents of a different color from their own (Abukar, 2014). Similarly, the attitudes of the Somali diaspora community are not welcoming,

as a Somali woman commented after she was introduced to a mixed Somali girl: "I can see the traces of Somaliness in you… but you are so white!" (Abukar, 2014).

Because Somalis are a patrilineal society, children from mixed marriages belong to their father's clan if their fathers are of Somali background, but if their fathers are not of Somali background, they do not belong to any clan (Abukar, 2014; Immigration and Refugee Board of Canada, 1999).

These offspring of mixed marriages create their own social networks and social media pages, such as a Facebook group named "Are You Half Somali?," a private group set up to allow them to share their own unique experiences, thoughts, views, and future aspirations, and their feeling of belonging to more than one culture (Abukar, 2014).

Many Comorans migrate to France and also to Zanzibar and La Reunion for better life, educational and employment opportunities to help their families, and most importantly to finance their great marriages as well as their children's great marriages. As Minister Yehia Elias, interviewed by Al-Jazeera, said: "Some of them go to France to work and save for five years, six years, ten years, and then come back to have grand marriage for a week" (Al-Jazeera, 2016). During the period 1972–1976, a huge number of Comoran migrants returned voluntarily from Madagascar and Zanzibar to Comoros, bringing with them their savings and other experiences. These returnees, who were better educated and more progressive than their fellow citizens in Comoros, put the education of their children before financing their great marriages (Blanchy, 2013, p. 578).

Only little marriage can happen in the diaspora, since great marriage cannot culturally take place outside the home village in Comoros (Alles-Jardel et al., 2002, p. 223). Although great marriage is extremely expensive, Comoran migrants make it even more expensive. In 1998, the cost of an average Comoran diaspora great marriage was estimated at around 300,000 francs, equivalent to US$50,000. This huge amount may come mainly from family members who have migrated to other countries, particularly in the West, such as France.

Great marriages between Comorans in France and in Comoros are arranged by the grooms' and brides' parents. If the bride or groom or both live in the diaspora, they have to return to Comoros temporarily to hold the great marriage. Great marriage represents one of the main effective links between the native homeland of the Comorans and their second home in France or elsewhere in the world (Alles-Jardel et al., 2002, pp. 223–224). It is believed that great marriage would not have continued to this day without the economic and social links with Comoran migrants, particularly those in France (Alles-Jardel et al., 2002, pp. 223–224).

## 4.7 Marriage During Conflict and War

This section features issues related to rape, sexual violence and marriage circumstances during civil war and social unrest in Somalia.

### 4.7.1 Rape, Sexual Violence, and Early Marriage During Conflict and War

Growing evidence shows that during war, conflict, and crisis, child marriage rates increase greatly, particularly for girls, leaving negative impacts on girls and their families.

Numerous reports show that during Somalia's civil war teenage marriage, or even younger, has rapidly increased. One of the reasons is that some parents arrange marriage for their daughters at a very young age in order to protect them from rape or secure a better life for their daughters, mostly outside of Somalia (Landinfo, 2012). In parallel with early marriage, there has been an increase in divorce among teenage mothers, in which these young single mothers struggle to raise their children during violent conflict in the country (Landinfo, 2012).

According to the global perceptions survey conducted by TrustLaw in 2011, Somali women were ranked as living in the world's fifth most dangerous country for women due to threats ranging from war-related sexual violence and rape to health challenges, as most reports confirm that gender-based violence has been a significant feature during Somalia's conflict (TrustLaw, 2011).

Furthermore, the prolonged civil war has created a new type of rape and sexual violence that was unknown in Somalia in the past: collective or group rape. A group of clan militias may rape women from other clans they are fighting against to scare, humiliate, and disempower the other clans and show how weak they are. Amid the conflict and clan warfare, women are sometimes raped in front of their husbands to show the inability of their husbands to fulfill their roles as protectors of their wives and families. Gang rape committed by stray young men has also been an increasing feature in lawless Somalia. In the face of large-scale and systematic rape, customary and formal mechanisms to solve the problem are insufficient or have been eroded by the prolonged civil war. Additionally, rape and sexual violence against displaced women are also widespread (Human Rights Watch, 2013; Logica, 2013; UNDP, 2012; World Bank, 2013). Security services, police, and peacekeepers have also committed rape and sexual violence (Human Rights Watch, 2013; UNDP, 2012; World Bank, 2013). Even as rape continues to be used as a tool of war, survivors have no alternative but to keep silent. Women in IDP camps are particularly vulnerable because they have lost their clan protection. They are commonly victims of rape and kidnappings for sexual purposes (UNDP, 2012).

In Djibouti, rape, mutilation, and forced marriage of women and girls are tactics of war and humiliation between Afar and Issa tribes in the countryside (Abebaw, 2016).

### *4.7.2 Civil War-Created Marriage for Protection*

The consequences of civil war have created new types of marriage that were uncommon when Somalia was at peace. For example, culturally the minority Benadiri community in the region of Benadir rarely married people from other Somali clans. However, the civil war facilitated marriage between women from the Benadiri population and members of powerful clans who controlled Mogadishu and the Benadir region. This was a result of the need of these Benadiri communities for protection against various militant groups, clan militias and criminals who terrorized the local Benadiri communities.

These marriages were largely characterized by strong reluctance from both the women's families and the women themselves, but these communities found themselves with little choice in the matter but to marry their daughters to powerful clans for security purposes. These marriages, dubbed "black cat marriages" (*guurka mukulaal madoow*), happened mostly during the days when warlords controlled the Benadir region (Landinfo, 2012). Recognizing child marriage is a critical issue in times of crisis as well as in times of stability (Girls Not Brides, 2016). Child marriage is not being adequately addressed in wars and violent situations; therefore, more research is needed to understand how different types of crisis and violent conflict may affect child marriage, and what programs might tackle child marriage and improve girls' situation.

## 4.8 Conclusion

This chapter focused on the process of marriage and family establishment in Somalia, Djibouti, and Comoros, employing descriptive and analytical research methodologies. Regarding the main purposes and objectives of marriage and family establishment in these countries, the chapter found numerous purposes, most of which have been influenced by Islamic perspectives and practices such as love, tranquillity, and having many children. There were also cultural and context-specific purposes such as marriage for peace in the case of Somalia, and great marriage in the case of Comoros. According to the literature reviewed, the family institution and marriage processes in Somalia, Djibouti, and Comoros have been undergoing transformations influenced by evolving social, economic, and cultural contexts.

In general, the chapter found that the perceptions, expectations, and attitudes of Somalis, Djiboutians, and Comorans toward gender equality/inequality and relationships such as man-woman roles in the process of marriage and family have largely been shaped by customs, religion, and context-specific needs rather than government policies and practices, which are perceived as ineffective. The more traditions, cultures, and extremist religious interpretations are involved in women's issues, the more women's rights are violated.

As for types of marriage, many forms of marriage have been identified in Somalia and Djibouti, the main one being arranged marriage, which is widely practiced. Economic-related aspects such as receiving the "bride-price" were the main reasons behind arranged marriages. Arranged marriage can often take the harmful form of forced marriage, particularly when it involves the bride-price and material gain. It is mostly less educated young women from poor families who are the victims of this type of forced arranged marriage for material exchange. Relative marriage, which is widely practiced across the Arab world, also has elements of arranged marriage. Harmful types of marriage identified included forced marriage and raping and kidnapping for marriage purposes, which the researcher found to have re-emerged and increased to some extent in the context of Somalia's civil war. With the passage of time, particularly in Somalia and Djibouti, some types of marriage such as replacement and elopement marriage are losing their traditional values.

Comoros' main types of marriage included great marriage and little marriage. The main philosophy behind great marriage included gaining social respect and status, joining elite groups, and gaining access to power, while little marriage was associated with unaffordability and economic challenges.

While tendencies towards late marriage are becoming more acceptable among well-educated and professional women in urban areas, marriage under 18 years old is significant, particularly among Somali girls—with almost half of young Somali women getting married before 18 years old—compared to Djibouti and Comoros, where the incidence of marriage under 18 years old is insignificant.

Most girls experiencing early marriage are less educated girls from poor and disadvantaged families. Many teenage girls, particularly in Somalia, are now single mothers struggling to raise their children without any support. These young mothers have been denied their rights to study and gain the employment and social skills that would have enabled them first of all to develop themselves and then later on to be able to help their children and families become productive and contribute to the development of their societies.

Meanwhile, we found that women were unwilling to report violence against them, including sexual violence, including spousal sexual violence, for fear of social rejection and out of lack of trust in the government systems, where they think their complaints will not make any difference. FGM/C is another form of violence against Somali and Djiboutian women, as it is a violation of girls' rights in early childhood. The practice is harmful and can lead to death; health problems; physical, psychological, and emotional wounds during the honeymoon; high maternal mortality rates during childbirth, and so on. The persistence of this harmful practice is associated with entrenched traditions that existed before Islam, lack of awareness, poor education, and lack of effective policies and practices.

The findings of this chapter included the diminishing of labor divisions between men and women due to urbanization, educational improvement, and the influence of migration and cultural contacts. Women are particularly advancing their opportunities and moving into areas dominated by men in the past, such as business, politics, and so on. While wars and violent conflicts are devastating, they have created some opportunities for women to expand their opportunities for work and economic gain, while

men are losing their prestige and social status as breadwinners, decision-makers, and leaders of their families. As a result of war and conflict, many women from Somalia are becoming the breadwinners of their households, while men are reluctant to accept these changes. Instead of facing up to reality by trying to find alternatives and gain new skills to cope with the new challenges, men have developed a sense of identity loss, low self-esteem, lack of confidence and negative perceptions of their wives' advancement, which they perceive as a direct threat to their traditional roles, powers, and social positions. To pursue their career development, some educated and professional people, mainly women, are tending to delay marriage, and in some cases are unwilling to marry at all.

For Somalis, mixed marriage has emerged post-migration, after hundreds of thousands of Somalis migrated to the West due to the civil war. The interesting finding was that, unlike young men, young diaspora Somali women are open to marrying men from other nationalities, on condition that their non-Somali suitors convert to Islam if they are not Muslims. Another interesting finding related to migration was that many Comorans migrate to the West, particularly to France, for the purpose of working to finance their great marriages back home in Comoros, and at the same time to help their children and siblings have great marriages too. Another aspect related to great marriage is that many young Comorans who grew up outside of Comoros, particularly in France, travel to Comoros to organize their great marriages in their country of origin, since great marriage can only be held in Comoros, and this connection has strengthened their sense of belonging and identification with Comoros.

## References

Abdi, A. (1993). *Divine madness: Mohammed Abdulle Hassan of Somalia (1856–1920).* Zed Books.

Abdi, F. (2015). *Gender equality: Psycho-social perspectives on girls' education in Somalia.* Master's thesis, Athabasca University.

Abdul-Rauf, M. (1993). *Marriage in Islam.* Muslim Canada. Retrieved June 3, 2017, from http://muslimcanada.org/rauf.pdf

Abebaw, S. (2016). *Impact and associated factors of conflict over resource and livelihood in pastoralist community: The case of Afar-Issa conflict in Amibara Woreda, Afar Regional State.* Master's thesis, School of Social Sciences, Indira Gandhi National Open University.

Abukar, H. (2014). Mixed Somalis are no strangers to awkward questions. *Sahan Journal*. Retrieved July 21, 2017, from http://sahanjournal.com/mixed-somalis-strangers-awkward-questions/#.WXJjE1KZP-Y

Adam, H., Ford, R., & Ismail, E. (2004). *War destroys, peace nurtures: Somali reconciliation and development.* Red Sea Press.

African Child Policy Forum. (2013). *Minimum age of marriage in Africa.* Retrieved June 11, 2017, from http://www.africanchildforum.org/en/index.php/en/

African Development Bank. (2009). *Gender profile of the Union of the Comoros.* Retrieved September 2, 2017, from https://www.afdb.org/fileadmin/uploads/afdb/Documents/Project-and-Operations/Comoros%20-%20Country%20Gender%20Profile.pdf

Ahmed, A., Mohamed, A., Guled, I., Elamin, H., & Abou-Zeid, A. (2014). Knowledge translation in Africa for 21st-century integrative biology: The "know-do gap" in family planning with

contraceptive use among Somali women. *OMICS: A Journal of Integrative Biology, 18*(11), 696–704.
Ahmed, S. (2004). Traditions of marriage and the household. In J. El-Bushra & J. Gardner (Eds.), *Somalia—The untold story: The war through the eyes of Somali women.* CIIR and Pluto Press.
Al-Jazeera. (2016, June 7). *Comoros: The grand marriage.* Retrieved August 12, 2017, from https://www.aljazeera.com/program/al-jazeera-world/2016/6/7/comoros-the-grand-marriage
Al-Sharmani, M. (2016). Politics and ethics of marriage and family life among transnational Somali diasporas. *Bildhaan: An International Journal of Somali Studies, 16*, 36–48.
Alemu, M. (2015). The geopolitics and human security of the Afar in the post-Cold War period. *African Journal of Political Science and International Relations, 9*(6), 225–253.
Alles-Jardel, M., Schneider, B., & Boutry, V. (2002). Friendship and attitudes toward school among children of two Muslim communities in Marseille. *Early Education and Development, 13*(2), 221–240. https://doi.org/10.1207/s15566935eed1302_7
Althaus, F. (1997). Comoran women delay marriage and first birth, but fertility remains high. *International Family Planning Perspectives, 23*(4), 187–189.
Amir, A. (2013, November 12). *Ten reasons why Comoros may be best Arab state for women.* Thomson Reuters Foundation. Retrieved August 24, 2017, from http://news.trust.org//item/20131111123247-fry3c
BBC. (2017a). *Comoros country profile.* BBC. Retrieved September 10, 2017, from http://www.bbc.co.uk/news/world-africa-13229685
BBC. (2017b). *Djibouti country Profile.* BBC. Retrieved September 10, 2017, from http://www.bbc.co.uk/news/world-africa-13231761
BBC. (2017c). *Somalia country profile.* BBC. Retrieved September 10, 2017, from http://www.bbc.co.uk/news/world-africa-14094503
BBC. (2017d). *Somalia profile/timeline.* BBC. Retrieved September 10, 2017, from http://www.bbc.co.uk/news/world-africa-14094632
Blanchy, S. (2013). Beyond "great marriage": Collective involvement, personal achievement and social change in Ngazidja (Comoros). *Journal of Eastern African Studies, 7*(4), 569–587.
Bohrer, K. (1996a). Comoros country profile. In J. Bruce (Ed.), *Country profiles of land tenure: Africa.* Land Tenure Center, University of Wisconsin-Madison.
Bohrer, K. (1996b). Djibouti country profile. In J. Bruce (Ed.), *Country profiles of land tenure: Africa.* Land Tenure Center, University of Wisconsin-Madison.
Bradbury, M. (1994). *The Somali conflict: Prospects for peace.* An Oxfam Working Paper. Oxfam.
Cabdullahi, C. (2000). *Godob aan la garwaaqsan (female circumcision).* Somali Multi-Media Services.
Cassanelli, L. (1982). *The shaping of Somali society: Reconstructing the history of pastoral people, 1600–1900.* University of Pennsylvania Press.
CIA. (2017a). *The world factbook, Africa: Comoros.* CIA. Retrieved September 10, 2017, from https://www.cia.gov/library/publications/the-world-factbook/geos/cn.html
CIA. (2017b). *The world factbook, Africa: Djibouti.* CIA. Retrieved September 10, 2017, from https://www.cia.gov/library/publications/the-world-factbook/geos/dj.html
Countries and Their Cultures. (2017). *Djibouti.* Countries and their cultures. Retrieved July 1, 2017, from http://www.everyculture.com/Cr-Ga/Djibouti.html
Eritrean Ministry of Information. (2015, July 3). *A glimpse into a traditional Afar wedding.* Retrieved July 3, 2017 from https://shabait.com/2015/07/03/a-glimpse-into-a-traditional-afar-wedding/
European Country of Origin Information Network. (2017, May 18). *Djibouti: Forced marriage.* Retrieved July 13, 2017 from http://www.ecoi.net/local_link/343259/486687_de.html
FAO. (2017). *Gender and land rights database: Somalia.* Food and Agriculture Organization of the United Nations. Retrieved June 4, 2017, from http://www.fao.org/gender-landrights-database/country-profiles/countries-list/general-introduction/en/?country_iso3=SOM
Gardner, J. & El-Bushra, J. (2016). *The impact of war on Somali men and its effects on the family, women and children.* Rift Valley Institute Briefing Paper.

Geeddi, A., Aadan, I., Cabdillaahi, R., & Orwin, M. (2009). *War and peace: An anthology of Somali literature*. Progressio.

Giddens, A. (2001). *Sociology*. Polity Press.

Girls Not Brides. (2016). *Child marriage in humanitarian crises.* Retrieved June 29, 2017, from http://www.girlsnotbrides.org/wp-content/uploads/2016/05/Child-marriage-and-humanitarian-crises-June-2016.pdf

Harkness, W. (2011). *Cultural relativism: Perspectives on Somali female circumcision in Mombasa.* SIT Graduate Institute. Retrieved June 11, 2017, from file:///D:/DIFI%20report/SomaliMarriage/Somali%20Female%20Circumcision-Gudniin.pdf

Hirsi, I. (2016, August 18). *Ilhan Omar, marriage, and Somali culture: An FAQ.* MinnPost. Retrieved June 12, 2017, from https://www.minnpost.com/politics-policy/2016/08/ilhan-omar-marriage-and-somali-culture-faq

Human Rights Watch. (2013, updated may 18). *Somalia: Woman alleging rape cleared, journalist convicted.* Retrieved June 20, 2017, from https://www.hrw.org/news/2013/03/03/somalia-woman-alleging-rape-cleared-journalist-convicted

Ibrahim, M. M. (2011, July 31). *Intercultural marriage still new in Somali community.* MPR News. Retrieved June 27, 2017, from https://www.mprnews.org/story/2011/07/31/somali-interracial-marriage

Immigration and Refugee Board of Canada. (1999, April 1). *Djibouti: Mixed marriages between an Issa man and a Midgan woman.* Immigration and Refugee Board of Canada. Retrieved July 21, 2017, from http://www.refworld.org/docid/3ae6ac7524.html

Immigration and Refugee Board of Canada. (2007, September 20). *Somalia: Prevalence of forced or arranged marriages in Somalia; consequences for a young woman who refuses to participate in a forced or arranged marriage.* Immigration and Refugee Board of Canada. Retrieved June 11, 2017, from http://www.refworld.org/docid/47ce6d7a2b.html

Immigration and Refugee Board of Canada. (2013). *Djibouti: Forced marriage, including the frequency and the consequences of refusing such a marriage; state protection and government services available.* Retrieved July 5, 2017, from http://www.refworld.org/docid/51cc2bfa4.html

Ingiriis, M., & Hoehne, M. (2013). The impact of civil war and state collapse on the roles of Somali women: A blessing in disguise. *Journal of Eastern African Studies, 7*(2), 314–333.

Inside Africa. (2015). The big, fat, pricey weddings of the Comoros. CNN. Retrieved August 12, 2017, from http://edition.cnn.com/videos/world/2015/08/24/spc-inside-africa-comoros-islands-grand-marriage-a.cnn

Kallehave, T. (2004, September 3–5). Strategies for recognition: Process of inclusion and exclusion. [Conference presentation]. In *Ninth International Congress of Somali Studies.* Aalborg University.

Kireyev, A. (2017). *Growth inclusiveness in Djibouti.* IMF Working Paper, IMF. Retrieved July 5, 2017, from file:///C:/Documents%20and%20Settings/admin/My%20Documents/Downloads/wp1793.pdf

Kothari, C. (2004). *Research methodology: Methods and techniques* (2nd revised ed.). New Age International.

Kringelbach, H. (2013). *"Mixed marriage," citizenship and the policing of intimacy in contemporary France.* [Working Papers]. International Migration Institute, University of Oxford.

Landinfo. (2012). *Somalia: Al-Shabaab and forced marriage.* Retrieved June 12, 2017, from http://www.landinfo.no/asset/2156

Lewis, I. (1981). *Somali culture, history and social institutions.* London School of Economics and Political Science.

Lewis, I. (1994). *Peoples of the Horn of Africa: Somali, Afar and Saho.* Haan Associates.

Logica. (2013). *Somalia: Gender and conflict note.* Logica. Retrieved June 6, 2017, from http://www.logica-wb.org/PDFs/Logica_DissNoteSomalia.pdf

Looker, R. (2014, July 2). *Mixed-marriage in the Somali community, a cause for celebration not concern.* Hiiraan Online. Retrieved June 27, 2017, from https://www.hiiraan.com/op4/2014/july/55443/mixed_marriage_in_the_somali_community_a_cause_for_celebration_not_concern.aspx

Make Every Woman Count. (2016). *Djibouti.* Retrieved July 14 2017, from http://www.makeeverywomancount.org/index.php/countries/east-africa/djibouti

Meekers, D. (1993). The noble custom of *roora*: The marriage practices of the Shona of Zimbabwe. *Ethnology, 32*(1), 35–54. University of Pittsburgh. https://doi.org/10.2307/3773544. Retrieved June 2, 2017, from http://www.jstor.org/stable/3773544

Middleton, I., & Rassam, A. (1995). *Encyclopedia of world cultures.* G. K. Hall.

Mohamed, H. (2001). *The socio-cultural adaptation of Somali refugees in Toronto: An exploration of their integration experience.* Doctoral dissertation, School of Education, University of Massachusetts.

Musse, F. (2004). War crimes against women and girls in Somalia. In J. Gardner & J. El-Bushra (Eds.). *Somalia—The untold story: The war through the eyes of Somali women.* Pluto Press.

Nichols, L. F. (2006). *Into their world… the Afar (Danakil) of Ethiopia.* Lausanne World Pulse. Retrieved July 3, 2017, from https://www.lausanneworldpulse.com/urban-php/227/02-2006

Ntiri, D. (1987). *Female education in Somalia: A survey to assess the situation and needs of women.* Report No. 179, Unit for Co-operation with UNICEF and WFP Paris.

Omar, Y. (2011). *Integration from youth perspectives: A comparative study of young Somali men in Melbourne and Minneapolis.* Doctoral dissertation, La Trobe University.

Ottenheimer, M. (1984). Some problems and prospects in residence and marriage. *American Anthropologist, 86*(20), 351–358.

Ottenheimer, M., & Ottenheimer, H. (1979). Matrilocal residence and nonsororal polygyny: A case from the Comoro Islands. *Journal of Anthropological Research, 35*(3), 328–335.

Oxfam Netherlands. (2003). *Mapping Somali civil society.* NOVIB.

Reitsma, K. (2001). *Needs assessment: Somali adolescents in the process of adjustment.* Community Development and Prevention Program, Children's Aid Society of Toronto.

Republic of Djibouti Office of the Prime Minister. (2004). *National ten-year evaluation report on implementation of the Beijing Platform for Action.* Retrieved July 5, 2017, from http://www.un.org/womenwatch/daw/Review/responses/DJIBOUTI-English.pdf

Samatar, S. (1982). *Oral poetry and Somali nationalism.* Cambridge University Press.

Semu-Banda, P. (2017). *For many girls, school holidays means FGM "cutting season."* United Nations Population Fund. Retrieved August 12, 2017, from http://www.unfpa.org/cuttingseason

Shanghai Star. (2003). *Wedding blow-out.* Retrieved August 17, 2017, from http://app1.chinadaily.com.cn/star/2003/1002/fe21-1.html

Shepherd, G. (1977). Two marriage forms in the Comoro Islands: An investigation. *Africa, 47*(4), 344–359.

Smith, D. (2009, October 29). *Somali man aged 112 marries girl of 17.* The Guardian. Retrieved June 11, 2017, from https://www.theguardian.com/world/2009/oct/29/somalia-man-112-marriage

Tahirih Justice Center. (2014). *Forced marriage overseas: Somalia.* Tahirih Justice Center. Retrieved June 12, 2017, from http://preventforcedmarriage.org/forced-marriage-overseas-somalia/

TrustLaw. (2011). *Factshee—The world's most dangerous countries for women.* TrustLaw. Retrieved June 12, 2017, from http://news.trust.org//item/?map=factsheet-the-worlds-most-dangerous-countries-for-women

UNDP. (2012). *Somalia human development report 2012: Empowering youth for peace and development.* United Nations Development Programme. Retrieved June 4, 2017, from http://www.hdr.undp.org/sites/default/files/reports/242/somalia_report_2012.pdf

UNDP. (2016a). *Gender in Somalia.* United Nations Development Programme. Retrieved June 4, 2017, from http://www.undp.org/content/dam/rbas/doc/Women's%20Empowerment/Gender_Somalia.pdf

UNDP. (2016b). *Human development report 2016: Comoros.* United Nations Development Programme. Retrieved August 6, 2017, from http://hdr.undp.org/sites/all/themes/hdr_theme/country-notes/COM.pdf

UNICEF. (2011). *Djibouti—MENA gender equality profile.* United Nations Children's Fund. Retrieved July 1, 2017, from https://www.unicef.org/gender/files/Djibouti-Gender-Eqaulity-Profile-2011.pdf

UNICEF. (2015). *A profile of child marriage in Africa.* United Nations Children's Fund. Retrieved June 30, 2017, from https://www.unicef.org/media/files/UNICEF-Child-Marriage-Brochure-low-Single(1).pdf

United Nations. (2011). *Convention on elimination of all forms of discrimination against women: Comoros.* Retrieved August 5, 2017 http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2FPPRiCAqhKb7yhsoVqDbaslinb8oXgzpEhivjDTKU5XM8DPi5vfgiZ3pZlkNbFMShFdZ6zryh2u8991LdEZuY8sR%2BTkHAN8SyJed3vZjzzUxQ0qoQm%2BJO%2BnPNn

United Nations Economic Commission. (2010). *Violence against women in Africa: A situational analysis.* United Nations Economic Commission. Retrieved August 3, 2017, from http://www1.uneca.org/Portals/awro/Publications/21VAW%20in%20Africa-A%20situational%20analysis.pdf

United Nations Population Fund. (2012). *Djibouti country programme document.* United Nations Population Fund. Retrieved July 20, 2017, from http://www.unfpa.org/sites/default/files/portal-document/Djibouti_CPD%202013-2017.pdf

United States Department of State. (2015). *Djibouti 2015 human rights report.* Bureau of Democracy, Human Rights and Labor, United States Department of State. Retrieved July 10, 2017, from https://www.state.gov/documents/organization/252887.pdf

Warsame, A. (2004). *Queens without crowns: Somaliland women's changing roles and peace building.* Life and Peace Institute. FotoForm.

World Bank. (2011). *Reproductive health at a glance: Djibouti.* World Bank. Retrieved August 21 and 24, 2017, from http://siteresources.worldbank.org/INTPRH/Resources/376374-1303736328719/Djibouti42211web.pdf

World Bank. (2013). *Somalia—Gender and conflict note.* Unpublished document, World Bank. Retrieved June 19, 2017, from http://documents.worldbank.org/curated/en/305431468302345630/text/862980BRI0Box30gica0DissNoteSomalia.txt

Zarhani, S. H. (2011, June 1). *Empowerment of female-headed households.* SocialSciences.in. Retrieved August 12, 2017, from http://www.socialsciences.in/article/empowerment-female-headed-households

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# Chapter 5
# The State of Marriage in Egypt

**Rana Hendy**

**Abstract** This chapter overviews the institutional, legal and religious framework for the institution of marriage in Egypt. It also aims to identify the challenges faced by Egyptian youth to form a family and recommends a list of policies and changes in the laws and regulations to meet the societal evolution and needs. Marriage remains the solely socially accepted form of union between a man and a woman in Egypt. And, Egypt is among the countries that has the highest costs of marriage in the world (namely because of housing). Therefore, Egyptian youth have no alternative but to delay marriage in order to save for its expenses. And, women tend to engage more in the labor market before marriage to help pitch in with the costs, while men may turn to temporary migration, namely to the Gulf, to speed up the saving process when faced by rising unemployment rates in Egypt. This chapter calls for the revision of the Egyptian family law with regards to gender segregation, control of marital relations and divorce, and custody matters. The legal text also needs to be adjusted for more gender equality and ban teenage marriage, namely for women. And, efforts are needed to make the private sector as attractive to working married women as it is to their males' counterparts. This can be done by allowing a higher level of flexibility in the working conditions.

Marriage in Egypt is a contract that is determined by mutually consenting parties of marriageable age (CEDAW). The minimum age of marriage is 18 for men and 16 for women (Law No. 56, 1923). In Egypt, initiating a marriage is a gender-biased process. The Egyptian Civil Code limits a woman's ability to enter freely into marriage, as she is required to have the permission of a male guardian (usually the father). Although the importance of this requirement has been limited by the fact that this guardian cannot prevent a marriage from taking place because the groom is not of the right socio-economic status or has not paid a sufficient dowry, women's guardians continue to exercise enormous influence in the marriage process in Egypt. Human Rights Watch

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interviews in 2004 revealed that women's subordinate status in the family results in the exclusion of many women from the negotiation of their marriage contracts. As a result, women rely on their guardians to represent their interests. Demanding that they be present for these negotiations is not even contemplated by most women because of the social stigma that such a demand would generate.

The signing of the marriage contract (*katb al-kitab*) is a critical point in an Islamic marriage, representing the only juncture at which the parties can consensually define, enhance, or limit their rights in marriage (El Alimi, 1992). During the negotiation of the marriage, women can insist that certain legal conditions be included in the contract, including a right to obtain a divorce if their future husband were to prevent them from such endeavors as finishing their education or working. Men can also insist on including certain conditions in the marriage contract such as denying a woman her right to education and employment.

The signing of the marriage contract is also often the only point in a couple's marital life where they can contractually agree upon the woman's equal right to divorce without resort to the courts. Where women have the right to divorce under a marriage contract, they can divorce with the same ease as men. In principle, all of the conditions and stipulations contained in the marriage contract should be the product of a mutual agreement between the couple. In practice, the process is typically far less equal. The theoretical ability to include such conditions in the marriage contract does not adequately ensure the protection of women's rights. It is extremely rare for Egyptian women to demand the right to divorce during the negotiation of a marriage contract. Providing women with the same right to divorce as men is seen as unacceptable to most Egyptian families. In this context, Egyptian women who are about to marry are generally reluctant to demand such conditions in the contract out of fear that such an act may result in the man breaking off the engagement. Many Egyptian women are also simply not informed of the fact that they have the ability to insist that certain conditions be included in the marriage contract.

The costs of marriage in Egypt go beyond those of a small wedding or ceremony to include "housing, furniture and appliances, gifts of gold to the bride (*shabka*), dower (*mahr*), celebrations, and the bride's trousseau (*gihaz*), including clothing, kitchenware, less expensive furnishings, and smaller household items" (Singerman, 2007). A groom must pay the bride an advance portion of the dowry before the consummation of the marriage. The remaining portion of the dowry, the "deferred dowry," is payable upon divorce or death (El Alimi, 1992). According to the Population Council's 2011 report, relying on the Survey of Young People in Egypt (SYPE), housing was the most cited problem facing youth marriage. In terms of ways to address the challenges facing those preparing to marry, the majority of both men and women mentioned two solutions: government support and the groom's working harder. Both were cited by approximately 60% of males, with 57% of women mentioning government support and 49% the groom's working harder.

Because of the increasing cost of marriage in Egypt, both men and women spend years after graduation living with their parents and working until they can save up the amount needed for marriage. In addition to this, due to diverse national, regional, and international investment efforts in human capital development, young

people, and especially women, are much more educated than previous generations, and women are more likely to engage in the labor market and give attention to developing their professional lives. Caldwell (1982) argued that increasing education, particularly the advent of mass education, brings with it radical change in family values, including emotional nucleation in the conjugal relationship, late marriage, and individual choice of partner. Fargues (1995) ascribed family and fertility change in Egypt to changing gender and generational relations within families, and attributed these to changing female education.

Female education, however, may not be a sufficient condition for family nucleation. From an economic standpoint, high unemployment and weak labor market absorption of young graduates have also hampered youth marriage. Unemployment rates are highest among the young (ages 15–24), reaching 33.4% in 2016 (World Bank, n.d.). This makes it hard for young couples to save up for marriage, especially given that marriage costs are among the highest in the region, and more than the groom's accumulated wages for eight years (Assaad & Krafft, 2014). These factors have contributed to a marked delay in the age of first marriage.

Delayed marriage is, however, taking place alongside an increased preference for nuclear family living (Amin & Al-Bassusi, 2004). There appears to be a shift from extended family living to nuclear family living. Nuclear living has an immediate effect on the costs of marriage and on delaying marriage. As suggested by Caldwell (1982), schooling may bring about changing values with regard to some aspects of marriage and family nucleation, but our data suggest that far from challenging traditional patriarchal values, changing values about family life can reinforce these values in ways that have particularly strong implications for retaining traditional roles for women in marriage. Workers give primacy to women's roles as wives and mothers, and to accumulating savings for their marital household.

This delay in the age of first marriage, which is more evident among males, is due to the many challenges young people in the MENA region in general and in Egypt in particular face at the age of marriage. Such struggles have social, economic, and political roots and have been discussed thoroughly in the literature (Assaad & Krafft, 2014; Rashad et al., 2005; Singerman, 2007, 2008; Singerman & Ibrahim, 2001).

On the social side, and like most Arab societies, Egyptians have gradually moved away from agrarian economic systems and their features of early marriage and extended families. According to the World Bank, 43.22% of Egyptians lived in urban areas in 2016, and only 25.8% of working people were engaged in the agricultural sector in 2015.

This chapter overviews the institutional, legal and religious framework for the institution of marriage in Egypt. It also aims to identify the challenges faced by Egyptian youth to form a family and recommends a list of policies and changes in the laws and regulations to meet the societal evolution and needs. The outline of this chapter is as follows: Sect. 5.1 presents the institutional, legal, and religious framework for the institution of marriage in Egypt. Section 5.2 discusses the different types of marriage. Section 5.3 presents the changes in marriage patterns by age and educational level. Section 5.4 presents an overview of the major labor market obstacles

faced by married individuals, particularly women. Section 5.5 shows societal perceptions towards marriage, by presenting some evidence on attitudes towards gender roles and women's perceptions towards domestic violence. In Sect. 5.6 we discuss the interrelation between marriage and migration, before presenting our conclusion and policy recommendations.

## 5.1 Marriage Context

### *5.1.1 Institutional Framework*

In Arab societies, including the Egyptian, marriage is the only accepted form of union. It is "a rite of passage to a socially, culturally, and legally acceptable sexual relationship" (Rashad et al., 2005). It is the door to family formation, which is the center of life in Arab societies. Therefore, Egyptians face various social pressures to enter into matrimony. In fact, preparations for marriage start from a very young age, even before meeting the future spouse. Singerman (2008) talks about the "attic" and the bridal trousseau. From the moment they have a daughter, Egyptian mothers start "preparing" them for marriage, and accumulation of the *gihaz*[1] starts. "This stash from the attic had been accumulated over many years, largely from gifts from returning migrants or pilgrims or savvy purchases from local sales or peddlers." (Singerman, 2008).

Marriage in Arab societies in general is not only an individual matter but also a family one. It is considered to be more than a civil contract between two individuals; it is a social and economic lifetime agreement between two families. Moreover, it is a crucial crossroads in one's life, which brings societal approval, acceptance, and esteem, especially for women (Rashad et al., 2005), as singlehood has always been undesirable in such patriarchal societies.

The Egyptian marriage is a multiple-step process, which differs slightly between the two religious communities (Muslims and Coptic Christians). For Muslims, the union starts with a small informal engagement (the *qirayet fatiha*) during which only the two families meet (Salem, 2015). Then a more formal engagement celebration (the *khutouba* or *shabka*) takes place in the bride's residence, and the fiancés exchange rings. After that comes the couple's signing of the marriage contract (*katb kitab*) followed by marriage consummation and cohabitation (*dukhla* or *farah*). Christians share almost the same steps, except that the engagement (*khutouba*) is formalized in a church ceremony called *nuss ekleel*. Some of these steps can be combined and held on the same day, but they may also be separated by months.

With all these steps, marriage remains the only door to family formation, which is the most important institution in Egyptians' lives, especially for women. Upon marriage, women retain their fathers' family names, and in the event of marriage

[1] *Gihaz* is the bride's trousseau containing all the accumulated cooking and dining wares, linens, household appliances, etc.

termination they are supposed to move back with their natal families. Based on Islamic Sharia, men are responsible financially for all women and children in their families, giving them a sense of authority linked to the patriarchal system.

The crude marriage rate is defined as the number of marriages within a year for each one thousand of the population. Amin et al. (2007) give some descriptive statistics about crude marriage rates between 1986 and 2004. Over these years, there was some fluctuation in the rate, between a high of 9.3 per thousand in 2000 and a low of 7 per thousand in 2001. During the period 2000–04, the crude marriage rate decreased in urban Egypt from 7.7 per thousand in 2000 to 5.9 per thousand in 2004, and increased year after year in rural areas to reach 9.4 per thousand in 2004.

According to Osman and Girgis (2009), between 1952 and 2006 the crude marriage rate dropped from 1.08 to 0.73%. During the 1950s and ’60s and until the mid-1970s the rate fluctuated. After that, marriage rates followed a downward trend until the beginning of the 1990s, with a rate of approximately 0.64% in 1992. During the early 2000s, rates decreased until 2006, to start an upward trend after that and reach a state of stability in the last seven years (rates fluctuating slightly between 1.03 and 1.12%). Osman and Girgis (2009) note that over time marriage rates have been higher in rural regions than in urban areas.

According to Salem (2015), families in Egypt used to be more extended, and newlyweds used to live with the groom’s family in the same residence. However, over the years young people have become less attached to and reliant on their parents, and extended family households have become less common. Using the Egypt Labor Market Panel Survey (ELMPS) data for 2006 and 2012, Salem found that in 2006 63% of married women[2] formed nuclear families at the start of their marriages (Table 5.1). This increased to 77% in 2012. Thus between these two rounds of the ELMPS fewer women reported extended family living arrangements when they were first wed. Nevertheless, some degree of extension still exists when it comes to Egyptian families; that is, unmarried relatives are incorporated into the family. Moreover, as a general rule those never married, or formerly married (widows and divorcees), would not live separately, regardless of age. Because of social stigmatization, divorcees and widows, especially those with no children, are expected to move back with their parents, if they are still alive, or else live with a sibling or other relative.

Extended families are more common in rural areas where the agrarian system prevails. In this system, the new bride is seen as additional labor and therefore she shares living arrangements with her husband’s family. According to Salem (2015), and based on the 2006 and 2012 ELMPS data, a higher percentage of newlyweds from urban areas formed nuclear families at the start of their marriage than from rural regions. For instance, nuclear families were more common in Alexandria and the Suez Canal region. Salem explains this by pointing to the higher educational attainment in urban areas. More educated couples, especially if the woman has a higher educational level, tend to prefer independence and unconstrained living situations where they feel unbound when it comes to making decisions.

[2] Married within the five years preceding the survey interview.

**Table 5.1** Percentage who formed nuclear family at start of marriage, by socio-demographic characteristics, among ever-married women aged 18–39 and married within the previous five years, 2006 and 2012

| | Percentage who formed nuclear family at start of marriage, 2006 | Percentage who formed nuclear family at start of marriage, 2012 |
|---|---|---|
| *All* | 62.9 | 77 |
| *Residence* | | |
| Rural | 47.9 | 70.3 |
| Urban | 83.5 | 87 |
| *Region* | | |
| Greater Cairo | 83.6 | 87.5 |
| Alexandria and Suez Canal | 89 | 90.1 |
| Urban Lower Egypt | 86.1 | 85.9 |
| Urban Upper Egypt | 73.4 | 85.4 |
| Rural Lower Egypt | 58.7 | 76.2 |
| Rural Upper Egypt | 34.1 | 62 |
| *Education* | | |
| Less than elementary | 41.5 | 62.9 |
| Elementary | 56.9 | 68.5 |
| Preparatory | 56 | 72.6 |
| Secondary | 65.4 | 76.8 |
| Post-secondary | 82.2 | 88.7 |
| *N (Observations)* | 1,916 | 3,076 |

*Source* Salem (2015)
*Note* Calculated using ELMPS 2006 and ELMPS 2012 data

Another observed characteristic of new families in Egypt is the decrease in the number of children within a family. In fact, according to the World Bank, in 1985 the fertility rate in Egypt stood at 5.38 children per woman; by 2015 this had dropped to 3.31 children per woman. This is due to all the development programs set up to increase educational attainment, improving public health and access to contraceptives. Moreover, women have become more engaged in labor outside their households, thus having less time for child-rearing and therefore deciding to have fewer kids.

Govindasamy and Malhotra (1996) try to examine the relationship between gender inequality and reproductive behavior in Egypt. As they point out, "these issues are particularly worth examining in the Egyptian context because of the contradictory and complex nature of both gender relations and fertility control in Egypt." Their research suggests that efforts to improve the position of Egyptian women are not only worthwhile in terms of gender equality but have essential impacts on fertility outcomes. According to Govindasamy and Malhotra, "[e]ducation and employment only partially mediate the relationship between the reproductive and

non-reproductive dimensions of women's position; a substantial part of their effect on contraceptive use is channeled through other mechanisms." Overall, Egyptian culture seems to support interaction and negotiation rather than autonomy. Govindasamy and Malhotra suggest a course of action for policy makers, who should consider and incorporate Egyptian men in family planning program objectives as well as focus on women's special needs and constraints.

D'Addato et al. (2008) study the factors behind the trend towards smaller families in the South and East Mediterranean, focusing on three countries: Egypt, Morocco and Turkey. They seek to verify whether this trend is driven by overall time-varying societal change or particularly by socio-economic compositional changes among women. They observe that for Egypt the move towards smaller families started in the 1960s, as fertility rates began to decline. Between 1960 and 1970 the initial decline was fast, and then it stalled during the 1970s, with the fertility rate reaching 5.5 children per woman by the beginning of the 1980s. During the following decade, the total fertility rate (TFR) further decreased to four children per woman, and then witnessed a second stagnation in the 1990s. By the time of this study, the TFR in Egypt was just above three children per woman. In this paper, the researchers study the mechanisms driving this downward trend in fertility rates and the move towards smaller families.

Based on the previous literature, they notice that the decline in demand for children has been shaped mainly by modernization factors like urbanization, per capita income increase, and the rise in female educational attainment and labor participation. Hence, they chose several time-varying macro-social and economic indicators and studied the link between them and TFR decrease. These indicators include real GDP per capita (US$ PPP), life expectancy at birth (years), infant mortality rate (per 1,000 live births), urban population (%), female adult literacy (%), and female labor force participation (%). When it comes to child mortality, a so-called "replacement" effect mechanism takes place when mortality is high. Parents decide to have more children to replace those who might die, since death is very probable. Consequently, over time health improvements lead to higher child survival rates and the replacement mechanism decreases. Moreover, they note that urban areas are characterized by rising income levels, higher education and employment opportunities, more openness to change, and more effective family planning program implementation. Therefore, they expect urban settings to encourage a transition towards the modern family. Female education comes with a rise in family and social status, along with empowerment. It also delays entry into motherhood and may augment the opportunity cost of having children. The researchers expect that it will have a positive effect on the move towards nuclear families. They also anticipate a similar effect for female labor force participation.

They base their study on the US Agency for International Development (USAID)'s Demographic and Health Surveys (DHS). For Egypt, they use Egypt DHS 2000. They build their analysis on event history techniques, examining, first, the timing

of childbearing patterns, and estimating two different fertility measures.[3] After that they focus on the third birth, since this marks the transition into modern family behavior, and study the determinants of its progression using multiplicative intensity regression models.

They graph the cumulative proportions of ever-married females who progressed to the next parity[4] within five years after a preceding birth, and they show that 94% of surveyed Egyptian women reached the first parity within the first five years of marriage. Moving forwards, the proportion of those having a second birth within the first five years is as high as 91%. This percentage decreases a bit when considering the third birth and so forth. However, compared with the other two countries, Egypt's transition towards the smaller family seems to be rather slow.

D'Addato et al. (2008) also present the median length of birth intervals, which indicate patterns in the tempo of fertility. They show that of the three countries Egypt has the shortest median interval between marriage and first birth, at around 13 months. Moving forwards to subsequent pregnancies, Egyptian women have an overall shorter period between childbearing compared to women in Turkey and Morocco.

When examining the third birth and its determinants, they first analyze its trend development after controlling for compositional changes among women at first marriage and according to the previous birth interval. They then add some socio-economic variables to the model, showing how females' socio-economic attributes influence their likelihood of having a third child. They find that the probability of having a third child declined similarly across the three countries in the 1980s. However, in the 1990s Egypt showed a more moderate decrease compared to Turkey and Morocco. After controlling for compositional changes by introducing explanatory socio-economic variables, they find that the over-time change in the third birth development is weakest in Egypt. Moreover, they show that those residing in rural areas have a higher transition rate from the second child to the third. This indicates that their transition into smaller families is slower. Female education turns out to be quite significant in reducing the probability of having a third child. However, in Egypt particularly, the husband's education had no significant effect on this probability.

Several studies have established that the cost of marriage in Egypt is among the highest in the MENA region, and more than the groom's accumulated wages for eight years (Assaad & Krafft, 2014). These costs have contributed greatly to delayed marriages and constrained adult life. According to Assaad and Krafft, "in Egypt, costs consist of the bride-price, jewelry given to the bride, home furnishings, a residence, the *gihaz* (trousseau, small home furnishings), and celebrations. As of 2012, total costs for marriages (based on the preceding three years) were around 62,000 LE [Egyptian pounds] (approximately US$10,164 at an exchange rate of 6.1 LE to the US dollar)."

[3] The cumulative proportions of women of a given parity having a subsequent birth within 60 months of the previous birth, which is a measure of the *quantum* of fertility; and the median length of the interval after which 50% of mothers had a subsequent child, which is a measure of the *tempo* of fertility.

[4] Parity is the number of pregnancies carried to viable gestational age.

Assaad and Krafft (2014) study the economics of marriage in North Africa,[5] focusing on how individuals' characteristics and ability to pay shape bargaining power and marriage outcomes. They base their analysis on economic theories and a game-theoretical framework. When it comes to total marriage costs, they base their hypothesis on costs being a sign of bride-side bargaining power, since the groom will be opting for cost minimization, as he pays the highest share. Using ELMPS survey data, they find that in 1998 male wage workers in Egypt had to save 8.6 years' worth of wages to cover the total cost of marriage. In 2006, they had to save 8.3 years' wages. Assaad and Krafft (2014) show that total marriage costs increase to a certain point (age 25) with the bride's age, then decrease. This reflects the bargaining power of the bride's side within the optimal window (age 20–30). The structure of these costs varies, however; they note that furniture and housing constitute the largest component, followed by *gihaz*. Jewelry and bride-price (dower) tend to be higher in rural areas. From 2003–05 to 2009–11, marriage costs dropped in urban areas from 78,000 LE[6] to 65,000 LE, while increasing in rural areas from 54,000 LE to 60,000 LE. Assaad and Krafft also find that costs rise substantially, but not proportionately, with the bride's parental wealth level, since parental resources play a significant role in the couple's available resources. Therefore, these costs tend to be burdensome for poor families. The scholars also find that marriage costs increase with own and parents' education, while having a relatively more educated spouse augments costs by 16.2%. Coming from a nuclear residence also augments the costs. When it comes to the division of costs, regardless of the bride's educational attainment, she herself pays around 1% of the total costs. The bride's family pay 31% if the bride is illiterate or below the elementary education attainment level; 34% if the bride has had elementary through secondary education; and 38% if she has had a university level education. The groom pays around 42% of the marriage costs, and his family pays the rest (around 26%). In the case of consanguinity, total costs are around 82% of non-consanguineous marriage costs. However, once having controlled for several factors this difference diminishes.

Salem (2015) also discusses the components of marriage costs using the ELMPS 2006 and 2012 data. In 2006, on average, a marriage cost 50,600 in 2012 Egyptian pounds. This figure increased to 61,200 LE in 2012. In both years, urban marriages cost more than rural ones, which is understandable given the difference in living expenses between the two areas. Salem shows that housing accounts for the highest share of the costs, and that it witnessed a significant rise in value between 2006 and 2012. Despite the 1996 "new rental" law, established to increase housing supply by creating rental units with fixed-term leases and adjustable rents, outlays on housing went up by 6,600 LE between the two cohorts. Salem explains this trend by pointing out that a greater proportion of those married during the five-year period prior to 2012 established nuclear families and opted for independent residences compared to the 2006 data (see Table 5.2).

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[5] They focus their study on Egypt, Morocco and Tunisia.

[6] Prices are stated in terms of 2012 Egyptian pounds.

**Table 5.2** Mean total marriage expenditure (excluding prompt dower), as reported by the wife, in thousands of 2012 Egyptian pounds, by socio-demographic characteristics, among ever-married women aged 18–39 and married within the previous five years, 2006 and 2012

| | Total marriage costs without dower in thousands, 2006 | Total marriage costs without dower in thousands, 2012 |
|---|---|---|
| *All* | 50.6 | 61.2 |
| *Residence* | | |
| Rural | 43.2 | 57.9 |
| Urban | 60.7 | 65.8 |
| *Region* | | |
| Greater Cairo | 70.4 | 66.9 |
| Alexandria and Suez Canal | 55.3 | 64.2 |
| Urban Lower Egypt | 59.6 | 70.4 |
| Urban Upper Egypt | 46 | 54.9 |
| Rural Lower Egypt | 53.1 | 72.7 |
| Rural Upper Egypt | 30.6 | 38.2 |
| *Education* | | |
| Less than elementary | 29.1 | 33.2 |
| Elementary | 39.6 | 51.1 |
| Preparatory | 36.3 | 55.4 |
| Secondary | 50 | 61.5 |
| Post-secondary | 78 | 79.9 |
| *N (Observations)* | 1,914 | 2,261 |

*Source* Salem (2015)
*Note* Calculated using ELMPS 2006 and ELMPS 2012 data

Singerman (2007) divides the costs of Egyptian marriage into six components: "housing, furniture and appliances, gifts of gold to the bride (*shabka)*, dower (*mahr*), celebrations, and the bride's trousseau (*gihaz, kiswa*)." Singerman notes that the high material demands of marriage have serious ramifications as families push their daughters to marry those with cash in hand. Therefore young men may drop out of school and choose migration abroad to save for marriage while their families in debt themselves and risk their financial future to reach the needed sum. This marriage burden is harsher for those living below the poverty line in rural areas, where marriage costs are equal to 15 times per capita expenditure for 2.5 years. According to Singerman, in 1999 the estimated national costs of all marriages equaled 13.11 billion LE (US$3.867 billion), which was more than the total economic aid Egypt received from the United States[7] in 1999. She notes that the bride's side pay much less than the groom's side, namely 31% of the total marriage costs compared to 69%. She finds that marriage costs can be 12,547 LE lower (US$2,180 at 2005 conversion rate)

[7] US aid was US$2.1 billion.

**Table 5.3** Wife's cost of marriage (COM), by employment status, if married in 1990 or later

| Employment status | Average total COM |
|---|---|
| Wage employee | 56,370 |
| Employer | 54,626 |
| Self-employed | 22,408 |
| Unpaid, working for family | 23,146 |
| Unemployed | 46,747 |
| Newly unemployed | 8,536 |
| Housewife | 56,457 |
| Full-time student | 38,112 |
| Unpaid for a year or more | 77,524 |
| Other | 33,201 |
| Overall | 46,420 |

*Source* Singerman (2007)
*Note* Calculated using ELMPS 2006 data; figures are in 2005 Egyptian pounds

for brides who never worked compared to those who have been employed (Table 5.3). As for grooms, she notes that those living in urban areas pay more than those from rural areas, and the poorest absorb the heaviest burden, having to accumulate 37 months' worth of their entire earnings (Table 5.4). When it comes to parents and the poorest wage workers, the groom and his father must save 88 months' (more than seven years') worth of their entire earnings.

**Table 5.4** Groom's average contribution to cost of marriage (COM), by socio-economic status group, if married in 1990 or later

| Wage quartile | *N* | Average total COM | Average groom's father's monthly earnings | Average groom's family's % contribution to total COM | Average groom's family contribution | Average groom's father's number of months to pay for COM contribution | Average groom's number of months to pay for COM contribution |
|---|---|---|---|---|---|---|---|
| 1 | 486 | 26,650 | 196 | 37 | 9,917 | 51 | 37 |
| 2 | 531 | 33,472 | 346 | 32 | 11,177 | 35 | 27 |
| 3 | 484 | 38,929 | 522 | 24 | 9,386 | 18 | 28 |
| 4 | 433 | 67,555 | 1,659 | 21 | 15,336 | 9 | 24 |
| All | 1,934 | 39,800 | 839 | 29 | 11,368 | 14 | 29 |

*Source* Singerman (2007)
*Note* Calculated using ELMPS 2006 data; figures are in 2005 Egyptian pounds

Singerman and Ibrahim (2001) point to all the ramifications of high marriage costs in Egypt, where high marriage costs have led to delayed marriages. Both demographers and policy makers have welcomed this, since it has resulted in reduced fertility. However, delayed marriage has lately produced serious social costs, like increases in *urfi* marriages, celibacy and extramarital sexual relationships. Therefore, there have been many attempts to ratify laws regulating marriage and divorce since the early twentieth century. Singerman (2008) starts from a similar point and shows how the political economy for youth is controlled by the central material and social struggles to get married, raising the complications of these challenges. She stresses the high costs of marriage in Egypt leading young people to spend years accumulating earnings and therefore remaining in the parental home, maintaining the status of "children" despite being over 20 years old. For instance, the engagement period or that between signing the marriage contract (*katb al-kitab*) and marriage consummation could last for months or even years. Using the 1999 Egypt Integrated Household Survey (EIHS), she finds that average marriage costs were 20,194 LE (US$5,957), 4.5 times per capita GNP (gross national product) for the period. This figure was slightly lower in rural areas, at 17,373 LE, and moderately higher in urban areas, at 24,969 LE. All these constraining costs have resulted in several societal rearrangements including marriage substitutes like *urfi* marriages.

Salem (2016) studies both delayed marriage among Egyptians and its major cause, which is, according to the Egyptian public, rising marriage costs and their burden on both the couple and their families. According to the 2006 ELMPS, the average cost of marriage for those who were married in 1990 was 39,000 LE (Egyptian pounds standardized to 2006 value), which is equivalent to about US$6,000 (Table 5.5). This figure excludes the prompt dower, as it is mainly used to buy household goods and therefore likely to be included in the trousseau; it is also based on data cleaned from outliers. There are clear inequalities in marriage costs across the different socio-demographic groups. These costs are two-thirds higher among urban couples than among rural pairs. The poorest spend two-thirds less than the wealthiest, and those never enrolled in school spend one-third of what those with post-secondary education spend.

### 5.1.2 Legal and Religious Framework

According to the Egyptian Personal Status Code, civil marriage is a contract between two consenting parties. However, the civil law also requires an Egyptian bride to get the permission of a male guardian (*wali*), thereby limiting her freedom to marry who she really wants. The groom should be at least 18 years old and the bride 16, if they are marrying with the bride's *wali*'s permission, but marriage can take place without this if both bride and groom are 21. For the marriage contract to be valid, two males of good character should witness the signing. The law draws inspiration from the Islamic Sharia. It thus allows for polygamy and forbids the marriage of direct blood relatives or of a Muslim woman to a non-Muslim man. Moreover, an advance

**Table 5.5** Mean total cost of marriage (excluding dower) in 2006 Egyptian pounds, by socio-demographic characteristics of the wife, reported by ever-married women aged 16–49 who married in 1990 or later, ELMPS 2006

| | Total marriage costs |
|---|---|
| *All* | 39,006 |
| *Residence* | |
| Rural | 32,667 |
| Urban | 48,095 |
| *Region* | |
| Greater Cairo | 55,080 |
| Alexandria and Suez Canal | 47,677 |
| Urban Lower Egypt | 46,175 |
| Urban Upper Egypt | 34,211 |
| Rural Lower Egypt | 39,975 |
| Rural Upper Egypt | 23,593 |
| *Wealth* | |
| Poorest | 21,147 |
| Middle | 35,188 |
| Wealthiest | 58,925 |
| *Education* | |
| Never enrolled in school | 21,586 |
| Basic or less | 30,136 |
| Secondary | 41,054 |
| Post-secondary | 59,556 |

*Source* Salem (2016)
*Note* Calculated using ELMPS 2006 data

(*muqaddam*) on the dowry must be paid by the groom to the bride when entering into marriage. The remaining portion, or "deferred dowry" (*mu'akhar*), is payable later on in the event of divorce or death.

Oppermann (2006) examines how pluralism[8] in marriage law affects women's status in three different countries with very different legal systems: Egypt, South Africa and the United States. In the case of Egypt, legal pluralism is present as Sharia coexists with the civil law, which is also based on Sharia in many respects. The personal status law guides all aspects of marriage in Egypt, setting the requirements for drawing up a marriage contract, defining the rights and obligations of wives and husbands, and dealing with matters of divorce and polygamy. The researcher establishes that the current laws in Egypt, as in South Africa and the United States, are based on traditions that discriminate against women and generate various injustices. She points out that they explicitly breach women's rights and serve to diminish their overall status, treating them as inferior to men.

[8] Legal pluralism is the existence of multiple legal systems within one (human) population and/or geographic area.

Based on Sharia, the 1985 Egyptian law allows polygamy for men, with up to four wives, although the husband has to inform his previous wife/wives of any new marriage. Under this law, the husband must state his current marital status in the marriage document and identify any wives and their residential addresses in order for the notary to notify them. The law also gives a wife the right to request a divorce within one year of the date of her knowledge of her husband's marriage to another woman, if she has suffered material or moral harm because of the polygamy and therefore finds it impossible to continue the marriage. Her right to divorce is renewed whenever the husband marries another woman. However, it is not easy to prove material or moral harm in court.

Amin et al. (2007) present some statistics about polygamy and remarriage in Egypt in 2004 (see Table 5.6). 59.1% of previously married men who remarried in Egypt that year were either divorced or widowed, but 39.3% (and 61% of those under 20 years old) still had a wife in their *ismah*, that is, over whom they had marital authority and for whom they had moral and financial responsibility. The remaining 1.6% had two or more wives already in their *ismah*.

**Table 5.6** Percentage distribution of previously married men remarrying in 2004, by age group and number of wives already in their *ismah*

| Age | | Number of wives in *ismah* | | | Total | |
|---|---|---|---|---|---|---|
| | | 0* | 1 | 2+ | % | Number |
| Less than 20 | | 38.2 | 61.0 | 0.8 | 100 | 264 |
| 20–30 | | 60.8 | 38.4 | 0.8 | 100 | 6,107 |
| 30–40 | | 55.5 | 43.0 | 1.5 | 100 | 10,991 |
| 40–50 | | 54.4 | 43.5 | 2.1 | 100 | 9,522 |
| 50–60 | | 62.4 | 35.7 | 1.8 | 100 | 5,965 |
| Above 60 | | 73.2 | 25.4 | 1.4 | 100 | 4,213 |
| Overall | % | 59.1 | 39.3 | 1.6 | 100 | – |
| | Number | 21,899 | 14,579 | 584 | – | 37,072 |

*Source* Amin et al. (2007)
*Notes* i. Central Agency for Public Mobilization and Statistics (CAPMAS), Bulletin of Marriage and Divorce Statistics. ii. The writers deleted the non-indicated cases. iii. * Divorced or widowed with no wives in their *ismah* when contracting the new marriage

## 5.2 Types of Marriage

### *5.2.1 Legal Versus Other Types of Marriage*

Marriage in Egypt can take the form of official and legalized marriage or that of *urfi* marriage. The first type is the well-known kind that involves a civil contract legalized in a court and happens with the recognition of both families. State institutions acknowledge it, so it is easier to make a ruling when disputes or problems arise. The second type is not officially registered with the state authorities. It requires two witnesses and a third person to oversee the contracting of the marriage, and usually happens in a secretive way without the families knowing. Since it is not filed officially, this kind of matrimony can cause a number of legal and social problems when disputes arise. However, as shown in Abaza (2001), this type of union can be a solution allowing a widow to remarry and keep getting the state pension of her first, deceased, husband. It has always existed in Egyptian society, though there are no serious statistics available that document it. However, according to Abaza (2001), on April 30, 2000 the Minister of Social Affairs at the time, Amina El Guindi, affirmed in a news broadcast that 17.2%[9] of Egyptian university students were worried about *urfi* marriages.

Another type of marriage existing in Egypt, though not so popular, is *misyar*. This "marriage of convenience" originated in Saudi Arabia and has spread to other countries, including Egypt. This form of marital union does not require cohabitation, and does not provide the wife with a residence. The husband just visits the wife, who seems to have the financial independence to be able to forego her rights. According to Abaza (2001), there were two religious attitudes towards this type of marriage: Sheikh Sayyid Masud[10] saw this kind of coupling as improper, since it deprived the wife of a number of marital rights, while Nasr Farid Wasil[11] saw it as permissible for a category of men in special circumstances, such as being away earning a living in the Gulf. Many women criticize this phenomenon and view it as only a step away from prostitution (Singerman, 2007).

Amin et al. (2007) distinguish between four types of marriage: new marriage, resumption of marriage, resumption without any intervening marriage, and regularization marriage.[12] They define the first kind as the first time the couple marry each other even if one or both of them have been married before. It also includes a resumption of the marriage after the couple have divorced if the wife has been married to someone else before they get back together. This kind is found in all religions in Egypt. The second category is defined as the resumption of marriage between a couple who have been revocably divorced. Here, the wife is denied a new dowry,

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[9] Such statistics are to be regarded with caution since there is no record of any serious survey being undertaken, and no explanation was given concerning this conclusion.

[10] A former rector of Al-Azhar.

[11] The mufti of Egypt at the time.

[12] زواج تصادق.

and the marriage takes place before the expiration of *iddah*.[13] This kind applies to Muslims only. The authors describe the third sort as the resumption of marriage between a couple who have been irrevocably divorced, irrespective of how long the separation period was, as long as the wife did not marry someone else. Here, a new dowry must be paid and a new contract has to be signed with the consent of the wife. This type of marriage is also limited to Muslims only. The last sort of marriage is defined as registration of an *urfi* marriage between a couple of whatever duration, thus ensuring the wife can acquire her legal rights. This sort is applicable to all religions. According to the statistics presented by Amin et al., which are taken from the Central Agency for Public Mobilization and Statistics (CAPMAS), in 2004 new marriages accounted for 97.4% of all marriages, followed by regularization marriages (2.2%), while the second and third kinds accounted for 0.3% and 0.1%, respectively.

The same paper also provides some general statistics on marital status in Egypt. In 2006, the authors note, the percentage of both never-married and contract-married[14] males is slightly lower in urban areas than in rural Egypt, with figures of 49% and 51%, respectively. For women the opposite is true, with 52% never-married and contract-married women in urban Egypt and 48% in rural areas. When it comes to those actually married, the percentages of both men and women are higher in rural than in urban areas. Urban Egypt accounts for about 61% of divorced men, compared to 39% in rural regions. Meanwhile, 48% of divorced women live in urban areas and 52% in rural regions.

Abd El Guid (2015) studies the phenomenon of what is known as "touristic marriage" in Egypt. She explains it as follows: "In a trafficking process, tourist marriage takes the form of a deal between a man and a woman." In such a deal, the male is the buyer and he has the needed capital to buy any "goods" available in the market. The female is usually seeking some sort of financial stability, while the male is looking to fulfil his sexual needs legitimately. Therefore they co-sign a temporary "marriage contract" limiting the marital link to sexual pleasure and no reproduction. Under such an agreement, marriage is stripped of all its human values and the dowry becomes the essential part, handed over in a commercial barter transaction. Huge sums are paid for beautiful, young virgin women, making them a highly valued commodity and almost a non-human being. The writer points out that this social evil has taken worse forms in Egypt. In a quest for higher dowries, younger girls are "sold," making underage female marriage account for 29% of total annual marriages in 2009. Abd El Guid condemns this social phenomenon and explains that despite amendments to child laws and the banning of any marriage contract being documented before girls reach the age of 18, underage touristic marriage has been increasing, especially since the revolution. As indicated, the US State Department's 2013 Trafficking in Persons Report documents that many rich Arab men travel to Egypt to buy such "temporary marriages" or "summer marriages" with underage Egyptian girls. The same report reveals that this type of marriage is encouraged by

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[13] *Iddah* is the prescribed waiting period before a woman can remarry, partly to determine whether she is already pregnant.

[14] The legal marriage contract has been signed but consummation has not yet taken place.

the girls' parents themselves and by quasi-marriage brokers, which exposes underage girls who get married temporarily to being drawn into sexual exploitation.

### *5.2.2 Consanguineous Marriage*

In the Arab world in general, and in Egypt particularly, consanguinity—marriage between relatives, including first cousins—is very common, despite all the genetic health risks for offspring. While some such unions are a consequence of arranged marriages, others reflect the wish and choice of the marrying couple. Salem (2015) finds several rationales for kin endogamy, such as "avoiding fragmentation of the patrilineage's property and protecting the bride's interests… (Prioux et al., 2009; Sholkamy, 2008)." Using ELMPS 2006, she finds that 17% of women aged between 18 and 39 years who got married within the five years prior to the survey married a first cousin. In 2012, and using ELMPS 2012, she finds this percentage has decreased slightly to 15%. She also finds that first cousin marriages are most common among the socially disadvantaged, women living in rural areas, and those with modest levels of education (Table 5.7).

Osman and Girgis (2009) report that consanguineous marriage is widespread in Egypt. According to the DHS 2005 report, and as shown in Table 5.8, 24.8% of ever-married women are married to their first or second cousin, and 7.4% to other blood relatives. Kin marriages are more frequent in rural than urban regions. This phenomenon may have deep consequences, as kin marriages significantly affect the health of those born to them.

According to Sholkamy (2008), almost half of Egyptian marriages in the 1990s took place between relatives. Before 1991, more than 30% of Egyptian marriages were between first cousins. In 1995, 24% of marriages were between first cousins and 15.2% between other relatives. Sholkamy studied the factors influencing young people's marriages in the 1990s, using data taken from a small village in Asyut,[15] Upper Egypt. Among the reasons men cite for kinship marriages is consolidation of property and family honor.[16] Sholkamy traces kin marriage back to the sedentary lifestyle of villagers. Villagers guard land and crops, and get income in return. They acquire more land and property, which enables them to create a group of cousins from which their sons and daughters can marry. Sholkamy also points to family pride coming from the ability to intermarry. Analyzing marriage outside the family from a woman's point of view, the researcher gives an explanation of kin marriages that goes beyond wealth consolidation, control of women or competition for power: she also sees them as a way to personal security and the creation of a protective environment. Marrying a relative means knowing and being familiar with the groom or bride and their family.

[15] Asyut is an Egyptian governorate, the inhabitants of which are of Arab Bedouin origin.

[16] By protecting their first cousins, men believe they are consolidating family honor.

**Table 5.7** Percentage married to a first cousin, by socio-demographic characteristics of the wife, among ever-married women aged 18–39 and married within the previous five years, 2006 and 2012

| | Percentage whose marriage was to a first cousin, 2006 | Percentage whose marriage was to a first cousin, 2012 |
|---|---|---|
| *All* | 16.9 | 14.6 |
| *Residence* | | |
| Rural | 20.6 | 17.9 |
| Urban | 11.7 | 9.6 |
| *Region* | | |
| Greater Cairo | 11.5 | 9.3 |
| Alexandria and Suez Canal | 10.1 | 7.1 |
| Urban Lower Egypt | 10.1 | 7.1 |
| Urban Upper Egypt | 16.1 | 16.5 |
| Rural Lower Egypt | 17.5 | 14.6 |
| Rural Upper Egypt | 24.7 | 22.4 |
| *Education* | | |
| Less than elementary | 19.2 | 18.1 |
| Elementary | 17.4 | 22.9 |
| Preparatory | 22.7 | 20.7 |
| Secondary | 18.7 | 15.1 |
| Post-secondary | 10.1 | 7.7 |
| *N (Observations)* | 1,916 | 3,076 |

*Source* Salem (2015)
*Note* Calculated using ELMPS 2006 and ELMPS 2012 data

**Table 5.8** Percentage distribution of ever-married women by place of residence and relationship to husband

| Relationship to husband | Place of residence | | |
|---|---|---|---|
| | Urban | Rural | All |
| No blood relation | 76.0 | 62.0 | 67.8 |
| First or second cousin | 19.0 | 28.9 | 24.8 |
| Other blood relative | 5.0 | 9.1 | 7.4 |
| Total | 100.00 | 100.00 | 100.0 |

*Source* Osman and Girgis (2009)
*Note* Taken from DHS 2005 report

## 5.3 Age, Education, and Marriage

### *5.3.1 Age at First Marriage and the Role of Education in Delaying Marriage*

When studying the marriage institution, it is crucial to gather information about age at first marriage, how it has been trending, and what influences it. Such analysis gives us a better understanding of the social and demographic phenomenon that it is called marriage and family formation. For instance, the population growth rate is affected by decreases in birth rates, which in turn are impacted by delayed marriage age.

Hasan (1994) studies the differentials of age at first marriage among married Egyptian women using the Egypt Contraceptive Prevalence Survey of 1984 (ECPS 84) and identifies the socio-economic variables influencing this age. Such research, although not very recent, allows us to grasp a better understanding of the trend in age at first marriage and how it has evolved since 1984. For instance, observing the general trend of age at first marriage by place of residence (Table 5.9), there is a clear difference between rural and urban women. Those living in rural areas marry at a younger age than those in urban regions. This pattern has not changed much over the years. However, in terms of average age at first marriage, we can observe a clearly increasing trend over time. Based on Table 5.9, in the mid-1950s to '60s women used to get married at the age of 16 (15.5 in rural areas). When asked about the ideal age for their daughters to marry (Table 5.10), many female respondents still thought that girls should marry in their early teens. For instance, 18.4% of them thought the ideal age for marriage was below 16. This percentage reaches a high of 82.1% in rural areas. In terms of the determinants of age at first marriage, Hasan finds that education of both husband and wife has a significant positive influence; that is, the more educated tend to get married later and to have a smaller age gap. She also finds that a female's work experience has little positive impact on the age of first marriage.

Mensch et al. (2005) give an overview of the previous social science literature when it comes to studying the timing of marriage. They then investigate the trend of

**Table 5.9** Mean age at first marriage among ever-married women aged 25–49, by current age and place of residence, Egypt, 1984

| Place of residence | Urban | Rural | Overall |
|---|---|---|---|
| Current age | | | |
| 25–29 | 18.7 | 16.8 | 17.6 |
| 30–34 | 18.3 | 16.3 | 17.2 |
| 35–39 | 17.6 | 16.1 | 16.7 |
| 40–44 | 17.3 | 15.8 | 16.5 |
| 45–49 | 16.7 | 15.6 | 16.1 |
| All | 17.8 | 16.2 | 16.9 |

*Source* Hasan (1994)
*Note* Calculated using Special Tabulation based on ECPS 84

**Table 5.10** Percentage distribution of ever-married women aged 25–49 by ideal age at first marriage and place of residence, Egypt, 1984

| Place of residence | Urban | Rural | Overall |
|---|---|---|---|
| Ideal age at first marriage | | | |
| >16 | 17.9 | 82.1 | 18.4 |
| 16–19 | 29.1 | 70.9 | 32.3 |
| 20–24 | 61.1 | 38.9 | 37.5 |
| 25+ | 80.8 | 19.2 | 12.8 |

*Source* Hasan (1994)
*Note* Calculated using Special Tabulation based on ECPS 84

age at first marriage in the developing world using recent United Nations Population Division data from 73 countries along with retrospective DHS data for 52 countries. They explain that in Egypt, due to the dramatic increase in marriage costs over the past thirty years, the proportion of couples who had *katb al-kitab*—those who had registered the marriage contract but did not yet live together—increased significantly between 1986 and 1996. Consequently, they suggest that the increase in costs may be behind the delay in nuptials. Conversely, they note that the annual marriage rate did not change much during this period.

According to Amin et al. (2007), despite evidence of a decrease in early marriage and early childbearing in Egypt, more efforts are needed to reduce overall reproduction levels. Such efforts would include achieving a level of equality between men and women when it comes to the marriage code by delaying the legal age for marriage among women until the end of the teenage years, that is after the age of 18–19. The same study also finds a weak upward trend in marriage age among women, a sharp decrease in the marriage of females below the legal age of 16, and a significant increase in the percentage of females aged 15–19 who have never been married.

Amin et al. (2007) describe the trends of marriage and family formation in Egypt (Table 5.11). They find there was a fluctuation in the average age at marriage between 29 and 30 years for men during the period 2000–04, and between 23 and 26 years for women during the same period. They also report trends in median age for females at first marriage between 1988 and 2003, which show an increase from 18.5 to 20 years during this period, with an evolution from 20.4 to 21.8 in urban areas and from 17 to 18.6 in rural Egypt.

Salem (2015) uses the three available rounds of the Egypt Labor Market Panel Survey (ELMPS), for the years 1998, 2006, and 2012, to study the trajectory of the marriage institution in Egypt from 1998 to 2012. She examines the patterns in marriage over time and across different socio-demographic groups. As presented in Table 5.12, Salem (2015) finds that for women married within the five years before the survey data were gathered the engagement period was approximately 15 months in 2006 and 14 months in 2012. The duration of engagement rises as the bride's educational attainment increases. Despite the popularity of arranged marriages in Egyptian society, sudden engagements have begun to occur. In such cases, families opt for long engagements to make sure the potential spouse is suitable (Singerman, 2008).

**Table 5.11** Average marriage age during the period 2000–04

| Year | Average marriage age | |
|---|---|---|
| | Males | Females |
| 2000 | 29.3 | 25.6 |
| 2001 | 30.1 | 26.2 |
| 2002 | 29.7 | 25.3 |
| 2003 | 30.0 | 23.8 |
| 2004 | 29.5 | 23.3 |

*Source* Amin et al. (2007)
*Note* Central Agency for Public Mobilization and Statistics (CAPMAS), 2004 Bulletin of Marriage and Divorce Statistics

**Table 5.12** Mean months from engagement to marriage, by socio-demographic characteristics of the wife, among ever-married women aged 18–39 and married within the previous five years, 2006 and 2012

| | Engagement duration in months, 2006 | Engagement duration in months, 2012 |
|---|---|---|
| *All* | 14.9 | 14.0 |
| *Residence* | | |
| Rural | 13.6 | 13.6 |
| Urban | 16.7 | 14.4 |
| *Region* | | |
| Greater Cairo | 16.4 | 14.8 |
| Alexandria and Suez Canal | 21.2 | 17.5 |
| Urban Lower Egypt | 16.0 | 13.9 |
| Urban Upper Egypt | 13.2 | 11.4 |
| Rural Lower Egypt | 14.9 | 15.3 |
| Rural Upper Egypt | 11.9 | 11.4 |
| *Education* | | |
| Less than elementary | 12.1 | 11.4 |
| Elementary | 15.7 | 12.4 |
| Preparatory | 16.0 | 13.9 |
| Secondary | 16.1 | 15.1 |
| Post-secondary | 15.0 | 14.1 |
| *N (Observations)* | 1,916 | 3,075 |

*Source* Salem (2015)
*Note* Calculated using ELMPS 2006 and ELMPS 2012 data

Salem (2015) points out that marriage is universal among Egyptians, which was also identified by Rashad et al. (2005). According to Salem, the approximate percentage of never-married Egyptians aged 50 and above was between 0 and 3% in the samples surveyed in 1998, 2006, and 2012.

Salem (2015) also shows that the likelihood of being forever single (never married) decreases as Egyptians get older. However, this trend is more rapid for women than for men. She also finds that the probability of becoming a widow/er increases over the life course, showing that the most common marital dissolution in Egypt is due to the spouse's death (see Table 5.13).

As found by Salem (2015) in a cohort study, the percentage of women married by age 30 remained stable, whereas for those married by 25 there was a slight decrease and the figure for those married by 18 witnessed a sharper drop. Thus, the age at first marriage has been compressed, and first unions have become more concentrated for women between the ages of 20 and 30 years old. For men, marriage below the age of 18 has been infrequent. Based on the 1998 data, more men were marrying by the age of 30 in rural than in urban regions. For men interviewed in 2012, there was a reversal in the upward trend of marriage postponement among men.

The age at first marriage is very important, as it marks the starting point of adult status in Egypt and gives a sense of potential fertility (Salem, 2015). According to the World Bank, for more than 30 years women have been getting married for the first time at much lower ages than men. From Fig. 5.1 we notice that there has not been a clear trend when it comes to the average age at first marriage in Egypt for

**Table 5.13** Percentage of women and men in each current marital status, by age group, 2012

| Age group | Women | | | | Men | | | |
|---|---|---|---|---|---|---|---|---|
| | Never married | Married | Divorced | Widowed | Never married | Married | Divorced | Widowed |
| 15–19 | 85.8 | 14.2 | 0.0 | 0.0 | 99.5 | 0.5 | 0.0 | 0.0 |
| 20–24 | 38.2 | 60.4 | 1.2 | 0.2 | 86.5 | 13.2 | 0.3 | 0.1 |
| 25–29 | 14.1 | 84.1 | 1.2 | 0.6 | 45.0 | 54.2 | 0.8 | 0.0 |
| 30–34 | 7.4 | 88.1 | 3.6 | 1.0 | 15.8 | 83.1 | 1.0 | 0.0 |
| 35–39 | 4.8 | 90.2 | 2.2 | 2.7 | 5.4 | 93.1 | 1.3 | 0.2 |
| 40–44 | 4.5 | 86.8 | 2.9 | 5.9 | 3.2 | 96.2 | 0.5 | 0.1 |
| 45–49 | 3.4 | 80.6 | 3.4 | 12.6 | 2.5 | 96.1 | 1.1 | 0.3 |
| 50–54 | 1.7 | 73.8 | 2.7 | 21.8 | 1.6 | 96.2 | 1.5 | 0.8 |
| 55–59 | 2.4 | 63.7 | 3.0 | 30.9 | 1.7 | 94.0 | 1.5 | 2.8 |
| 60–64 | 2.7 | 50.5 | 2.6 | 44.2 | 0.5 | 93.2 | 1.7 | 4.6 |
| Overall | 21.8 | 68.7 | 2.0 | 7.5 | 36.7 | 62.0 | 0.8 | 0.5 |
| *N* | 3,329 | 10,955 | 308 | 2,034 | 5,404 | 10,254 | 97 | 246 |

*Source* Salem (2015)
*Note* Calculated using ELMPS 2012 data

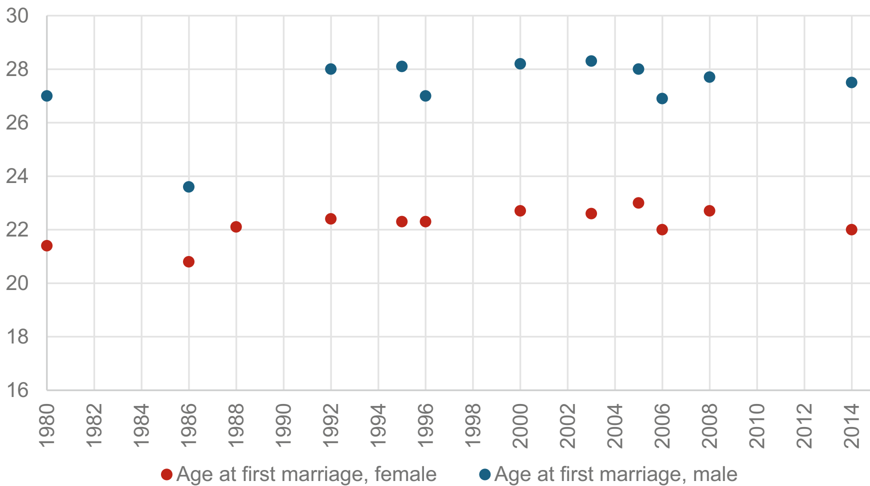


**Fig. 5.1** Average age at first marriage for Egyptians, years 1980–2014. *Source* World Bank, Gender Statistics. United Nations, Department of Economic and Social Affairs, Population Division. World Marriage Data. Retrieved on September 26, 2017

either men or women. However, this figure has fluctuated over the past 37 years, between 23.6 and 28.3 years for men, and between 20.8 and 23 for women.

As shown in Fig. 5.1 and Table 5.13, men marry significantly later than women do. Salem (2015) finds that in 1998 31% of women had married by the age of 18; 80% did so by the age of 25; and 92% by 30. In 2006, a small decrease in these percentages occurred (to 24%, 76%, and 91%, respectively). In 2012, 21% of women had married by 18, 78% by 25, and 93% by 30. She attributes this finding to the further abandonment of adolescent marriage. Moreover, she finds that across time women living in rural areas have married earlier than those living in urban areas. As for men, Salem finds that in 1998 only 1% had married by the age of 18%; 31% by 25; and 68% by 30. In 2006, there was a decrease in these percentages (to 1%, 28% and 66%, respectively). Six years later, 2% of men had married by the age of 18; 31% by 25; and 71% by 30, suggesting a slight shift to earlier marriage between 2006 and 2012.[17]

Dividing the ever-married sample into age cohorts, Salem (2015) finds that the percentage of women married by the age of 18 decreased significantly between 1998 and 2006, and first marriages occurred more often for women between the ages of 20 and 30. However in 2012 there seems to be a return to earlier marriage for young women. Applying the same approach for men, she finds that marriage before the age of 18 has been uncommon among men consistently across the different years.[18]

[17] This trend has been also detected by Assaad et al. (2010) and Assaad and Krafft (2014).

[18] This has been also noted by Singerman (2007).

Salem (2016) focuses on delayed marriage and never-marriage in Egypt by examining the 2006 ELMPS to determine whether the data confirms or warrants the declaration of a marriage crisis, as publicized by media and policy makers. She also studies the main cause behind delayed marriage in Egypt, which is its substantially high cost. She argues that the marriage behavior of Egyptians has changed significantly over time. Marital unions have come to be established later in men and women's life cycles. This trend is more evident in urban areas, but is common among the different income groups. When it comes to never-marriage, she argues that the "crisis" is nothing but a myth. She finds no evidence that the likelihood of never marrying has increased over time.

Examining the median age at first marriage, she finds that Egyptian women get married at the age of 22, while men marry at 27 (Table 5.14). With the median completed years of education, within the sample, of 11 and six years for men and women, respectively, there is a 10-year gap between the completion of schooling and marriage for both sexes. The more educated the male or female is, the older they are at their first marriage. As expected, those living in urban areas tend to get married later. She also notes that wealthier men and women are older at first marriage than the poorest.

Moreover, Salem mentions that in the international context, and according to United Nations statistics, Egyptian men and women are not outliers when it comes to age at first marriage. Among countries with comparable income levels, the international average age at first marriage is 23 years old for females and 27 for males. Egyptian females marry younger than in most other countries in the Arab world, but at a similar age when compared particularly to Iraq, Palestine, and Saudi Arabia. Males share approximately the same average age at first marriage.

Analyzing the trend, Salem (2016) finds that more than 60% of women born in the years 1925–1929 got married by the age of 18. This percentage declined over time among the next birth cohorts, to around 10% by the 1975–1979 birth cohort. The practice had been more common among those residing in rural areas and belonging to poorer households. Salem shows that teen marriage had been a practice restricted to females, as Egyptian men had been very unlikely to enter into marital union before their twenties. Comparing the trend of age at first marriage among men and women, she finds the increase among Egyptian women was greater than among men. She also finds that there has been a slight return to early marriage in the youngest cohort, which is most witnessed among men residing in rural areas and belonging to medium-wealth households.

When it comes to never marrying, Salem (2016) shows that this is very uncommon among today's Egyptians. For women, only around 5% remain unmarried by the age of 35–39. This decreases to around 2% by 45–49 years old. By the ages of 45–49, around 3% of Egyptian men remain unmarried. Compared to other Arab countries, Egypt is similar to Oman, Saudi Arabia, the United Arab Emirates, and Yemen, with a 5% never-marrying rate for females. The average rate of never-married females in the Arab world is 10%.

Salem (2016) finds that never-married rates do not vary much between the sexes or among different socio-demographic groups (Table 5.15). Women seem a bit more

**Table 5.14** Median age at first marriage for women and men, by socio-demographic characteristics, ELMPS 2006

| | Median age at first marriage | |
|---|---|---|
| | Women | Men |
| *All* | 21.5 | 26.9 |
| *Residence* | | |
| Rural | 20.6 | 25.9 |
| Urban | 23.1 | 28.2 |
| *Region* | | |
| Greater Cairo | 23.6 | 28.1 |
| Alexandria and Suez Canal | 23.4 | 28.5 |
| Urban Lower Egypt | 22.5 | 27.8 |
| Urban Upper Egypt | 21.9 | 28.7 |
| Rural Lower Egypt | 21.2 | 26.2 |
| Rural Upper Egypt | 19.7 | 25.4 |
| *Wealth* | | |
| Poorest | 20.9 | 26.1 |
| Middle | 20.8 | 26.6 |
| Wealthiest | 22.9 | 27.8 |
| *Education* | | |
| Never enrolled | 19.1 | 23.9 |
| Basic or less | 20.3 | 25.8 |
| Secondary | 21.8 | 27.0 |
| Post-secondary | 23.7 | 28.0 |

*Source* Salem (2016)
*Note* Calculated using ELMPS 2006 data

likely to be unmarried by the age of 50 years, at 2.19% compared to 1.47% for men. No clear patterns emerged regarding socio-demographic characteristics.

### *5.3.2 Age and Education Disparities in Married Couples*

Egypt has been experiencing a number of demographic transformations on different levels. Like many Arab states, the country is facing a youth bulge, making youth the largest demographic group in the society. Therefore, the government has been trying to invest in human capital development by increasing public education attainment and enhancing public health. In fact several local and international organizations have invested heavily in education and training, along with women's health, as a way to achieve development and high growth rates (Singerman, 2008). As a result, several societal changes have emerged, like delayed marriage, a narrowing of the educational gap between spouses, and increasing female labor force participation.

**Table 5.15** Percentage of women and men never married by age 50, ELMPS 2006

| | Women never married by the age of 50 | Men never married by the age of 50 |
|---|---|---|
| *All* | 2.2 | 1.5 |
| *Residence* | | |
| Rural | 2.2 | 1.0 |
| Urban | 2.2 | 2.0 |
| *Region* | | |
| Greater Cairo | 1.3 | 1.8 |
| Alexandria and Suez Canal | 3.4 | 3.3 |
| Urban Lower Egypt | 1.8 | 1.6 |
| Urban Upper Egypt | 3.7 | 1.4 |
| Rural Lower Egypt | 2.1 | 0.7 |
| Rural Upper Egypt | 2.4 | 1.3 |
| *Wealth* | | |
| Poorest | 2.9 | 1.2 |
| Middle | 1.8 | 1.3 |
| Wealthiest | 1.9 | 1.8 |
| *Education* | | |
| Never enrolled | 2.3 | 1.3 |
| Basic or less | 1.9 | 1.1 |
| Secondary | 1.3 | 1.7 |
| Post-secondary | 2.3 | 2.0 |

*Source* Salem (2016)
*Note* Calculated using ELMPS 2006 data

Certainly, school enrollment has expanded for both genders, reducing marriages between uneducated spouses. Women attain the same, if not a higher, educational level than their husbands. According to Rashad et al. (2005), fewer than one-half of marriages have a more educated husband.

Along with all this progress, marriage remains the center of decision-making in Egyptian society. Thus, it affects different life choices, like educational investment and career choices. Many scholars have studied the interaction of marriage decisions with other choices. For instance, with regard to education, Salem (2015) finds that as the bride's educational attainment rises the duration of engagement increases, thereby delaying the actual marriage. However, the disparity between women of different educational levels is not that large. According to Rashad et al. (2005), "the average age at marriage for women who are at least high school graduates is 24—only three years higher than that for women with no education and two years higher than that for women with some elementary or high school education." Singerman

(2008) finds a correlation between delayed marriage and grooms' higher education. Those with an educational level beyond secondary are older when they marry.

Not all researchers share the analysis that the rise in educational attainment is behind delayed marriage (Singerman, 2007). They believe that rather than all the demographic transitions happening in Egypt, or the increase in educational attainment, it is high marriage costs that lie behind the delay. The spouses enter into a longer engagement period and accumulate their savings for the marriage, but if faced by unemployment the latter will be further postponed.

Hasan (1994) provides some statistics on age difference in married couples based on ECPS 1984. She explains that the age difference between husband and wife reflects male dominance in Egyptian society, stating that the husband is relatively more mature and is the head of the family. Table 5.16 shows that the age difference in couples varies inversely with the wife's age at first marriage, the median age difference ranging from 13 years for females first married below the age of 16 to 5 years for those marrying for the first time aged 25 or more. Back then, the age difference between couples was very high. For instance, for the youngest female age group, 27.9% of married couples had more than 16 years in age difference.

Osman and Girgis (2009) study how socio-economic characteristics of the population, along with age and education gaps at first marriage, shape marriage patterns in Egypt. Their paper is driven by the fact that marriage, as a social system shaped by the socio-economic conditions of the population, affects the form and structure of society, as it directly influences birth rates and the health of mothers and children. The authors use Egypt DHS 2005 along with other statistics to study marriage patterns in Egypt and compare them to other Arab states. They find that, in 2006, cases of early marriage of women under the age of 20 represented 29.2% of all marriages, and in 14.5% of these cases the husbands were over 30 years old. As a result of these marriages of girls aged 16–20 years in 2006, 109,000 births occurred in the following two years of marriage. The scholars note that by raising the age at first marriage Egypt could avoid about 50,000 births a year and save many children from the illnesses and malnutrition associated with mothers' young age. According to DHS 2005, 4%

**Table 5.16** Percentage distribution of ever-married women aged 25–49 by age difference between husband and wife and age at first marriage, Egypt, 1984

| Age at first marriage | Age difference | | | | | |
|---|---|---|---|---|---|---|
| | Husband is younger | Husband is 0–5 years older | Husband is 6–9 years older | Husband is 10–15 years older | Husband is 16+ years older | Median difference |
| <16 | 1.8 | 24.0 | 20.1 | 26.4 | 27.9 | 13 |
| 16–19 | 1.9 | 33.9 | 23.5 | 22.2 | 18.4 | 10 |
| 20–24 | 3.5 | 46.0 | 23.2 | 13.1 | 14.2 | 6 |
| 25+ | 6.1 | 49.0 | 15.0 | 11.9 | 18.0 | 5 |

*Source* Hasan (1994)
*Note* Calculated using Special Tabulation based on ECPS 84

**Table 5.17** Percentage distribution of ever-married couples by place of residence and education gap

| Education gap | Place of residence | | |
|---|---|---|---|
| | Urban | Rural | Total |
| Both with no education | 9.2 | 23.1 | 17.3 |
| Wife's education < husband's education | 37.8 | 41.9 | 40.2 |
| Wife's education > husband's education | 22.8 | 16.0 | 18.8 |
| Wife's education = husband's education | 30.2 | 18.9 | 23.6 |
| Total | 100.0 | 100.0 | 100.0 |

*Source* Osman and Girgis (2009)
*Note* Calculated using DHS 2005 data

of ever-married women are older than their husbands. This percentage is lower in urban than in rural regions. As the socio-economic level of the household rises, this percentage falls. In the same year, the mean age gap between Egyptian husbands and wives was 7 years. This age difference in Egypt is close to that of other Arab countries. Moreover, based on the DHS 2005 data, among 59% of ever-married women there is an education gap between husband and wife; 40.2% of ever-married women have husbands with higher education levels (Table 5.17). In these cases, there is a higher number of births in the years following, especially if the wife is illiterate. When it comes to women having a higher attainment level, the percentage is greater in urban areas compared to rural (22.8% and 16%, respectively).

Nazier and Ramadan (2017) use Labor Market Panel Surveys for Egypt, Jordan, and Tunisia to study women's bargaining powers before and after marriage. They use several individual and marriage characteristics to describe this phenomenon, including control over material resources, socio-demographic characteristics, physiological features, social norms, and marriage characteristics like age and education gap between the spouses. They use a Multiple Indicators, Multiple Causes (MIMIC) model, enabling them to study the effects of an unobservable latent variable[19] (post-marriage empowerment) on a set of outcomes, when causes of the latent variable are observed. The model estimates two structural equations. The first studies post-marriage empowerment as a function of several individual, marriage and regional characteristics. The second uses the estimated post-marriage empowerment to explain a set of female decision-making indicators. They find that the age gap between spouses has a slight positive impact on Egyptian women's empowerment after marriage, similar to Tunisia but unlike Jordan. As for education gaps, they find that the husband's educational attainment has no significant effect on the wife's decision-making power.

Amin et al. (2007) show how the type of marriage contract between married Muslim couples in 2004 differs by educational attainment of both husband and wife (Tables 5.18 and 5.19). From these tables, we learn that men and women with a

[19] A variable that is not directly observed but is rather inferred from other variables that are observed.

**Table 5.18** Percentage distribution of Muslim husbands by education and type of marriage contract, 2004

| Educational attainment of the husband | Type of marriage contract | | | | Total | |
|---|---|---|---|---|---|---|
| | New marriage | Regularization marriage | Resumption of marriage | Resumption without any intervening marriage | % | Number |
| Illiterate | 94.0 | 5.5 | 0.3 | 0.2 | 100 | 70,899 |
| Reads and writes | 96.4 | 3.1 | 0.3 | 0.2 | 100 | 175,054 |
| Less than intermediate | 98.1 | 1.1 | 0.5 | 0.3 | 100 | 14,277 |
| Intermediate and above | 98.8 | 0.9 | 0.2 | 0.1 | 100 | 187,395 |
| University and above | 99.2 | 0.3 | 0.3 | 0.2 | 100 | 74,721 |
| *Total* | 97.4 | 2.2 | 0.3 | 0.1 | 100 | 522,346 |

*Source* Amin et al. (2007)
*Notes* i. Central Agency for Public Mobilization and Statistics (CAPMAS), Bulletin of Marriage and Divorce Statistics. ii. The writers deleted the non-indicated cases. iii. Regularization refers to the official registration of an *urfi* marriage

university education or above are the most likely group to enter into a new marriage. For instance, 99.2% of signed marriage contracts for males with above-university education are new marriage contracts. Meanwhile, 99.4% of the contracts for women with similar education levels are of this kind. Focusing solely on educational levels, and in numerical terms, we notice that among married men and women for the year 2004, the number of illiterate females is much higher than that of males (121,247 vs. 70,899). At the university level or higher, 48,255 Muslim women among those marrying in 2004 completed this level of education, compare with 70,899 males. This clearly points to some sort of educational gap between married couples. Despite all the governmental efforts to empower and educate Egyptian women, in 2004 they still lagged far behind their husbands when it came to education.

## 5.4 Work and Marriage

### *5.4.1 Labor Market Obstacles Faced by Married Women*

Faced with a youth bulge along with the 1990s oil price collapse, Egypt, like most MENA countries, is suffering high unemployment rates, especially among young people and women. According to the World Bank, in 2015 the estimated national unemployment rate was 12.8%. The rate was 9.4% for males; females, however,

**Table 5.19** Percentage distribution of Muslim wives by education and type of marriage contract, 2004

| Educational attainment of the wife | Type of marriage contract | | | | Total | |
|---|---|---|---|---|---|---|
| | New marriage | Regularization marriage | Resumption of marriage | Resumption without any intervening marriage | % | Number |
| Illiterate | 93.4 | 6.1 | 0.3 | 0.2 | 100 | 121,247 |
| Reads and writes | 97.4 | 2.1 | 0.3 | 0.2 | 100 | 150,726 |
| Less than intermediate | 98.5 | 1.0 | 0.4 | 0.1 | 100 | 15,943 |
| Intermediate and above | 99.3 | 0.4 | 0.2 | 0.1 | 100 | 180,217 |
| University and above | 99.4 | 0.2 | 0.3 | 0.1 | 100 | 48,255 |
| Total | 97.4 | 2.2 | 0.3 | 0.1 | 100 | 516,388 |

*Source* Amin et al. (2007)
*Notes* i. Central Agency for Public Mobilization and Statistics (CAPMAS). Bulletin of Marriage and Divorce Statistics. ii. The writers deleted the non-indicated cases. iii. Regularization refers to the official registration of an *urfi* marriage

despite their low labor force participation rate of 22.8% that year, suffered high unemployment, at a rate of 24.1%. This can be explained by the general preference of females for public sector employment while the Egyptian government is pursuing a privatization plan (Hendy, 2015b). Among young people aged 15–24 unemployment can be even higher, at 33.4%[20] in 2016. This economic state has its own effect on marriage patterns. Men are forced to wait longer until finding a job to save up for marriage costs, thereby delaying age at first marriage (Assaad & Krafft, 2014; Singerman, 2008).

Egypt, like most Arab countries, follows a patriarchal system that divides household labor according to a gendered approach. Therefore, the breadwinning and income-providing role is given to the husband, while homemaking and childcare responsibilities are assigned to the wife. For instance, as Assaad et al. (2017) point out, marriage can add to women's workload, making their engagement in the labor market even harder while they balance their careers and family lives. In the MENA region marriage, as the only acceptable form of union, is considered "imperative" for women, and single women aged 20–30 are viewed with disapproval if they do not manage to "secure" a suitable spouse. Meanwhile, work and career come second, since they may be "irreconcilable" with marriage. Consequently, many Egyptian females quit their jobs once they get married (Hendy, 2015a). In a way, this explains the persistently low rate of female labor force participation in Egypt, despite the great progress in female educational attainment.

[20] Source: World Bank, ILO estimate.

Furthermore, even if women decide to enter the labor market, it is hard for them to match their preferences. As shown by Hendy (2015b), Egyptian women look for employment in the public sector. This is because it is regarded by the whole society as more stable, secure and family-friendly, offering shorter and more flexible hours and longer maternity leave. However, finding a job in the public sector is becoming more and more difficult. Since the 1970s, Egypt has been moving towards downsizing the public sector and giving more space for private enterprises to flourish. Thus, the creation of employment opportunities in the public sector has greatly decreased. Hence, despite low female labor force participation, women face higher unemployment rates than men.

In Chap. 4 of her Ph.D. dissertation, Sieverding (2012) studies how Egyptian females' employment influences their marriage outcomes and vice versa. She uses the ELMPS data for 1988, 1998, and 2006 to build a quantitative analysis and uses several in-depth interviews in Cairo between July 2011 and February 2012 for the qualitative part. She notes that changes in marriage are one reason behind the increased likelihood of a woman to be working compared to how it was a generation ago. Sieverding suggests that since marriage costs are significantly high in Egypt, young women will be more likely to participate in the labor force in order to accumulate savings. Within the marital relationship, it has become harder for husbands to support their households on their own due to general increases in living costs. Hence, more wives might be willing to participate in the job market to help with family expenses. Moreover, and according to the respondents' responses, since there is a relative delay in the age of first marriage, young females are left with a more extended phase from when they finish schooling until they get married. Therefore, they work to fill this time gap.

In Table 5.20, Sieverding presents the proportions of the sample in each characteristic category, based on different marriage cohorts. Wage employment prior to marriage shows significant fluctuation over time, explained by several external factors like policy changes that led to broader female participation in wage employment. For instance, those who got married during the period 1986–1995 gained the most from the development of higher education and public sector employment guarantees, whereas during the late 1990s Egypt witnessed difficult labor market conditions due to structural adjustment policies, hence the decrease in wage employment for the fourth cohort. After that, the labor market started adjusting slowly to the privatization scheme, hence the increase in wage employment for the last cohort.

Sieverding finds that on average employed brides contributed 7.3% of the total cost of marriage, while those not employed paid only 1.2% on average. The average figure ranged from 1.8 to 2.5% between the different cohorts (Table 5.21). The engagement period was 1.6 months longer for young females who were employed before marriage than for those who did not work. The engagement period increased slightly over the study period from an average of 13 months to about 15. The last column of the table shows a decrease in educationally hypergamous matches, since the increase in female educational attainment will lead to a decrease in the number of marital matches in which the male is more educated than his partner.

Sieverding shows that, on average, young Egyptian women who were employed prior to their marriage contributed more to the total cost of marriage than those

**Table 5.20** Selected bride characteristics by marriage cohort

| Marriage cohort | % of total sample | Wage employment prior to marriage (%) | No schooling (%) | Less than secondary (%) | Secondary (%) | Tertiary (%) | Mean age at first marriage |
|---|---|---|---|---|---|---|---|
| Cohort 1: 1980–1985 | 15.7 | 10.6 | 61.0 | 13.8 | 17.8 | 7.6 | 19.6 |
| Cohort 2: 1986–1990 | 13.0 | 16.0 | 47.3 | 13.5 | 24.9 | 14.3 | 20.7 |
| Cohort 3: 1991–1995 | 15.0 | 16.2 | 37.0 | 16.1 | 32.6 | 14.2 | 21.4 |
| Cohort 4: 1996–2000 | 22.8 | 12.6 | 33.4 | 14.4 | 37.7 | 14.6 | 21.4 |
| Cohort 5: 2001–2006 | 33.6 | 14.4 | 25.6 | 12.5 | 40.4 | 21.5 | 21.8 |

*Source* Sieverding (2012)
*Note* Calculated using ELMPS 1988, ELMPS 1998 and ELMPS 2006 data

**Table 5.21** Bride's marriage outcomes by marriage cohort (mean)

| Marriage cohort | Total cost of marriage (COM) | Bride (%) | Bride's family (%) | Bride-side (%) | Engagement duration (months) | School to marriage duration (years) | Educationally hypergamous match |
|---|---|---|---|---|---|---|---|
| Cohort 1: 1980–1985 | 105,065 | 1.8 | 29.3 | 31.1 | 13.1 | 4.4 | 0.4 |
| Cohort 2: 1986–1990 | 73,489 | 1.8 | 28.5 | 30.3 | 14.1 | 4.5 | 0.4 |
| Cohort 3: 1991–1995 | 44,149 | 2.5 | 27.5 | 30.0 | 14.6 | 4.8 | 0.3 |
| Cohort 4: 1996–2000 | 38,139 | 2.0 | 28.6 | 30.6 | 15.0 | 4.8 | 0.3 |
| Cohort 5: 2001–2006 | 40,144 | 2.1 | 31.0 | 33.1 | 14.7 | 4.5 | 0.2 |

*Source* Sieverding (2012)
*Note* Calculated using ELMPS 1988, ELMPS 1998 and ELMPS 2006 data; total cost of marriage in constant 2006 Egyptian pounds

who were not employed. A bigger part of this increase in contribution offset the bride's family's part. Overall, the total bride-side contribution was a bit higher for women who were employed prior to marriage. However, the researcher notes that this augmentation in contribution does not secure the bride any advantageous marriage outcomes, since overall the engagement period does not change significantly, nor is the bride guaranteed a higher-quality groom.

### *5.4.2 Interrelationship Between Labor and Marriage Markets*

According to Singerman (2007), young people in Egypt tend to have a long transition period from school to work. They seek permanent jobs because they offer higher financial benefits, a sense of security, and marriage eligibility signals. The family of the bride will usually insist on the groom getting a permanent job before marriage out of concern for their daughter's financial future, even if the young man has already saved the amount needed to cover the marriage costs. Faced with such pressure to find "the right job," and in an environment characterized by high unemployment, some young males find themselves forced to emigrate, especially to the Gulf countries, to get their parents-in-law's approval.

On a similar point, according to Assaad and Krafft (2014), not getting a job significantly reduces men's marriage hazard but has no observable effect on women, while, securing a "good" job augments marriage hazards for both men and women. Moreover, women securing good and formal employment get married earlier, making them more appealing as spouses and winning them a source of bargaining power. Therefore, women with such jobs will usually push to form a nuclear family and get their own independent house separate from extended households.

Salem (2011) uses the 2006 ELMPS to study the effect of work earnings and marriage payments on women's status, as reflected in their decision-making power. Marriage in Egypt involves a variety of economic transactions, the scholar posits. In most cases the couple and their families have been saving for years to afford the cost of marriage. For instance, Salem says one of the motivations driving single Egyptian females to work is to cover their share of marriage costs. Therefore, once married, many wives quit their jobs, as shown by Hendy (2015a), thus explaining the low labor market engagement of married women. Salem finds that female wage workers contributed more to marriage costs than those who did not work before marriage. She also finds no association between the bride's marriage cost payments and her decision-making power after marriage, and suggests that women are more likely to gain this power through the "gendered institution of marriage."

Krafft (2015) links the labor market and the changing economic structure of Egypt to the institution of marriage using a different approach. She considers the downsizing of the public sector and the decline in female employment rates responsible in a way for the increase in crude birth and fertility rates after 2006. She explains that on the one hand, decreasing employment opportunities for women reduce the opportunity cost of having a child, thus potentially augmenting fertility. On the other hand, this may reduce household income. She notes that during the years of marriage age the female labor market evolves, probably due to finishing school and transitioning into the labor force. However, almost half the women working in the private sector quit their jobs at marriage, while an increasing trend continues for public sector employees and non-wage workers. Krafft uses the ELMPS survey data for 1998, 2006 and 2012 to estimate the effect of public employment opportunities on fertility. She finds that the decreasing employment opportunities for women in the public sector do have an

effect on fertility, but do not on their own explain the recent increases in Egyptian fertility rates.

As shown in Fig. 5.2, Hendy (2015b) follows all women who got married between 1992 and 2012 and observes the impact of marriage on their employment status from five years before to five years after marriage. Clearly, marriage represents an important changing point in the lives of women in general and in their employment transitions in particular. The government sector represents the most common employer for working women before marriage, and government work continues to increase and remain high after marriage. At the point of marriage, women are half as likely to be working in the informal private sector as they were in the year prior to marriage. There is also a decrease in formal private wage work. This result confirms that the government is a suitable sector for married women. As expected, economic inactivity increases with marriage. Entrepreneurship (as employers and self-employed) and unpaid family work also seem to rise slightly at marriage.

Assaad et al. (2010) study how the school to work transition among young Egyptian men with at least secondary education affects their transition into marriage. They show how the period between finishing school, getting a satisfactory first job, and saving for marriage has grown much longer and become a period of uncertainty, frustration, and anxiety, since employment and family formation patterns have been gradually disrupted. Therefore, using ELMPS 2006, they examine how the timing of the first job affects the timing of marriage, taking into account other

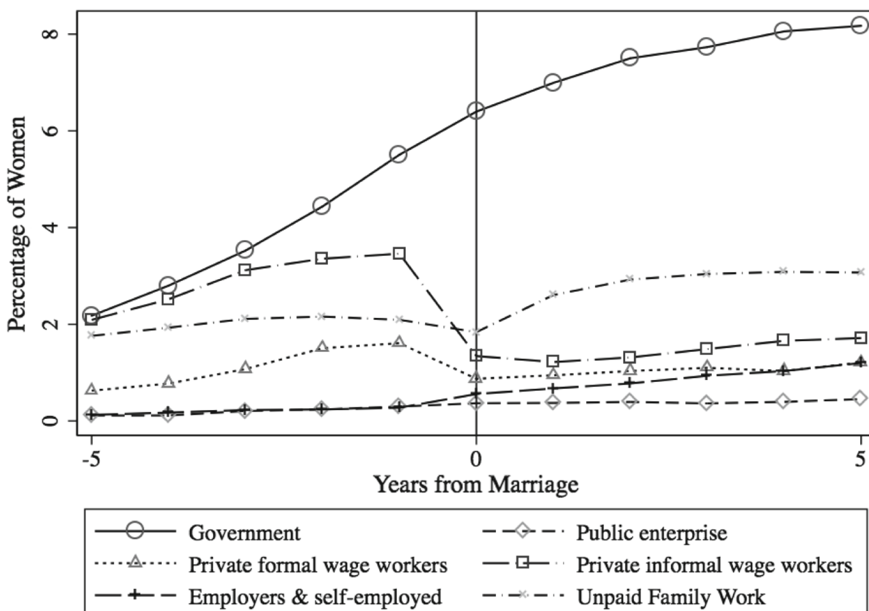


**Fig. 5.2** Employment and the transition to marriage, market definition, women married between 1992 and 2012 (percentage). *Source* Hendy (2015b)

controls like incidence and duration of migration, rental housing availability, education, parents' education and employment, and several time-varying market conditions. They find that getting a first job immediately raises the marriage hazard, while getting a "good" job more than doubles it. Emigrating then returning to Egypt also immediately augments the marriage hazard, but the duration of migration does not have a significant impact on the hazard of marriage. When it comes to marrying earlier, they show that there may be a tradeoff between longer unemployment in the search for a good job and getting into work early.

## 5.5 Marital Relations

### *5.5.1 Attitudes Towards Gender Roles*

As Assaad et al. (2017) point out, Egypt is not much different from other Arab states in that the society is predominantly patriarchal. When it comes to marriage and family formation, this view also predominates. The husband is seen as the head of the household and the primary breadwinner and income generator. He is also responsible for most of the decision-making in his household, whereas the wife is responsible for homemaking and childcare. Balancing these tasks along with maintaining a career can become burdensome for some females, explaining why many Egyptian women leave their jobs once married (Hendy, 2015a). However, even if deciding to maintain a career, the wife will probably still be the main homemaker and the one mainly responsible for childcare.

Anderson et al. (2017) study husbands' commitment and analyze the gendered social norms in Egyptian marriages. They take into consideration household task division and specialization of household tasks, specifically raising children, in constraining husbands from abandoning their wives. They also give much attention to Egyptian cultural norms originating and shaping authoritative decision-making in the household, focusing on their influence on the commitment problem. They propose a theory explaining the central role of marriage and setting out the role of husband authority norms. They show that the key feature to understanding the type of commitment in Egyptian marriages is their being based on non-enforceable contracts specifying a predetermined payment for the wife in the event of the husband filing for divorce. They also establish that stronger husband authority norms ameliorate the commitment problem, hence raising the husbands' payoff to marriage relative to divorce, making them pursue inefficient divorce in fewer parts of the world. They test their theory regarding husband authority norms and their effect on the commitment problem, and show that its magnitude corresponds to the optimal divorce-contingent payment set by the couple in their marriage contract.

Based on previous literature, Anderson et al. (2017) see marriage as a long-term commitment or "contract" between husband and wife. Therefore, they concentrate on the payment to be delivered to the female in the event that this contract is terminated

by the male. These amounts are set to protect the wife from abandonment, especially since she has made a sunk investment in terms of domestic activities and childcare. Accordingly, Anderson et al. build an empirical model around Islamic marriage contracts, since they integrally include the *mahr* or *sadaq* (dower), representing the divorce-contingent payment. Such a payment is intended to provide the wife with both financial independence within the marital relationship (the role of the prompt dower, or *muqaddam*) and an insurance in case of divorce (the role of the deferred dower, or *mu'akhar*). In this paper, the empirical analysis focuses on the deferred dower, using ELMPS 2006 and 2012. The authors use information on individual marriage payments (Table 5.22) and build a husband authority index using information on the husband's decision-making power. From Table 5.22, one can see that the deferred dower comes after housing, furniture and equipment expenses.

Figure 5.3 shows how the husband authority index and the deferred dower amount vary between governorates of residence. In the south of Egypt, husbands have significantly higher authority when it comes to decision-making in the family. Meanwhile, deferred dower payments are higher in northern Egypt.

Based on their theoretical framework, Anderson et al. (2017) expect that as the husband's authority in the marriage increases, the deferred dower payment will decrease. Furthermore, the higher the earnings opportunities for mens relative to women, the higher one would expect this dower payment to be, while it would be expected to fall as the social costs of divorce grow for males relative to females. Testing these hypotheses empirically, they find that the deferred dower is around 7.5 times lower if the husband resides in Cairo, the governorate with the lowest husband authority index, than for a husband from Qena, the governorate with the highest index. Therefore, they show that there is indeed a negative relationship between husband authority and the divorce payment. They also find that average female labor force participation reduces both the husband authority index and the deferred dower.

**Table 5.22** Summary statistics on marriage payments (2000 Egyptian pounds)

| | N | Mean | Standard deviation | Minimum | Maximum |
|---|---|---|---|---|---|
| Deferred dower | 7,909 | 3,369 | 4,356 | 0 | 34,159 |
| Prompt dower | 6,670 | 1,482 | 3,396 | 0 | 24,023 |
| Jewelry | 7,809 | 3,144 | 3,168 | 0 | 25,919 |
| Furniture and appliances | 7,538 | 12,999 | 14,372 | 0 | 106,712 |
| Trousseau | 7,576 | 5,662 | 6,292 | 0 | 46,438 |
| Housing | 7,769 | 18,529 | 28,696 | 0 | 160,154 |
| Celebration costs | 7,520 | 2,369 | 2,881 | 0 | 23,412 |
| Total costs | 7,909 | 45,990 | 39,446 | 0 | 307,846 |

*Source* Anderson et al. (2017)
*Note* Calculated using ELMPS 2006 and 2012 data

**Fig. 5.3** Geographic distribution of the husband authority index and the deferred dower. *Source* Anderson et al. (2017). *Note* Higher values of husband authority index indicate higher husband authority

### *5.5.2 Women's Perception Towards Domestic Violence Within Marriage*

Yount and Li (2009) examine how women's social learning, exposure to household labor division norms, and resources and constraints in marriage in Egypt influence their tendency to justify domestic violence. They base their hypothesis on the social learning theory stating that an individual learns or approves of a certain behavior by modeling that of others. Therefore, in most cases, a woman's tendency to be in a violent partnership is explained by her observance or experience of violence in childhood, which she has learned to view as something normal. The author cites female genital cutting, domestic violence, and corporal punishment suffered by little girls in Egypt as illustrations for the case. Using Egypt DHS 2005, Yount and Li explain that 36% of ever-married women in the sample have reported prior domestic violence; 33% have reported physical domestic violence; and about 40% of the latter described the physical violence as injurious. They find that one-half of women in the sample saw wife-beating and beating as justifiable for at least one reason, such as certain acts of disobedience to the husband or not performing certain expected domestic roles. They also note that those who witnessed domestic violence as a child are 74% more likely than those never exposed to it to justifying wife-beating. Meanwhile, women from rural areas are 37% more likely to justify domestic violence.

Kaplan et al. (2011) use data from a cross-sectional survey of married Egyptian women to study violence within marriage by focusing on sexual coercion and husband's control. According to a study[21] referenced by Kaplan et al. (2011), spouse abuse including sexual coercion is not prohibited by Egyptian law, whereas the literature shows that 62%[22] of Egyptian married women suffer intimate partner violence. Based on Egypt DHS 2005, the researchers test two hypotheses. First, they test

[21] Ammar (2006).

[22] Fahmy and Abd El-Rahman (2008).

whether strong control by the husband over household decision-making increases sexual violence. Second, they study whether the husband's lack of control within his social environment also augments sexual violence within the household. They find that 6.2% of the sample females were subjected to forced intercourse. This figure increased to 11.4% if the husband was the main decision-maker in at least three family matters, and decreased to 3.2% if the husband made no decisions alone. They also find that husbands with no education are twice as likely to exercise sexual coercion, and those who are unemployed are 2.5 times more likely to do so. Therefore, a husband having less control over his social environment due to unemployment or lack of education is indeed associated with higher levels of sexual violence.

## 5.6 Migration and Marriage

### *5.6.1 Marriage as a Major Reason for Migration*

As discussed, marriage costs in Egypt are among the highest in the region, and the groom covers most of them. Therefore, faced with high youth unemployment locally, some seek work abroad by emigrating for several years until they have accumulated the sum needed for marriage. David and Hendy (2016) argue that many young Egyptian men migrate temporarily abroad, and most often to GCC countries, in order to accumulate savings to cover the marriage costs that have been identified as a significant contributor to delayed marriage. They point out that according to Wahba's study on Egyptian migration (2015), "12% of urban and 15% of rural returnees return to get married."

Elbadawy (2011) studies international migration in Egypt, focusing on the factors affecting intentions and decisions to migrate. She bases her analysis on the 2009 Survey of Young People in Egypt (SYPE 2009). According to this data, one-third of males aged between 15 and 29 are willing or intending to emigrate. Using descriptive statistics, she finds that 22.5% of unmarried young Egyptians are willing to migrate, compared to 7.8% of those who are married. To explain this she suggests the possibility that some of these unmarried men turn to migration to save up for marriage costs and then return and settle in Egypt once married. By adopting a regression analysis to examine the determinants of migration aspiration, she shows that being male and being more educated tend to increase the likelihood of willingness and intention to migrate, while being married actually decreases it.

### *5.6.2 Migration's Effect on Duration to Marriage*

In the latest version of David and Hendy (2016), the researchers posit a model of duration to marriage, comparing between those who have migrated and those

who have never done so, to see if migration shortens this period. They investigate two durations: first, between the legal age of marriage and age at first marriage, and second, between the moment of engagement and actual marriage. They base their theory on the fact that the labor market reforms adopted by Egypt during the 1990s introduced several difficult labor conditions due to shrinkage of the main employment sector at the time, namely the public sector. Hence, faced by rising unemployment, decreasing real wages, and the prevalence of informal and temporary employment, coupled with the need to save for marriage, some youths would turn to migration for a certain period until they could afford to get married. David and Hendy (2016) use the 2012 ELMPS, which contains a migration module. They focus on Egyptian males, as they find that the majority of returning migrants are men. According to the data, around 70% of those who returned to Egypt after migration got married after migration and not before or during it. Analyzing the duration to marriage based on Kaplan–Meier survival estimates,[23] they show that those who migrated got married later than those who did not migrate. Having introduced a number of empirical techniques to control for selectivity and endogeneity, they find no significant influence of migration on the probability of getting married each year. They suggest that those who migrated perhaps had a lower preference for family life, hence motivating them to move away from their families in the first place, and then explaining their marriage delay. However, when considering only ever-migrants, migration can play a role in fast-forwarding to marriage. For instance, David and Hendy report that 69.9% of those who migrated got married after migration (David & Hendy, 2016). Looking at the engagement period, David and Hendy find that migration can help shorten the engagement duration, although this result is not very robust and could be sample-driven.

## 5.7 Conclusion and Policy Recommendations

Despite all the changes witnessed by the institution of marriage in Egypt during the past few decades, it remains the principal building block of Egyptian society and an important step in an individual's life. Socially, it remains the only accepted form of union between a man and a woman. Hence, faced by the rising costs of this union, Egyptian youth have no alternative but to delay marriage in order to save up for all its expenses. Moreover, women are tending to engage more in the labor market before marriage to help pitch in with the costs, while males may turn to temporary migration, especially to Gulf countries, to speed up the saving process when faced by rising unemployment and fragile working conditions in Egypt.

On the one hand, since the marriage institution in Egypt is changing gradually in response to the factors shaping modern Egyptian life, it is crucial that the legal framework keeps up with such updates. Family law is therefore in need of revision with regard to gender segregation, control of marital relations, and divorce, alimony,

[23] A non-parametric statistic used to estimate the survival function from lifetime data.

and custody matters. For instance, the legal text should promote gender equality and women's empowerment. It should also ban teenage marriage, especially for women, as these young people tend to be less aware of their rights and usually lose any power or control in a relationship with an older spouse. Although the legal marriage age is set at 18 years, the law should be enforced in all regions of Egypt and leave no room for legal guardians to allow minors to marry, whatever the type of marriage. Furthermore, labor market policies should take into consideration the characteristics of the modern family and allow for a more family-friendly atmosphere. Efforts should be made to make the private sector as attractive to the working married woman as the public sector, by offering flexible and shorter hours and longer maternity leave, for example.

On the other hand, in the face of the rising cost of marriage, action is needed to reduce this burden on young couples. Since housing is the most expensive part of these expenses, economic and policy strategies could be adopted to reduce this financial burden, and especially make housing available to lower-income groups. In addition, the grip of social customs could work their way towards lowering marriage costs substantially. It is social customs that shape what is asked of the spouses to provide for the marriage, and it is social customs that can modify this expectation. Society should take a step towards freeing itself from unnecessary constraints that make it hard for youth to achieve marital union.

## Annex

According to Egyptian Law No. 56 of 1923 (cited in Abdullahi An-Na'im, *Islamic Family Law in a Changing World: A Global Resource Book*, Zed Books, 2002, p. 169), the minimum age of marriage in Egypt is 18 years for men and 16 for women.

As recently as 2003, the U.N. Special Rapporteur on Violence against Women at the time, Radhika Coomaraswamy, noted that different minimum age requirements for men and women in Egypt "may encourage the completion and attainment of school degrees for boys at the age of 18, whereas girls' education can be curtailed earlier, in fact implying that it is of secondary importance."

See "Report submitted by the Special Rapporteur on Violence against Women, its causes and consequences," U.N. Document E/CN.4/2003/75/Add.1, February 27, 2003, para. 728.

## References

Abaza, M. (2001). Perceptions of *urfi* marriage in the Egyptian press. *ISIM Newsletter, 7*(1), 20–21.

Abd El Guid, S. S. (2015). Underage marriage between commodification and trafficking: A case study of tourism marriage in Egypt. *Annals of the Faculty of Arts, Ain Shams University, 43*(2), 45–94. http://search.mandumah.com/Record/737897

Amin, S., & Al-Bassusi, N. H. (2004). Education, wage work, and marriage: Perspectives of Egyptian working women. *Journal of Marriage and Family*. https://doi.org/10.1111/j.0022-2445.2004.00093.x

Amin, T. M., Abdel-Aal, A., & Ahmed, W. M. (2007). Marriage patterns and family composition in Egypt. *Population: Research and Studies, 75*, 38–68. http://search.mandumah.com/Record/155196

Ammar, N. H. (2006). Beyond the shadows: Domestic spousal violence in a "democratizing" Egypt. *Trauma, Violence and Abuse, 7*, 244–259.

Anderson, S., Bidner, C., & Sadania, C. (2017). *Marriage, commitment and social norms: Theory and evidence from Egypt.* Preliminary Paper.

Assaad, R., Binzel, C., & Gadallah, M. (2010). Transitions to employment and marriage among young men in Egypt. *Middle East Development Journal, 2*(1), 39–88.

Assaad, R., & Krafft, C. (2014). *The economics of marriage in North Africa.* WIDER Working Paper 2014/067. United Nations University World Institute for Development Economics Research (UNU-WIDER).

Assaad, R., Krafft, C., & Selwaness, I. (2017). *The impact of early marriage on women's employment in the Middle East and North Africa.* Working Papers 1086, Economic Research Forum.

Caldwell, J. C. (1982). Mass education as a determinant of the timing of fertility decline. In J. C. Caldwell (Ed.), *Theory of fertility decline* (pp. 301–330). Academic Press.

CEDAW Committee Report. *Consideration of reports of state parties, Egypt.* U.N. Doc. CEDAW/c/Egy/4–5, 88.

Central Agency for Public Mobilization and Statistics [CAPMAS]. (n.d.). *Marriage rates 2004–16.* http://www.capmas.gov.eg/Pages/IndicatorsPage.aspx?page_id=6135&ind_id=1097

D'Addato, A. V., Vignoli, D., & Yavuz, S. (2008). Towards smaller family size in Egypt, Morocco and Turkey: Overall change over time or socio-economic compositional effect? *Population Review, 47*(1), 21–40.

David, A., & Hendy, R. (2016). *Does international migration help them marry earlier? A hazard model for the case of Egypt.* Working Papers 1051, Economic Research Forum.

Egypt: Defining family in Egypt. (n.d.). In *Marriage and family encyclopedia.* Retrieved October 5, 2017, from http://family.jrank.org/pages/438/Egypt-Defining-Family-in-Egypt.html

Egypt Personal Status Code. (n.d.). http://el-borai.com/wp-content/uploads/2014/03/Personal-Status-Law.pdf

El Alimi, D. S. (1992). *The marriage contract in Islamic law*. Graham & Trotman.

Elbadawy, A. (2011). *Migration aspirations among young people in Egypt: Who desires to migrate?* Working Papers 619, Economic Research Forum.

Fahmy, H. H., & Abd El-Rahman, S. I. (2008). Determinants and health consequences of domestic violence among women in reproductive age at Zagazig District, Egypt. *Journal of the Egyptian Public Health Association, 83*(1–2), 87–106.

Fargues, P. (1995). L'urbanisation du monde arabe: un éclairage démographique. *Égypte/Monde Arabe*, (22), 43–62.

Govindasamy, P., & Malhotra, A. (1996). Women's position and family planning in Egypt. *Studies in Family Planning, 27*(6), 328–340.

Hasan, A. F. M. (1994). Age at first marriage and fertility in Egypt, 1984. *Population: Research and Studies, Egypt, 48*, 1–26. http://search.mandumah.com/Record/669567

Hendy, R. (2015a). *A quarter century of changes in labor force participation.* Working Papers 973, Economic Research Forum.

Hendy, R. (2015b). Women's participation in the Egyptian labor market: 1998–2012. In R. Assad & C. Krafft (Eds.), *The Egyptian labor market in an era of revolution.* Oxford University Press.

Kaplan, R. L., Khawaja, M., & Linos, N. (2011). Husband's control and sexual coercion within marriage: Findings from a population-based survey in Egypt. *Violence against Women, 17*(11), 1465–1479.

Krafft, C. G. (2015). *Essays on the microeconomics of development in the Middle East and North Africa.* Doctoral dissertation, University of Minnesota.

Law No. 56. (1923). In A. An-Na'im (Ed.), *Islamic family law in a changing world: A global resource book* (p. 169). (2002). Zed Books.
Mensch, B. S., Singh, S. D., & Casterline, J. B. (2005). Trends in the timing of first marriage among men and women in the developing world. In C. B. Lloyd, J. R. Behrman, N. P. Stromquist, & B. Cohen (Eds.), *The changing transitions to adulthood in developing countries: Selected studies* (pp. 118–171).
Nazier, H., & Ramadan, R. (2017). *Marriage outcomes and women empowerment after marriage: A three countries story.* Working Papers 1074, Economic Research Forum.
Oppermann, B. (2006). The impact of legal pluralism on women's status: An examination of marriage laws in Egypt, South Africa, and the United States. *Hastings Women's Law Journal, 17*(1), 65.
Osman, M., & Girgis, H. (2009, September 27–October 2). Marriage patterns in Egypt. [Conference presentation]. In *XXVI IUSSP International Population Conference*, Marrakesh.
Prioux, F., Tabutin, D., & Toulemon, L. (2009). Demography of the world's regions: Situation and trends. *Population, English Edition, 64*(1), 7–8. https://muse.jhu.edu/article/315801
Rashad, H., Osman, M., & Roudi-Fahimi, F. (2005). *Marriage in the Arab world.* Population Reference Bureau.
Salem, R. (2011). *Women's economic resources and bargaining in marriage: Does Egyptian women's status depend on earnings or marriage payments?* Working Paper Series No. 18, Gender and Work in the MENA Region. Population Council.
Salem, R. (2015). Changes in the institution of marriage in Egypt from 1998 to 2012. In R. Assad & C. Krafft (Eds.), *The Egyptian labor market in an era of revolution.* Oxford University Press.
Salem, R. (2016). Imagined crises: Assessing evidence of delayed marriage and never-marriage in contemporary Egypt. In K. Celello & H. Kholoussy (Eds.), *Domestic tensions, national anxieties: Global perspectives on marriage, crisis, and nation* (pp. 231–254). Oxford University Press.
Sholkamy, H. (2008). Why kin marriages? Rationales in rural Upper Egypt. In *Family in the Middle East: Ideational change in Egypt, Iran, and Tunisia* (pp. 139–150).
Sieverding, M. (2012). *Gender and generational change in Egypt.* Doctoral dissertation, University of California.
Singerman, D. (2007). *The economic imperatives of marriage: Emerging practices and identities among youth in the Middle East.* Middle East Youth Initiative Working Paper 6.
Singerman, D. (2008). Marriage and divorce in Egypt: Financial costs and political struggles. In B. Drieskens (Ed.), *Les métamorphoses du mariage au Moyen-Orient* (pp. 75–96). Presses de l'Ifpo.
Singerman, D., & Ibrahim, B. (2001). The cost of marriage in Egypt. *Al-Raida, 18–19*, 20–26.
Wahba, J. (2015). Through the keyhole: International migration in Egypt. In R. Assad & C. Krafft (Eds.), *The Egyptian labor market in an era of revolution* (pp. 198–217).
World Bank. (n.d.). *Gender statistics, 2014.* http://databank.worldbank.org/data/reports.aspx?source=gender-statistics&Type=TABLE&preview=on
World Bank. (n.d.). *World development indicators, 2015, 2016.* http://databank.worldbank.org/data/reports.aspx?source=2&series=NV.IND.TOTL.ZS&country=EGY
Yount, K. M., & Li, L. (2009). Women's "justification" of domestic violence in Egypt. *Journal of Marriage and Family, 71*(5), 1125–1140. https://doi.org/10.1111/j.1741-3737.2009.00659.x

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# Chapter 6
# The State of Marriage in Sudan

**Balghis Badri, Mai Ezz Eldin, Alawia Farag, and Amani Awad**

This chapter analyzes previous studies on marriage in Sudan, with the aim of making recommendations to help decision-makers adopt policies and laws that maintain the institution of marriage.

The research team began by making a compilation of every study or published/unpublished report on the issue of marriage, before dividing the material into seven main parts. They based the chapter on these studies as they wrote and analyzed the main points without any theoretical (or other) approach. Whether published or unpublished, part of a dissertation or a government report, the studies equally provided and analyzed the relevant information.

This chapter's report on marriage in Sudan can be considered the first of its kind, as no prior studies have addressed the subject. There has been one study on the family, but it did not address the many points discussed in this chapter. Instead, it focused on the form and types of the family, as well as the status of women within the family unit. Hence, this is a new and significant study that will contribute to future research on marriage, especially in the absence of a database of previous studies in general, let alone on marriage. Therefore, this chapter seeks to offer a useful database for researchers in the future. It also seeks to be of use when making recommendations or policies, or when creating or amending laws relating to marriage.

There are relatively few studies on marriage, most of which come in the form of bachelor's or master's dissertations, and a few that are parts of Ph.D. dissertations. With the exception of a 2015 UNICEF survey on early marriage, there are no specific national surveys on marriage to explain any of the relevant variables.

The chapter is organized as follows: the next section focuses on the legal definition of marriage in Sudan. It refers to relevant statistics regarding marriage rates and age at marriage in Sudan's urban and rural areas. It also looks at women's participation in the civil service and their economic power, as well as their political

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participation and access to different levels of education. This section also examines relevant data on displacement and migration. Furthermore, it specifically examines the cultural and social framework for the status and roles of both men and women, as well as the ideal model for gender roles and relations in Sudanese society. The second section tackles the types of marriage in Sudan, such as monogamy, polygamy, consanguineous marriage (the most prevalent type), and marrying foreigners. Other types of marriage include *misyar, ithar,* and *urfi* marriage, all of which are new to Sudan, especially among educated people and city dwellers.

The third section looks at studies on marriage age, spousal age gaps, early/delayed marriage, and celibacy in both genders. Most of the studies in question make reference to the phenomenon of early marriage in Sudan. In the fourth section, the issues discussed include marital relations, marital satisfaction, and violence. It looks at the reasons behind such factors, as well as others that have positive or negative effects on marital relations, according to the studies. The next section discusses marriage and work, and explains the impact of a wife's work on her marriage, role, status, and struggles, as she plays both productive and reproductive roles within the marriage. The next section examines marriage among migrants and the negative or positive impact of migration on marriage, while the last section offers a brief look at the impact of conflict and war on the institution of marriage. The concluding section discusses the main findings from the relevant studies, and the recommendations that can be derived from them, including amending laws or policies and providing marriage-related services.

## 6.1 Marriage Context

The composition of the Sudanese state and population groups must first be explained. Sudan currently covers an area of 1,882,000 km$^2$, with a population of approximately 35 million in 2015. It shares borders with seven countries: Egypt to the north, Libya to the northwest, South Sudan to the south, Eritrea and Ethiopia to the east, Central African Republic and Chad to the west, and Saudi Arabia, across the Red Sea, also to the east. This geographic location has led to diversity through migration over the centuries.

Sudan is known for its ethnic and racial diversity. Nubians reside in the far north, the birthplace of the oldest human civilization, where several ancient kingdoms formed, all the way up to Egypt. In central Sudan, as in the rest of the north, these Nubian tribes mixed with Arabs, spreading Islam in the country during the eleventh century. Despite mixing with the Arabs, the Nubians of the far north preserved their languages, even when Arabic became the mother tongue of the other tribes in northern and central Sudan.

Sudan's Beja tribes, with their own language, reside in the east. They share their origins with the inhabitants of the Ethiopian Highlands. The east is also home to some groups of Arabs known as the Rashaida. Originally from the Arabian Peninsula, they

migrated across the Red Sea and settled in Sudan. Others migrated from Hadramout, but they did not mix with other Sudanese groups through marriage.

Some Arab Bedouins migrated from North Africa through the desert and settled in the valleys of central and western Sudan. They later became known as the Arab Bedouins. Other aboriginal groups with African features and languages did not mix with the Arabs and resided in the far western region of Darfur, as well as South Kordofan, Blue Nile, and South Sudan (before secession). These groups formed kingdoms and converted to Islam, except for those in South Sudan, where some of them preserved their original languages, even after learning Arabic, the common language of communication among all Sudanese groups. Arabic is also the country's official language, and the language of instruction at all levels of education. In addition, it is the mother tongue of many tribes in most regions of Sudan.

In the past, there have been several influxes of migrants (especially Christians and Jews) from Egypt and the Middle East. Some of these groups were later known as the "Levantines," in reference to the Levant, from which they came. These were Catholics, Protestants, or Jewish minorities. A significant number of Egyptians and some Turks also migrated to Sudan prior to and during the Turkish invasion of Sudan in 1821, creating some minorities of Copts and Syrians. Some people also migrated from India. All of these migrants married within their religious groups and under their own marriage laws, and only rarely mixed with the original inhabitants of Sudan.

As for internal migration, some groups from Sudan's western regions settled in the central valleys, where they found rain and fertile land. Merchants also migrated to western and eastern regions, while others came from the west to form the Mahdist army. In 1883, Sudan gained its independence from Egyptian-Turkish rule, and people migrated to the national capital of Omdurman.

There was another relatively recent wave of migration during the drought and desertification of the 1980s. This was a wave of forced migration, unlike the previous migration of farm workers from the west to the center and east of the country to work on projects in Gezira and Al Rahad. Other waves of forced migration were caused by war, especially in South Sudan, leading to an influx of migrants to the capital, Blue Nile, and South Kordofan. All of this led an estimated two million villagers to move to urban centers in the same region or to the capital city (Gamal Eldin, 2012). These different migration patterns led to changes in some marriage traditions. For example, they increased the number of families supported by the women left behind as husbands went to war. However, there are few studies addressing the impact of internal migration on marriage. On the other hand, there are some statistics on external migration, in which Sudanese citizens settle abroad, whether to work in the Gulf or other neighboring countries, or as refugees in Europe, the United States, and Canada. In 2014, official data from the Expatriate Affairs Authority found that at least two million Sudanese people lived outside the country (Gamal Eldin, 2012).

Despite the ethnic and racial diversity in Sudan, the values governing marriage, customs, and norms are similar. And although marriage rituals see only a few differences, there are major differences between some tribes/minorities and the rest of the population. These differences have gradually disappeared due to displacement from

war zones in the west to urban centers and state capitals, or to central and northern Sudan and the capital, Khartoum.

One of the positive outcomes of conflict and war was that they reduced the isolation between regions and their residents, leading to more intermingling. People were influenced by the rituals, costumes, and food of others, as well as many customs and traditions uniting population groups. These values included tribal and familial bonds, helping others, hospitality, and respect for the elderly and senior members of the tribe or religious group. They also included marriage-related values, which we will discuss below.

### *6.1.1 The Legal Definition of Marriage*

The 2005 Sudanese Constitution recognizes multiple reference points for marriage, depending on religious group. For example, the Muslims' Personal Status Code of 1991 applies to Sudanese Muslims, while Sudanese Christians follow the laws of the churches to which they belong, whether Coptic or Protestant. Non-Christian groups, also known as irreligious, are only a few in number, and they are subject to their own marriage norms (*urfi* marriage). Meanwhile, civil marriage applies to foreigners living in Sudan or other non-Muslims who wish to register their marriages outside the religious system (Ali, 2006; Moussa, 1981).

According to Sudanese law, *urfi* marriage refers to the marital union of people from non-Muslim religious groups, or who belong to different churches, or Jews, or irreligious people. Sudanese law labels their marriages *urfi* ("customary") as they take place through a priest or church cleric. The marriage age for girls varies among these groups in Sudan, ranging from 15 to 21. Christian churches do not require a guardian's approval in order to validate the marriage. However, Jews require such approval for virgin brides, and occasionally for women remarrying. Among Muslims, *urfi* marriage refers to the generally agreed concept of a secret marriage. We will discuss below the pillars and criteria of a valid Islamic marriage.

This chapter focuses on marriage among Sudan's Muslims, who constitute an estimated 95% of the population following the secession of South Sudan, especially in the absence of any studies on marriage among Sudan's non-Muslims, leaving the door open for such studies to be carried out in future.

The family represents the first building block of society, and marriage is the main pillar of forming a family, subject to societal and religious laws, regulations, and norms. From an Islamic point of view, the family guarantees tranquility and common integration between husband and wife. Its special function is to offer a socially, legally, and religiously acceptable method of satisfying sexual needs and having children in order to ensure the continuity of life and prevent the extinction of humankind. It is also considered an important way to protect against misbehavior.

In religious terms, marriage is defined as a legitimate contract for sexual pleasure between spouses. Sharia law has created marriage contracts based on solid pillars and fixed principles on which marital life and good families, and therefore good societies,

can be formed. For a marriage to be valid, it must meet all the requirements, including consent, guardians, witnesses, and the satisfaction of the spouses, as well as a dowry and the absence of any reasons why the marriage should not take place (Abdel Rahman, 2016). In the Quran, the relationship between husband and wife is depicted as one based on affection (love, friendship, and companionship) and compassion (understanding, interest, and forgiveness). "And among His Signs is that He created for you mates from among yourselves, that ye may dwell in tranquility with them, and He has put affection and compassion between you" (*Surat Al Rum*, verse 21). Many other Quranic verses promote marriage and family (Abdel Latif, 2005; Omran, 2007).

The Muslims' Personal Status Code of 1991 defines legitimate marriage as "a contract allowing pleasure between spouses," requiring that

1. the woman not be prohibited for the man, whether permanently or temporarily;
2. both parties give their consent to the marriage;
3. the husband be compatible with the wife in terms of religion and morals;
4. the woman's guardian gives his/her approval; and
5. two male—or one male and two female—witnesses are present. However, this condition is not a mandatory pillar of marriage (unlike the above, which, if unmet, invalidate the marriage).

(Ali, 2006)

A legitimate marriage must meet the requirements of consent, the intention of it being a lasting marriage, and the presence and approval of the woman's guardian. Other requirements include witnesses and a marriage official attending. Registering the marriage, meanwhile, has no effect on its legitimacy or validity, unlike the case in some countries.

Among the general public, *urfi* marriage refers to what is legally known as an invalid marriage according to the Muslims' Personal Status Code, which defines it as a secret marriage that takes place without the approval or knowledge of the woman's guardian. According to the law, this type of marriage is invalid (Abdalli, 2004; Abdel Rahman, 2016; Ali, 2006; Moussa, 1981).

According to the text, marriage occurs based on the provisions of Islamic Sharia law, as stipulated in the Muslims' Personal Status Code of 1991: an adult woman is married off by her guardian, which means the absence of the guardian invalidates the contract. Meanwhile, the absence of witnesses makes it a secret marriage, which means it is invalid even with the presence of the guardian.

These legal articles are the subject of controversy within the feminist movement, as indicated by publications issued by the Ahfad University for Women such as The Rights of Adolescent Girls and Women in Sudanese Laws (2004) and *Proposed Amendments to the Personal Status Code* (Abdel Halim, 2017), as well as the

Sudanese Organization for Research and Development (SORD)'s Proposed Alternative to the Personal Status Code (2015). Feminist groups have called for amendments to the requirements for a valid marriage, along with the marriage certificate and minimum age. While the law does not set a minimum age for a valid marriage, it does refer to puberty, allowing the guardian to marry off his daughter at the age of 10 if he is concerned about her honor and wants to protect it.

We should point out here the legal aspects of the definition of marriage and its validity, leading into studies on types of marriage and minimum age, which we will discuss in Sects. 6.2 and 6.3 of this chapter.

In the context of the legal aspect of marriage, we must also refer to the rights of spouses and the causes of separation, especially the details relating to the wife's applying for divorce. These legal aspects are shown to have implications in the studies examining marital relations, whether in terms of compatibility and satisfaction or violence in marriage, all of which we will address in detail.

According to Sudanese law, a wife has the right to be supported by her husband, visit her parents, and be treated well and fairly if her husband is also married to other women. Moreover, a wife is considered disobedient if she refuses to travel with her husband without a valid reason, or if she refuses to move in with him. She is also disobedient if she leaves the house or takes a job without the husband's permission. A husband has the right to be obeyed and taken care of by his wife. Article 73 on the definition of disobedience gives the husband more rights by broadening the definition of obedience.

Sudanese law does not include restrictions on men having more than one wife at a time, nor does it restrict men's right to divorce. However, the law does allow wives to include a condition in the marriage contract giving them the right to divorce themselves, although this must not contradict the husbands' right to divorce or polygamy. In order for a woman to apply to the courts for a divorce, she must prove that her husband has failed to fulfill his marital duties, such as supporting her, or that he abused her or used violence against her (Badawi, 2008a, 2008b, on women's rights in the Personal Status Code; Al Hashimi, 2016, comparing international agreements to the Muslims' Personal Status Code in Sudan). The feminist movement has proposed amendments to all of these articles (Abdel Halim, 2017; SORD, 2015). They focus on the definition of marriage, rights of spouses, and setting the minimum age for marriage at 18, as well as restricting polygamy and men's right to divorce except before a judge or council. They have also sought to remove many articles from the Code.

The studies referred to above show that before 1991 Sudan did not have a specific law for Muslims, but rather ruled on marriage according to the Hanafi school of Islam and the opinions of the supreme judge and Grand Mufti of Sudan in cases of dispute. As such, a girl had the right to marry herself off without a guardian if both parties consented to the marriage. This right was only restricted if her prospective husband was unsuitable, in which case her guardian had the right to request dissolution of the marriage. Divorced or widowed women had the full right to remarry without permission from their guardians or any judge. However, based on the opinion of the majority of jurists, the 1991 Personal Status Code made it mandatory to have the

approval and presence of the guardian (or his representative) in order for the marriage to be considered valid. This shift from the Hanafi school to the opinions of jurists led to confusion, in the research and in the public's understanding, over the meaning of *urfi* marriage, which was previously regarded in the same way as in Egyptian law: a marriage that takes place with a contract and a marriage official, without the knowledge of the guardian or any public announcement, but with the consent of both parties. Yet, as explained above, the 1991 Personal Status Code prohibited this type of marital union and considered it invalid. There is a general understanding that secret marriage is considered *urfi* marriage, as we will explain in Sect. 6.3, as there was no embarrassment in the researchers asking about it or the subjects responding, given the prevailing belief that it is a "marriage," and not "fornication."

In light of the above, the law can be understood to have a direct role in determining the types of marriage, the minimum age, and what constitutes consent (or lack thereof). It also has a deciding role in determining when marital violence calls for the breakup of a marriage, an issue we will discuss in the following sections.

Other non-legal factors also affect the institution of marriage, such as demographics (farmers, shepherds, city dwellers, etc.). They also differ in certain customs, rituals, and other demographic elements, including education, work, and socio-economic status. This is what we will examine at the second level of this section. These demographic elements have a major impact on types of marriage, the minimum age, marital satisfaction, marital violence, and the impact of migration on marriage.

### *6.1.2 Demographics*

The majority of the Sudanese population (69%) reside in rural areas, and only 31% in urban centers (Multiple Indicator Cluster Survey [MICS], 2014). Most people are under the age of 40, and the average life expectancy stands at 57 years for men and 59 years for women (MICS, 2014), up from 54 and 57 in 2007. Women of childbearing age (15–49 years) make up 30% of the population, and the average family consists of approximately six individuals (MICS, 2014).

As for the total population, and marriage rates by age group, the surveys of 1973 and 1979 indicate that 69% of unmarried men were aged 20–24 in 1973, rising to 85% in 1979. Meanwhile, only 16% of unmarried women were in this age group in 1973, rising to 36% in 1979. As for the 40–44 age group, only 3.7% of men and 1.5% of women were unmarried in 1979. These statistics show that marriage age has seen a significant increase among men, unlike women. Yet marriage remains desirable, which is evident in the low rates of unmarried people in the 40–44 age group (Abdelrahman, 1989). These data indicate a change in the number of unmarried people in both age groups among men and women.

Abdelrahman (1989) says the main issue with comparing and analyzing data is the classification of age groups. For example, surveys put anyone aged 15–19 in the same age group, which includes girls married before turning 18 (i.e., early/underage marriage). Meanwhile, a separate UNICEF study defines early marriage

as that occurring before the age of 18. Yet all the available data on age are merely an estimate, since birth registration is rare and determining real age difficult among the rural and Bedouin populations, especially with the low rates of education and high rates of illiteracy in Sudan.

It is estimated that there has been a rise in the rate of early marriage. The 2014 MICS data put the rate of marriage among girls under 15 at 12% and among girls under 18 at 38%. The data also indicated that nearly 21.7% of men were polygamous (having more than one wife at the same time). Additionally, 7.9% of married girls aged 15–19 are more than ten years younger than their husbands, rising to nearly 30% in the 15–21 age group. This means that many men tend to marry girls who are much younger than themselves. Statistics also indicate that 50% of married women/girls were married under the age of 18. The significance of all of these data will be discussed in further detail in the section on age and marriage.

Low levels of education constitute an alarming problem in Sudan. Only 59% of the population are literate. Among school-age children, 76.4% are enrolled in basic education, and only 28% in secondary education, even though 95.7% complete their journey from basic to secondary education. There is also a gender gap, with 85% of boys completing their basic education, compared to 74% of girls. Moreover, only 29% of girls and 27% of boys are enrolled in secondary education. This confirms that, if given the opportunity to complete the eight-year basic education, girls are more likely to enroll in secondary school for a further three years, which in turn delays their marriage until the age of 18. The phenomenon of boys dropping out of school after basic education might be attributable to academic factors (i.e., not achieving sufficient scores to enroll in secondary school), or to family poverty, which forces them to enter the labor market at an average age of 15 (MICS, 2014).

Other important factors include an increase in the number of women supporting their families, from 13% in 2002 to an estimated 29% in 2008, due to war, conflict, and migration. Meanwhile, unemployment stood at 32% for both genders according to the 2008 family census.

According to the 2014 MICS data, 29% of families were supported by women. Of children aged 0–17, 1.8% lived with one parent whose spouse had migrated outside Sudan, while 5.3% lived with one parent whose spouse was deceased. In most cases the mother is the primary breadwinner, as shown later in the studies on migration and female-headed households.

As for marital violence, the 2014 survey found that 34% of respondents believed that a husband has the right to beat his wife if she fights with him, neglects the children, burns the food, leaves the house without his permission, or refuses to sleep with him.

The survey also found that 63.9% of children aged 1–14 were subjected to corporal punishment and abuse by their parents in the month preceding the study. Physical discipline is considered acceptable, whether among children or among the wives who both practice it on their children and suffer from it themselves. We will discuss this in further detail in the section on violence within the institution of marriage.

Another form of violence is female genital mutilation (FGM), which includes repeating the procedure on married women after every birth (86.6%). The rate varies

by age group, dropping from 86% of women aged 30–34 to 66% among girls aged 0–14. Of women who have undergone FGM, 50% undergo the procedure again in what is described as "adjustment," mostly to please the husband, whom they fear may punish them by taking another wife. This will be further discussed in relation to other forms of physical and psychological violence against married women.

Despite all of the above, there are positive indicators regarding the status of Sudanese women. For example, women's political participation in the parliament increased under the quota system, from 10% in 1979 to 25% in 2010 and 30% in 2015. This was the result of feminist advocacy to include a quota in the 2008 elections law (Badri et al., 2013). In addition, women's participation in the civil service increased from 35% in 1997 to 51% in 2004, according to Sudan's labor surveys of 1997 and 2004. Women also occupy 20% of decision-making positions at the federal level, and up to 29% at the state level. Meanwhile, 78% of women work in the agricultural and pastoral sectors, and 85% work in informal sectors. As for education, the rate of female enrollment in universities increased from 36% in 1990 to 55% in 2005, and still continues to increase. Furthermore, women hold 44% of professional jobs, 24% of technical jobs, and 70% of clerical jobs (Ministry of Labor and Civil Service Council, 2004). However, the rate of unemployment among women is 33% in urban areas (Ministry of Labor and Civil Service Council, 2004), and only 15.6% of ministerial positions were occupied by women between 2003 and 2014. Women also work as business owners and have a sub-union, besides being members of the Sudanese Businessmen and Employers Federation. Moreover, they participate in over 47 registered feminist associations and volunteer groups (Khalifa, 2017; Sudanese Women's Union, 2010). This development in women's higher education and work has had implications for marital relations and power dynamics between spouses, as indicated by the studies discussed in the section on marital relations and satisfaction. Such factors give wives a degree of power and independence, as well as a sense of satisfaction with themselves and with their marriages.

In terms of constitutional rights and Sudan's compliance with international agreements, we note that the country's 1964 constitution gave women the right to vote and run for elections. Prior to that, the 1956 constitution had given educated women the right to vote. The Bill of Rights in the 2005 constitution gave women equal civil, political, social, cultural, and economic rights (Article 32/1).

The Constitution also guaranteed that the state should promote women's rights through affirmative action (Article 32/2) and combat harmful customs and traditions that undermine the dignity and status of women (Article 32/3). Yet despite all of these constitutional rights, the central government has never issued a law prohibiting FGM or punishing its perpetrators (although some states have done so), nor did it set the minimum age for marriage at 18 (or even 16) years. Instead, the government left the Personal Status Code as it was, allowing the marriage of underage girls even as young as 10 years old.

In 2015, the state passed a law criminalizing all forms of sexual harassment and sexual violence, making the punishment for rape harsher and differentiating between adultery and rape in the Criminal Code. This was the result of advocacy by the feminist movement (Women & the Constitution in Sudan, 2013). Yet despite

such victories in parliamentary representation, Sudan has never signed or ratified the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW, 1979). It did, however, sign (but not ratify) the African Protocol on the Rights of Women. Meanwhile, most of the Arab countries that ratified the CEDAW agreement had reservations about Article 16, which relates to the rights of women in marriage, arguing that it contradicts Islamic Sharia law. However, this section will not attempt any comparison between Islamic Sharia law and international agreements.

### 6.1.3 The Cultural and Social Framework Regulating Marital Relations in the Regions of Sudan

Culture includes the knowledge, beliefs, values, morals, laws, and norms that people acquire as members of society. According to sociologists, there are three levels of cultural phenomena:

1. Ideological: Values, standards, and behavior, all of which make the ideological aspect of culture a social and objective matter.
2. Material: It includes other means of demonstrating and socializing the ideological aspect. Sociologists and anthropologists have attempted to break culture down into micro-elements and constructive implications while analyzing the relationships and connections between them (Kuper, 1999). The first thing that sociologists and anthropologists examined was the classification of culture elements into two distinct categories: (a) man-made material culture, which includes the means and methods of production as well as the resulting creations; and (b) non-material culture, which clearly manifests in the prevalent beliefs, values, and standards of society.
3. Non-material: Important in the process of social interaction, as well as determining social relations, positions, and status of the members of society. This is one of the key components of the cultural setting.

(Global Arabic Encyclopedia, 1999)

Cultural concepts of Arab or African origin in East and Sub-Saharan Africa constitute the main components of population groups in Sudan, and they converge in terms of patriarchal authority and the determination of spousal relationships and roles. The most important determinants of the cultural setting in Sudanese society are as follows: social customs, traditions, norms, values, and the popular beliefs expressed through Sudanese proverbs.

People pride themselves on the cultural heritage that distinguishes them. This includes a set of customs, traditions, values, concepts, stories, myths, beliefs, crafts, arts, and ways of life, among other things, that individuals inherit or acquire from the

country or environment in which they reside. This material and moral cultural heritage distinguishes each country and gives it its own character. Sudan has its own distinct cultural heritage that distinguishes it from other countries due to its geographical and historical position, with many civilizations and cultures having passed through its territory and left their mark. Furthermore, this cultural heritage helps form each individual's knowledge and memory, and thus affects their productivity and various activities.

#### 6.1.3.1 Social Customs

These are obligatory, compulsive social behaviors that include religious and customary values, which force individuals to conform to society by adhering to them in various recurring social events and situations, such as hospitality, marriage customs, social upbringing, and others.

There are many customs associated with marriage in Sudan. They include, for example, the priority order of marriage for males and females, as young boys or girls are not allowed to marry before their older siblings. This has been customary in the society, especially among girls. These restrictions, however, have declined, and it is now common for young girls to marry before their older sisters. This is due to increasing education and awareness among girls, as well as a rise in families consulting girls about their suitors. In addition, more girls are insisting on completing their education before marriage. It is becoming clear that many customs have ceased to exist in the society, although they still exist in rural areas. Another sign of the changing marriage-related customs in Sudan can be seen in pre-marital arrangements. For example, it was customary for marriage to occur without any conditions. In fact, the society shamed families who set conditions for those seeking to marry their daughters. Yet this situation is changing today, with some families requiring independent housing before they marry their daughters off. Other conditions relate to women's work or education, or even allowing the couple to get to know each other before marriage. Some customs are clearly affected by urban changes in Sudan. Marriage, for example, is seeing fundamental changes in terms of ceremonies and rituals, defying earlier social customs.

#### 6.1.3.2 Social Traditions

These traditions do not relate to the society as a whole. Instead, they constitute a set of rules of conduct specific to certain classes or local communities. They are limited in scope and less binding than customs, and they are selectively passed on from one generation to another.

#### 6.1.3.3 Social Values

Social values are subject to individual desires and assessment, that is, human preferences and perceptions of what is desired on a more general level. Therefore, values include all subjects, circumstances, and principles that have become meaningful over a person's extended experience. Values in society are a reference for the judgment of its members, considering their behavior patterns. In the following section, we will list some of these values that we believe relate to marriage.

#### 6.1.3.4 The Value of Obedience to the Male

Sudanese society is patriarchal. Males are granted the right of guardianship over females, leaving fathers with absolute social authority over their wives and children. Some applied social studies have shown a decline in the value of obedience to fathers and husbands in Sudanese society, and that their authority no longer enjoys complete and absolute recognition. All cultural groups consider the husband to hold full authority over decisions regarding marital life, including the choice of the place of residence, as well as the wife's work and movement outside the home, as wives must get permission or obtain approval for all their movements. Men also make the decisions regarding the education of wives and children, use of contraceptives, travel, and the marriage of their sons and daughters. Additionally, men are financially responsible for all family members. They must provide for their families, meet their needs, ensure their safety, and work diligently to provide the best possible decent life for them and secure their future. Meanwhile, wives must serve their husbands and all family members, as well as guests and anyone living with them. This includes cooking—or supervising the maid's cooking, if there is one—and taking care of the house and children. Their tasks also include keeping the husband informed of what happens inside the home, including the behavior of the children and other residents. In addition, wives must look after themselves and their appearance, and they must not drain the husband financially or mentally. Instead, they have to support and obey their husbands.

The distribution of social roles and status between genders applies throughout the family, the school, and the media, all of which emphasize the superior status of males by using popular proverbs or a conservative interpretation of Islam. This is also emphasized within the family model, in which boys and girls grow up watching their parents perpetuate this distribution. For example, girls see their brothers being allowed to play in the streets and public areas, while they are not allowed to leave the house.

In the western regions of Sudan, women are required to carry out farming work and provide food by cultivating various grains and vegetables as their primary responsibility. However, this productive role is not meant for commercial purposes. Instead, the purpose is to feed the family members. In the event of surplus production, the husband is tasked with selling the produce and he keeps the money for any other purposes as he sees fit. This patriarchal model and distribution of roles encourage

men to seek polygamy, which guarantees free labor and additional sources of income. In such cases, the husband maintains his authority in the home, despite the wives' contribution to household production. This was confirmed by a study on marital relations among the Zaghawa people in Darfur (Dousa, 2001), which confirmed the same approach in defining spousal relationships: full authority for the husband and obedience by the wife, in addition to a distribution of roles in which housework is the responsibility of wives, while providing for the family is the responsibility of husbands. As for the spousal relationship model in the eastern Sudan tribe of Bani Amer, the wife's primary responsibility is to look good for her husband and stay at home. On the other hand, the husband does all the work. He carries water from the wells, takes care of the farm, and milks the livestock, all of which are women's primary or secondary tasks in other areas of Sudan.

In her 2002 study *Patriarchy and the Female Pioneers of the Sudanese Movement* Al Feel confirms the depth of this patriarchal culture, which is protected and interpreted by sterile laws, whether in terms of personal status, labor rights, or travel without a guardian's permission. According to Al Feel, education has had a significant positive impact on both genders. She explains that the pioneering women of the feminist movement found support in political and public work through husbands, brothers, and fathers who were all enlightened and open to women's right—and ability—to work in the public sphere and even lead it. Many other studies have confirmed the impact of education, work, or both, as means by which women can achieve self-fulfillment and make relative changes in the prevailing concepts and definitions of marital relations and the distribution of roles, as will be explained later in Sects. 6.4 and 6.5.

#### 6.1.3.5 The Value of Early and Consanguineous Marriage

Parents are keen to marry off their children as soon as they reach puberty. Normally, they value and prefer marriage to relatives (consanguineous marriage). However, in these changing times the age at marriage has risen for both genders, and the value of consanguineous marriage has declined significantly. The choice of a spouse now depends on economic, financial, and social factors. Yet it can be said that this type of marriage remains present in rural areas. Some people even consider it a strategy for survival and combating poverty (Othman, 2014).

#### 6.1.3.6 The Value of Male Offspring

A father usually prefers to have a son who will bear his name. The society has focused on such values and held women responsible for them. This can be attributed to the association of the man's name with the family name and continuity. Thus women who give birth to daughters feel at risk of polygamy, meaning their husbands could take other wives. On the other hand, women who give birth to sons feel proud and safe from the risk of a polygamous husband. This view of women, and whether they

give birth to a son or a daughter, is supported and valued by society. Furthermore, many families even focus on the importance of having a son as their first child, in which case they celebrate the birth with ululations, unlike the case with firstborn daughters.

#### 6.1.3.7 Popular Beliefs

In Sudanese society, popular belief is a social phenomenon that results from the interaction of individuals in their social relationships and perceptions of life, existence, and the hidden forces of nature, for many reasons, most important being the social accumulation of customs, norms, traditions, and understandings. As such, these beliefs become an authoritative, commanding force that can crush the noncompliant. This is also why beliefs are considered sacred and spiritual, as they are a vital product of previous generations.

Among the most important beliefs and rituals adopted by individuals—even educated individuals—when it comes to marriage is *kheera* ("seeking guidance or advice"), whereby the family of a prospective husband or wife resort to self-proclaimed fortunetellers. On the basis of this consultation/advice, which is given in return for a sum of money, the family decides whether to approve or reject the prospective spouse. Despite a recent decline in this habit, many people continue to practice it to this day. Another important marriage ritual still practiced today is *jartaq*, the last of a series of wedding rituals carried out by the elder women in the bride's family. During this ritual, the women prepare a specific type of traditional accessory passed on from one generation to another: a *surrati* rosary made of special beads and silver coins linked by a silk thread. They also use a ring with a gemstone called a "bloodstone," as well as a pendant (silver for men and gold for women) tied to the forehead by a piece of red satin. In addition, they prepare special local perfumes called *dareera*, which have a thick texture and strong fragrance, and apply them to the heads of the bride and groom. Special songs are then chanted with blessings and prayers for the marriage to continue and result in children. The ritual also includes the spouses sprinkling milk on each other to signify the purity of their innermost feelings and intentions to make each other happy. This ritual is believed to be necessary, otherwise something bad could happen to either spouse or to the marriage, which might not last or result in children. Another completely baseless belief is *al kara' al khadra* ("green leg"), which refers to optimism or pessimism toward the wife in terms of livelihood. For example, the husband and his family blame the wife for any financial difficulty, especially at the beginning of the marriage. They will say the wife brought bad luck to her husband or his family. Another belief has to do with bearing too many daughters, which is blamed on the wife, who then suffers different forms of harassment. This begins the moment she finds out she is pregnant, which may cause her distress, depression, and anxiety, along with mistreatment by the husband or his family. In some cases it may end in the husband divorcing her or taking another wife, thinking she is the reason for having so many daughters. As for the high value of males in the Sudanese family, giving birth to sons is considered a source of pride for

the husband and security for the wife. Meanwhile, Badri (1974) and Wesal Othman (2015) both discuss the symbolic significance of food during traditional occasions, the latter focusing on values and behavior related to reproduction and sterility.

### 6.1.4 The Role of Songs and Proverbs in Marriage in Sudanese Society

Popular proverbs play a major role in perpetuating the cultural concepts of marriage, as confirmed by Mai Ezz Eldin Othman in *The Effect of Sudanese Culture on Determining Gender Roles in Sudanese Society* (2013), in which she explains the role of girls' songs and popular proverbs, stories, and riddles.

Some proverbs glorify the man, including ones that value women who stand by their husbands—regardless of how controlling or violent they are—and stay with them until they grow old. Other proverbs instruct parents to discipline young girls so they will not grow up to have strong personalities.

Based on the above, it can be noted that the status of women in Sudanese society continues to be subject to numerous considerations, including songs and popular proverbs, which are still considered essential pearls of wisdom that must be followed. It is also noticeable that modern technology has not reduced the interest in popular proverbs and songs; in fact it may have helped to spread them even more. This reveals the inherent fear of losing what people consider adages. As such, the public interest in them comes in many forms, such as calls to return to roots and preserve cultural heritage, among other calls behind which lie a hidden nostalgia for the era of the harem and female slaves. Thus it can be said that the cultural setting on which people's behavior is based reveals a moral dimension that draws people to cultural heritage as a mental refuge for the status of women, away from the situation in reality. The abovementioned study demonstrates the role of popular proverbs and songs—which continue to prevail in the society, becoming even more popular through circulation on social media—in defining various gender roles and the status of women. Using language and discourse analysis, the study gives several examples, such as the western Sudanese song *Baniety Hesabek* ("My daughter, be careful"). The song belongs to folklore, and, despite being written in the local dialect of western Sudan, it can be said to represent Sudanese society's expectations of a wife's role. The song is largely similar to a lesson in the elementary level reading textbook titled *A Mother's Advice to Her Daughter*. It is no secret that this type of message plays a major role, although there is generally no similar literature addressing the husband and advising him on his expected roles, morals, and behavior toward his wife. This song is one of many examples, but it is the most telling in this regard, as it includes all the details of the image of the ideal wife.

First, the song takes the form of advice to the bride to become the ideal housewife. It details many socially acceptable and desirable recommendations on the role of women in society and the family. It begins by emphasizing the importance of

accepting and implementing its advice, or else the wife will have regrets. The song then urges the wife to exercise absolute obedience to the husband by following his orders without any opposition, even if he mistreats her. Instead, if she has any complaints, she is advised to direct them to God.

Second, the song advises the wife to ensure the comfort of her husband by making his bed and preparing delicious meals for him. In addition, the wife must dust the bed and keep it clean, and she must put the husband's food near the bed in a covered container, slightly elevated from the floor. This shows how women are advised to dedicate all their time and energy to the husband's comfort (food and sleep) around the clock. As such, this work becomes her primary role and priority, while ignoring the woman's economic, social, and political roles in society.

Third, the advice then targets the woman herself as an important part of the husband's comfort. She must take care of her hygiene and hair, not only for her own health or personal reasons but also to be ready as a tool to entertain and pleasure the man. The wife is advised to do specific things, such as smoke her body in a sauna-like room by burning fragrant wood, the smell of which will then seep into her body. This smoking process is reserved for married women. It is time-consuming and may even cause some skin problems, but women insist on performing it due to its specific societal significance. It is an indication of the woman's cleanliness and how much care she takes of her husband. It also has a special significance for private marital relations.

Fourth, the song describes certain ways of dealing with the husband, as follows: do not follow the husband unless he calls you; do not leave the house without his permission; do not pass on his news to other people unless he allows you to do so; etc. Additionally, the song tells the wife that if the husband is ever physically or mentally absent from her, she must take the initiative to ask him the reason. The song also threatens women that if they do not follow its advice they will end up losing their husbands to divorce. The song affirms the socially acceptable traditional roles that women have been fighting to change over the past few decades. It also explicitly calls for women's absolute submission and subservience to men.

These cultural frameworks include reference to religious beliefs in Islam, and this culture has influenced the laws governing spousal relationships. Many of the concepts used in defining such relationships are expressed through Sudanese proverbs that depict women as weaker beings who are incapable of making decisions. Examples include "A woman is an axe that cannot chop off heads," and "Even if a woman learns the law, she will still end up in the kitchen." Another proverb is "Consult them and do the opposite," meaning "to know what the wrong answer is, ask women first, and then do the opposite (the right answer)."

After all of the abovementioned popular songs and proverbs, the question still needing an answer for the sake of the decades to come is: Despite the rise of education and awareness, the structural changes in public life, the participation of women in the labor market, the intellectual and professional contributions of women, and their assumption of high positions in the various bodies of the state, will the traditional view and stereotype of women continue to haunt them? Or has it begun to fade away? Will the coming days herald an era of true female empowerment?

Preserving cultural identity does not mean immobility in the face of an ancient heritage, but rather a process that allows society to change and evolve without losing its original identity, and to accept positive change that combines authenticity and modernity. Such positive, constructive interaction is consistent with the empowerment of both genders, not just one gender at the expense of the other. The empowerment of women and the activation of their positive participation in all fields will only be achieved by removing obstacles in the systems and identity of the social structure, which derives its strength from existing cultural legacies that stand in the way of women's effective participation in all fields of public life and in the family.

In *Vision for the Unpaid Reproductive Role of Women* (2003), Nafisa Al Sadeq Badri notes that husbands and wives accept this stereotypical distribution of roles. Within such roles, women are responsible for all housework, including cooking and serving food, cleaning the house, and washing, sorting, and ironing the clothes of all family members. Women cannot ask their husbands to pay them for doing all this work, because it is their responsibility, and being paid would mean the woman was a maid, thus losing the respect and appreciation she receives for her contribution to the family. The mother-wife, then, agrees to do all the work without expecting or accepting payment. She also accepts that her work inside the home is women's work, which is carried out willingly and affectionately. These women carry out housework automatically, based on the example they saw as they grew up, as well as the culture of the society in which they were brought up. They do not ask whether they should get paid for the housework. Instead, they wonder what the difference is between family and the workplace if they do get paid. As such, they continue to value this constant, complicated work, the financial cost of which cannot be calculated. The study concluded that estimating the cost of such work, or integrating it into the economic system as a calculable product and part of the state budget—as indicated by some feminists in their studies—would be unacceptable among its female respondents. According to Kabeer (1999), women bear the burden of housework, but in return they expect appreciation, respect, and support from their children and husbands.

In 2002 Majida Awad studied the image of women in family programs in Sudanese broadcast media. She found that women in the media generally do not hold senior executive positions where they could play a role in determining the features, quality, and purpose of programs. For example, one specific family program confirms the stereotypical distribution of gender roles between spouses and the relationship between them. There are also several popular proverbs perpetuating this stereotype. Meanwhile, the audience questions segment includes complaints about the idea of obedience, or the lack of a fair distribution of responsibilities within the family, especially when the wife also has a job, just as her husband does. The study notes the changes that have occurred among the younger generation, especially women who have completed their secondary or higher education and earn an income equal—or nearly equal—to that of their husbands. Questions therefore arise over the legitimacy of accepting all the housework, and a demand to share household responsibilities as well as grant women more freedom of movement and decision-making.

Research confirms the presence of a culture and laws that shape the relationships and roles of spouses. However, there is a movement to change the culture and the laws that govern such relationships, and women's education and work constitute a driving force behind this change. Urban life glorifies the nuclear family and the idea of spouses living independently, away from the extended family. It also values the education and life of men outside Sudan. Western media have also affected spousal relationship models, and economic conditions have made many men want their wives to work. All of these factors have led to a change in the typical model of the marital relationship, which was previously characterized by control and a lack of parity and intimacy. Each spouse would sleep in a separate room and eat at a different time. Men would eat the best food first, while women and children would have the leftovers. In her studies on the symbolic significance of food in the Fatihab community (1973), as well as the symbolic significance of time and place among the women of Khartoum (2004), Balghis Badri examined the time and space in which women are allowed to move, and how these differ between men and women. For example, men were free to move anywhere, at any time, while women's movements were restricted to their village and the daytime until sunset. In urban areas, women could go to places that the family agreed on in advance. This applied to unmarried girls as well as married women. Mothers themselves reproduce this model and teach it to their daughters, all within the framework of values preserving the honor and reputation of the family, which is represented by the female, the symbol of such honor. The movement, conduct, dress, and speech of women all fall under the duality of honor and shame, which are put under the spotlight because society has classified them as right or wrong. This has forced women to comply with the ideal model of conduct, dress, movement, relationship to the opposite sex, and expression of self and feelings. Any violation of such ideals is considered a rebellion and source of shame. Poems and songs were written to glorify and perpetuate this ideal model.

When some millennial girls began to openly rebel against this model, they started to write poems expressing love and glorifying brave working women. Their poems declared their rebellion against the tyranny of men, the betrayal of love, disloyalty, and the lack of credibility in society. As a result, society began to recognize the changes brought about by increasing rates of higher education and women's participation in formal, societal, voluntary, cultural, and artistic work. All of this gave women room to move around the cities, especially in the capital Khartoum, which has a population of over six million people.

The migration of men in pursuit of work within or outside Sudan due to war has left many women to head their families. As such, they have had the opportunity to move around and make bigger decisions, leading to a change in their stereotype. Difficult economic conditions and increasing poverty have resulted in women working long hours, either selling food outside the home or working inside the home to generate income. This has changed the distribution of roles and given women more space and freedom of movement at any time. Social change in the image, status, and roles of women began to occur gradually from the mid-twentieth century, but greatly accelerated at the beginning of this century.

In conclusion, it is clear that the reality of life for Sudanese women and their rights affects the institution of marriage, whether positively or negatively. Values and traditions governing the status and role of both men and women also affect marital relations to a large extent, along with work, migration, and education. These will be discussed in the following sections.

## 6.2 Types of Marriage

This section analyzes studies and reports dealing with the traditional and non-traditional types of marriage in Sudan. Traditional types include consanguineous marriage, polygamy, and heterogeneous marriage (of foreigners). Meanwhile, non-traditional types include newer forms of marriage that have become a noticeable phenomenon in Sudanese society, such as *urfi*, *misyar, ithar,* and group marriages.

These studies and reports will be reviewed and analyzed by looking at their objectives, methodologies, findings, and recommendations. In the conclusion, we will analyze the intersection and overlapping of some variables and factors, such as societal trends toward marriage (differences in education, tribe, and class) and its associated financial costs.

### *6.2.1 Traditional Types of Marriage in Sudanese Society*

#### 6.2.1.1 Consanguineous Marriage

Consanguineous marriage is one of the traditional and most widely practiced type of marriage among tribes and population groups in Sudan. It occurs either through connections and relationships within families and tribes, or between cousins. Most Sudanese tribes practice consanguineous marriage, including the Halfawiyin, Ja'aliyin, and Shaigiya in northern Sudan, as well as the Hadandawa, Bani Amer, Rashaida, and Beja in eastern Sudan. They also include Bedouin tribes in western Sudan, such as Baggara, Hawazma, Ta'aisha, Miseriyah, Rizeigat, Abbala, Kababish, Hawawir, Shanableh, and Awlad Hamid, as well as the Zaghawa and Al Fur, who reside in the far west of the country.

Traditionally, there is an order of priority when it comes to consanguineous marriage between girls and their immediate cousins. Top of the list is the son of the paternal uncle, followed by the son of the paternal aunt, the son of the maternal uncle, and the son of the maternal aunt. In cases where none of these is available, girls are married off to other cousins or acquaintances. However, this only takes place following discussion and approval by the family elders, particularly fathers, who do not want their daughters to marry anyone from outside the family or the tribe (Said, 2014).

A focus group held in August 2017, as well as the research cited above, noted that the preference for consanguineous marriage is based on the idea that it helps preserve wealth and inheritance (meaning the girl's inheritance does not go to her outsider husband) as well as the family's social status, and ensures the family does not marry into people of lower status. However, recent changes have made marriage outside the family more acceptable. According to the focus group, the argument against consanguineous marriage is based on increased awareness of its health consequences, such as congenital mental and chronic illnesses. In some cases (for example, divorces between related spouses), this type of marriage creates tensions between families (National Workshop Report, 2000; Said, 2004).

Consanguineous marriage is no longer prevalent in Sudan's urban areas due to economic, social, and cultural factors, which have led to some changes:

- Education has increased awareness of choosing a partner. Educated young men and women now choose their life partners themselves, which reflects the changes that education has brought to the culture of choosing one's future partner and the social norms that family elders used to hold on to, including marrying girls off to their cousins.
- Education has increased people's knowledge of the health risks of consanguineous marriage, including congenital diseases.
- The awareness of parents has changed their views. They now prefer a suitor who can provide for his family (financially) and raise its social status.
- Economic and migration factors have also changed. A well-off migrant suitor is now preferable, especially among urban dwellers and educated women. The same applies to a suitor with a European citizenship. There are even songs about a preference for wealthy migrant suitors.
- The participation of girls in work, higher education, and migration outside Sudan has created opportunities for them to meet members of the opposite sex, and they now get to know men outside the circle of the extended family, the tribe, or the clan.

#### 6.2.1.2 Polygamy

There are two types of marriage: monogamous (man married to one woman) and polygamous (man married to more than one woman at a time, which is permitted in Islam).

God prohibited adultery and any act that treats women as property, but polygamy was not completely prohibited. Yet men were not left to have an unlimited number of wives. Instead, God set a limit for the number of wives, as required based on reproduction and men's capabilities. "If you fear that you might not treat the orphans justly, then marry the women that seem good to you: two, or three, or four. If you fear that you will not be able to treat them justly, then marry (only) one." (*Surat Al Nisa*, verse 3). "And you will never be able to be fair between wives, even if you strive to do so." (*Surat Al Nisa*, verse 129). Looking at these two verses, most jurists believe—as most literature has confirmed (Omran, 2007)—that the principle of permissibility is

clear, and that the condition of fair treatment between wives applies to manageable aspects and matters. Moreover, these verses cannot be referring to fair treatment on the emotional level, because this aspect cannot be managed or controlled. Jurists believe that, when chosen for acceptable reasons and without any mistreatment, polygamy is better than divorce. As for the literature, polygamy is found to be moderately prevalent in Sudan, where taking a second wife ranges from socially acceptable to partially or completely unacceptable, depending on the community (rural/urban) and the individual level of education (Al Maryoud, 1998).

There are certain issues that make polygamy necessary, such as a barren wife whose husband wants children but does not want to leave her. Here, it is permissible for the husband to take a second wife. Other cases where polygamy is considered beneficial include

- Marrying into socially well-known families in order to improve social status.
- Having children, especially sons.
- Seeking pleasure amid customs and traditions that make wives neglect their husbands (when a woman reaches a certain age or when her children are older). As such, the husband may look for pleasure with other women through polygamy.
- The family's own experience with polygamy. For example, if there are other cases of polygamy in the family it becomes acceptable and permissible.
- Seduction by younger girls, which may be assisted by easy communication through social media and cultural openness.

In most sectors of Sudanese society, women who accept polygamy come from a religious and cultural background that accepts the phenomenon. They justify polygamy as a guaranteed right for men that hence must be accepted. In some Sudanese population groups and tribes, men take several wives from their group/tribe. For example, in some tribes in Kordofan and Darfur polygamy is acceptable and common because they believe in its economic benefit (wives work and support their families, making the husband the primary beneficiary). Therefore, polygamy is present in Sudanese society and practiced by most tribes and population groups. However, there are differences in terms of acceptance or rejection due to numerous factors, such as education, greater awareness, urbanization, and culture (focus group, August 2017).

According to the literature, there are some positive aspects to polygamy, including having children and solving the problem of celibacy. Many negative aspects are also mentioned. For example, in *Men's second marriages and their psychological effect on their first wives* Abdallah (2005) examined the various pros and cons of polygamy, including the psychological effect on the first wife in the form of anxiety and depression. Taking a descriptive, analytical (qualitative) approach, the researcher gathered information through personal interviews with ten randomly selected women from the Omdurman locality of Ombada, part of Khartoum State. The most important findings of the study were as follows:

- first wives had a moderate degree of anxiety;
- first wives had a mild degree of depression;

- there was an inverse relationship between anxiety and the wife's age; and
- there was a positive relationship between depression and age.

In light of these findings, the researcher recommended the following:

- the first wife should have a say in her husband's second marriage;
- the wife's refusal to share her life with another woman must matter to the husband;
- children should have the right to participate in their father's decision to take a second wife; and
- second marriages should have strong justifications, granting first wives mental and familial stability.

In light of the findings and recommendations of this study, participants in the August 2017 focus group agreed that polygamy also harms the husband and children, not only the wife. According to the participants, a polygamous husband finds himself under pressure to satisfy both parties. "A rabbit between two dogs, an island between two seas," a Sudanese proverb says. As such, the focus group participants did not find polygamy beneficial, due to its negative impact on the family (children often suffer psychological distress, as well as problems with inheritance and social relations). These views match, to some extent, Goma'a's study (2010) of girls' opinions on marrying a married man, which found that most respondents would prefer not to marry a married man, due to jealousy and fear of rivalry with the first wife and her children. For these girls, becoming a second wife was an option only where necessary (i.e., in case of delayed marriage, fear of missing a marriage opportunity, or young men opting out of marriage and its responsibilities). These were all reasons why some girls would marry a married man.

Similarly, Al Ma'moun (2013) and Ahmed (2010) found that girls would accept polygamy for economic, social, and psychological reasons, while Abdallah (2005) explored Muslim women's attitudes toward polygamy in relation to some relevant demographic variables (age, occupation, educational level, social status, reproductive status) in Khartoum State. Abdullah took a descriptive approach, with a sample of 185 randomly selected women from Khartoum, Khartoum North, and Omdurman, including married and unmarried women as well as divorcees and widows, both employed and unemployed. She found that

- there is no correlation between work and women's attitudes toward polygamy;
- there is no correlation between educational level and women's attitudes toward polygamy;
- there is no correlation between social status and women's attitudes toward polygamy; and
- there is no correlation between reproductive status and women's attitudes toward polygamy.

#### 6.2.1.3 Heterogeneous Marriage and Marriage to Foreigners

Heterogeneous marriage often occurs between different tribes, classes, or religious groups. It has long been present and common among most population groups in Sudan, except for some who prefer to marry within their own specific groups (focus group, August 2017). These include the Copts, who forbid marriage outside the group, as well as eastern Sudanese tribes, especially the Arab Rashaida, who seek to maintain their Arab ethnicity and features. They also include Nubians in northern Sudan, where heterogeneous marriage is rare. On the other hand, some tribes do allow marriage with other tribes, such as the Ja'aliyin and the Shaigiya. In doing so, they aim to strengthen collaboration between them, as well as their lineage, by marrying into pastoral tribes who are known for their strength and endurance for hard pastoral work.

Meanwhile, marriage to foreigners (i.e., a Sudanese man marrying a non-Sudanese woman, or vice versa) is a somewhat visible phenomenon in Sudan. It has long been present and permissible in Sudanese society to a limited extent (i.e., students studying abroad and returning with their foreign children). The degree to which this type of marriage is acceptable in Sudanese society varies from one family to another. However, the law restricts this type of marriage by requiring permission from the embassy. A Sudanese citizen has to apply to his country's embassy in the foreign country in order to document and certify the marriage.

Changes have recently occurred when Sudanese girls began to marry non-Sudanese men (Syrians, Turks, Europeans, and Africans). This was due to girls' rising levels of education and economic independence (women's work), as well as their awareness of their right to choose, which made them opt for foreign husbands. Yet the marriage of Sudanese girls to non-Sudanese men sees varying degrees of acceptance (or lack thereof) within the society, according to the focus group participants. This may be attributed to the influx of foreign workers to Sudan, along with Sudanese women traveling abroad for work and study. As such, migration plays a role in this change.

Ahmed (2006) explored the characteristics and problems of marriage between Sudanese and non-Sudanese citizens, taking a qualitative approach and using interviews to collect field information. She found that there had been a change in Sudanese society's attitudes to accepting the marriage of Sudanese women to foreign men. If the foreign man is not a Muslim, he must first convert to Islam in order to have his marriage application accepted. Furthermore, there was a noticeable increase in the number of Sudanese men married to non-Sudanese women. Ahmed attributed this increase to Sudanese women traveling abroad for work and study due to their families' migration outside Sudan. She also found that the decline in the number of eligible Sudanese men was seen as a motive for Sudanese women to seek husbands of different nationalities. The challenges for heterogeneous families were found to include teaching the children two languages and integrating them into two different societies. In addition, non-Sudanese husbands are forced to integrate into the extended family and Sudanese society with its different customs and traditions. Ahmed (2006) found, moreover, that most Sudanese students abroad who marry foreigners are not

aware of their rights under the personal status laws of either country. As such, they face various problems that hinder their family stability. For example, the Muslims' Personal Status Code in Sudan requires the husband to convert to Islam, and thus the rights of the wife and children to alimony and inheritance depend on the provisions of Sudanese law. Courts in Sudan have faced problems when dealing with marriages between Turkish businessmen—who already have wives back in Turkey—and Sudanese women. According to Turkish law, polygamy is prohibited, and thus the Sudanese wife has no marital rights, since she is not recognized as a wife. Meanwhile, polygamy is permissible under Sudanese law. These are examples covered by the media regarding marriage to foreigners whose countries prohibit polygamy.

### 6.2.2 Non-traditional Types of Marriage in Sudanese Society

Numerous changes have occurred to the institution of marriage in Sudanese society due to prior and recent structural factors that have been mentioned above, including women's education and senior professional positions, migration, increasing numbers of female-supported households, rising levels of unemployment and poverty, and increasing marriage costs. As such, non-traditional types of marriage have emerged among specific segments of Sudanese society such as *urfi* and *misyar* marriages, among others. Despite the Islamic legitimacy of some of these types of marriage, they are still considered illegal in Sudan. According to the Muslims' Personal Status Code of 1991, these types of marriage are not recognized. They include the following.

#### 6.2.2.1 *Urfi* Marriage

*Urfi* marriage occurs between two parties without the approval or knowledge of the girl's legal guardian. It has become a widespread phenomenon among college students and some other segments of society for economic reasons, as well as due to the influence of others and cultural openness, all of which have rendered this type of marriage acceptable. It can also be attributed to misinterpretations of Islam or lack of knowledge of the provisions of the Muslims' Personal Status Code.

#### 6.2.2.2 *Misyar* Marriage

*Misyar* marriage is observed and practiced on a small scale among some groups of men whose work requires travel, such as police officers, truck drivers, preachers, and traveling merchants. It is intended for short-term marriage, but the duration is not set at the time of the marriage. It is similar to the *muta'a* ("pleasure") marriage practiced in Shia societies. However, *muta'a* marriage is unknown in Sudanese society.

#### 6.2.2.3 *Ithar* Marriage

In an *ithar* ("altruistic") marriage, a woman waives her rights to housing and financial support from the husband. In 2014, Sudan's Islamic Fiqh Council issued a *fatwa* (advisory opinion) permitting *ithar* marriage, citing the example of Sawda bint Zam'a (a wife of the Prophet Muhammad), who gave up her rightful night in favor of Aisha (the Prophet's other wife) because she was younger than her. Based on this principle, the council took into consideration the phenomena of celibacy and delayed marriage due to high marriage costs and men's inability to provide for their families. As such, the scholars advised that a guardian could marry his daughter off without requiring marriage costs or asking the husband to provide for her or prepare a matrimonial home. However, the scholars did not address the rights of children under this form of marriage, considering that the wife's age would prevent her from bearing children. Despite such marriages being permitted, there have yet to be relevant studies or specific references to *ithar*, even where women and their families cover the costs of marriage, allow the husbands to live with them, and do not require them to provide for the household.

A comparative study of new marriage contracts by Abdel Rahman (2016) examined the following:

1. the reality and terms of *urfi* marriage and its link to secret marriage;
2. the reality of *misyar* and friendship marriages and their terms according to Islamic Sharia law;
3. the reality and terms of marriage with the intention of divorce and jurists' arguments for and against it; and
4. the reality of temporary marriage and the difference between it and *muta'a* ("pleasure") marriage.

The study took a combination of descriptive, analytical, inductive, and historical approaches, and concluded that if held in secret between a man and a woman without a guardian or witnesses, *urfi* marriage is agreed by Islamic scholars to be invalid. It also found that *urfi* marriage occurring through a handwritten declaration between the spouses alone (mostly among college students), without meeting any other legal requirements, is considered invalid due to the lack of a guardian's approval, as well as the absence of witnesses and a dowry. In addition, it is considered no different from secret marriage, which is forbidden. The researcher stressed the need for specialized studies to identify the causes of the phenomenon, and for youth to be educated and taught that what they call *urfi* marriage is, in fact, invalid and illegal.

Meanwhile, the validity of so-called *misyar* and *ithar* marriages depends on meeting Islamic requirements and conditions and ensuring there are no reasons why the marriage should not take place. They also require women to waive their rights to housing and alimony. As such, *misyar* marriage contracts, while valid, still contradict

many marital principles. Therefore, *misyar* marriage should not be encouraged, and measures should be taken to prevent it from spreading in society.

Temporary marriage, meanwhile, is considered invalid because it sets a specific duration, which negates the required intention for a marriage to be lasting, and because it is essentially the same as *muta'a* ("pleasure") marriage. As such, it is equally invalid.

Marriage with the intention of getting a divorce is also invalid because it violates the primary objectives of the union, such as reproduction and a lasting conjugal life. In addition, such a marriage is based on deceit by the husband, who does not disclose to the bride or her family his intention to divorce her in the future.

Civil marriage among Muslims is also invalid and unacceptable, as it violates Islamic Sharia law and follows civil law instead (Abdel Rahman, 2016). However, civil marriage among non-Muslims can be certified by the Justice Ministry in Sudan.

Wadallah and Abdel Rahman (2015) set out to learn the main causes and motives leading to *urfi* marriage in Sudanese universities, and to know the Islamic and legal ruling on this type of marriage. The researchers took a descriptive, quantitative approach, gathering information from a sample of forty students (twenty female students from Ahfad University for Women and twenty male students from the University of Khartoum) and concluding that young people resort to *urfi* marriage due to

1. poverty (economic conditions);
2. migration and relocation from rural to urban areas;
3. lack of a religious compass and a misunderstanding of personal freedom; and
4. family disintegration or weak family relations.

In light of these results, the study's key recommendations were as follows:

1. Marriage should be facilitated, and costs (wedding preparations and dowries) must be reduced for young people.
2. The media should give more attention to the phenomenon of *urfi* marriage and guide parents and their children as to its danger and illegality.
3. Comprehensive statistics are needed on the phenomenon of *urfi* marriage in order to examine the magnitude of the problem and work toward finding a solution for it.
4. Family relations should be strengthened.
5. Religious awareness and morals should be promoted.
6. The value, meaning, and goals of marriage as part of the make-up of the family and society should be promoted.

7. Work opportunities should be provided for young people of both genders in order to overcome difficult economic conditions.

### *6.2.3 Group Weddings in Sudanese Society*

Group weddings are part of a long-established tradition in Sudanese society. In fact, Sudan may have been one of the first societies to adopt this practice of social solidarity in order to address the rising and exaggerated costs of marriage, which create an obstacle for many marriage seekers. This practice, which comes under different names, is more common in Sudan's rural communities, as it is largely associated with local and rural norms and traditions. Most of these occasions are sponsored by popular leaders, especially in rural areas and large cities, including Khartoum State.

A group wedding is a single ceremony for a number of young couples, who get married and celebrate on the same occasion. It is usually held on a blessed day, such as the eves of Ragab 27 and Shaaban 1 (Islamic calendar). Except for the group ceremony, the husband covers all marriage requirements, from the bride's dowry and gift to the matrimonial home, according to the prevailing tradition.

In the past, most group wedding events were adopted by men of the Sufi orders, community leaders, and tribal elders. But the state began to contribute in the 1990s, particularly under the National Salvation Government. Organizing such weddings came to be supervised by the president himself, or by his deputies and governors across Sudan's different regions. Thousands of weddings were supported and sponsored by youth organizations and popular committees. Today, group weddings are different, as the sponsor (state or organization) covers the dowry and the *sheila* (the groom's gifts to the bride, normally consisting of clothes, perfumes, and shoes), though at a modest cost. If the couple and their parents agree to these terms, they proceed with the group wedding.

Although group weddings are present and practiced among many tribes and population groups, only a limited number of academic studies have looked into the phenomenon. One such study (Hemmat, n.d.) attempted to understand and identify specific and relevant issues relating to all segments of Sudanese society, especially those concerned with protecting young people against sin and temptation. Hemmat used a descriptive, analytical approach to address the issue and provided the required information after reviewing reports by organizations working in this field, as well as the outputs of workshops and seminars that discussed the issue in different contexts; she also interviewed couples and sponsors of group weddings.

## 6.3 Age and Marriage

Customs and traditions are an essential part of marriage rituals in Sudan. Therefore, in this section we found it necessary to examine pre-marital customs and how marital choice is made, which also affects delayed or early marriage.

Customs and traditions are an ancient legacy, passed on from one generation to another. They are considered part of marriage rituals, and some of them are common and general, but they differ depending on the region and the tribe. For example, in tribes such as the Beja, Bani Amer, and Hadandawa in eastern Sudan, the idea of marriage begins with the girl's engagement at birth. As such, the girl does not have the right to choose her spouse, and marriage usually takes place at an early age.

There is also the *salaf* system, which symbolizes marriage and land customs in the Beja tribe. Under this tribal system, dowries must be paid in gold to complete the marriage ritual and secure the future of the bride.

In the Nuba Mountains, rituals differ due to religious diversity. Dowries must be paid in the form of cows, goats, or any other animals. These dowries are distributed among uncles, and their sons then use the breeding cattle to pay their own dowries (focus group, August 2017).

The engagement customs among the tribes of Darfur take place in a simple manner, and marriage occurs directly. The bride's mother insists on receiving the dowry and considers it her right. In the past, dowries were paid in the form of cows. However, they are now paid in cash, along with the *sheila,* a gift to the bride consisting of clothes, shoes, and some food for the wedding, which takes place in the bride's house.

### *6.3.1 Choosing a Life Partner*

Several factors contribute to the choice of a partner, including kinship, education, and religion. Beauty is one of the most important criteria for choosing a wife (Said, 2004; focus group, August 2017). Said discusses the issue of choosing a life partner, which is usually done in several forms, depending on the level of intervention by the guardian and the extended family in the selection process. It is widely believed that marriage is the fusion of two families and two tribes for a long period of time: a union of families, clans, and tribes, rather than a union between a husband and wife (two people only). This is what suitors search for, so the focus is primarily on the wife's family and the origin of her tribe, while her individual features come second. During this consultation and arrangement for future wives, mothers, aunts, and grandmothers are normally the last to be consulted on the issue, based on the prevailing sociocultural belief that women should stay away from general societal affairs, in which they have no right to intervene or participate.

According to another belief or norm, a good cousin has priority in marrying his paternal cousin. As such, the girl is reserved in advance for her cousin as of her FGM

ceremony, because family elders—especially fathers—do not want their daughters to marry from outside the family (Said, 2004). Meanwhile, young men seeking marriage are required to consider their female cousins first.

Mudawi (2003) discusses the choice of a partner and the effects of social discrimination on urban society. She surveyed married men and women regarding the selection process and socio-economic changes that affected their choice of a partner, in addition to the role of the family and gender, gathering information through interviews and questionnaires. Mudawi found differences between traditional and modern methods of discriminatory selection among married couples and young people due to social changes and the effect of class differences on the selection process, as each class has its own selection criteria. In addition, she found gender differences in choosing a partner, as men have more freedom to choose, due to social customs and traditions that discriminate between girls and boys. She recommended educating and guiding parents not to interfere in the process of choosing a spouse.

Meanwhile, Abdel Rahman (1999a, 1999b) examined the ability of Sudanese girls to choose a partner, in a study aimed at finding out the basic features on which the choice of a husband is based, as well as the effect of recent changes—and the family—on how girls choose their future husbands. Among the important findings of the study was that choosing a husband was not made separately from existing cultural factors and socio-economic criteria.

### 6.3.2 *Delayed Marriage*

There have been numerous changes to the way a life partner is chosen as a result of unsegregated university education, men's and women's interactions in the workplace, girls' access to higher education and employment, and economic conditions that have forced women to actively contribute to providing for their families. All of these factors have delayed marriage. In studying the causes and psychological effects of delayed marriage Al Awad (2003) sought to identify the basic facts that lead to older age at marriage, as well as to help find appropriate solutions to the problem. Taking a descriptive approach, she sampled two hundred young men and women from Khartoum State, used a questionnaire to bring together thirty people in focus groups, and conducted eight individual interviews with experts and specialists to explore their views on delayed marriage in Sudan.

Al Awad concluded that low individual wages were one of the key causes of delayed marriage, coupled with persistent customs and traditions that make marriage costly. She discussed the issue of facilitating marriage and reducing the delay, and mentioned initiatives such as group weddings, which primarily aim to counter the high costs of marriage and help/encourage young people to marry at an appropriate age.

Another study to examine the impact of social and economic changes on delayed marriage in Sudanese societies (Fadl, 2017) looked at how such changes had affected

social systems and relationships, leading to a change in the marriage system. It also addressed the social and economic factors that delay marriage among young people.

According to Al Baseer (2008), economic conditions are among the main and key causes of delay in marriage among young people, in addition to their level of education. His study adopted a descriptive, analytical, and historic approach, gathering information through questionnaires and personal interviews from a sample of eight hundred men and women of different ages in the city of Wad Madani, and his findings confirm that socio-economic factors delay marriage among women. Adherence to customs and traditions, as well as education and professional factors, has played a fundamental role in such delays in most societies. Women now want to complete their higher education or take high-ranking jobs. As such, they cannot accept husbands of lower status, which leads to a delay in marriage. In addition, wages, economic conditions, and migration from rural to urban areas were found to be major factors that delay marriage among both genders.

Al Baseer also concluded that education could be a factor in delaying marriage if a girl continues her education and refuses to marry. Cultural invasion through satellite channels and the Internet, as well as the concept of globalization, was also found to change marriage-related concepts and beliefs affecting age at marriage for both genders. Moreover, there was a link between delayed marriage and anxiety and frustration as clear psychological effects.

Research indicates that delayed marriage refers to the 30–40 age group. Anyone older than that would be considered a spinster/celibate. Meanwhile, early marriage takes place under the age of 18.

### *6.3.3 Early Marriage*

Early marriage takes place when the girl is below the age of 16 or 18, when she is unaware of her role, rights, and family responsibility.

Badri and El Hussein (2014) define child marriage as marriage that takes place before the age of 18. Child marriage is widely practiced in several countries, including Sudan. According to 2013 data from UNICEF, globally more than 700 million girls were married before the age of 15. Child marriage is considered a human rights violation, in terms of the free and full consent enshrined in the Universal Declaration of Human Rights. Badri and El Hussein show that child marriage has many negative effects on female health and development, including the unbalanced relationship between the girl and the man, as these underage girls often marry men who are much older than them. They also suffer from early pregnancy, with its risks to the health of both mother and child.

11.9% of Sudanese women aged 15–49 were married before the age of 15 (Badri & El Hussein, 2014). This practice is more prevalent in rural areas than in urban centers, ranging from 51% in northern Sudan to 18% in Kassala State. In addition, marriage before the age of 15 is generally more prevalent in Darfur and Kordofan States, and the same pattern can be observed in women aged 20–49. The researchers note that

the similarity between these two patterns is an indication that the phenomenon is not recent in Sudan.

Arshad and Fawziya (2009) meanwhile examined early marriage and its psychological impact on women in White Nile State with the aim of identifying the extent of its prevalence and understanding its causes. They concluded that early marriage is highly prevalent, and that most girls marry between the ages of 10 and 15, with key causes including economic factors and a lack of education.

Rahma (2015) set out to investigate the causes and effects of early marriage in two communities in Al Salam locality, West Kordofan State, using semi-formal interviews as well as discussion groups of women who were married at an early age. Among the key findings was that the average age of marriage was 14, and that most women who got married early had dropped out of school. Furthermore, most of them married men who were relatively older than them (in their 30s). Causes of early marriage were found to include families' tendency to protect the honor of their girls, and thus that of the families themselves, according to cultural traditions. Other causes included the lack of legislation banning the practice (Rahma, 2015).

In a study about customs and traditions, Ismail (2009) confirmed that negative marriage rituals marginalizing women in the Hawazma tribe hindered their full awareness of some of their rights. Even though Hawazma women are allowed to continue their education after marriage, they suffer from discrimination and inequality in terms of educational opportunities. Ismail also noted that the Hawazma community insists on adhering to its customs, traditions, and rituals, which reinforce women's major role in perpetuating them and passing them on from one generation to another. Comparing the views of men and women, it was found that Hawazma girls are subject to the control of the family and the tribe, while Hawazma men adhere less closely to the tribe's customs and traditions, due to women's low level of education. Hawazma men and the community must therefore support women and spread social awareness to guarantee their rights within the family and the tribe.

The focus group held in August 2017 discussed the causes of early marriage, which included the following: the culture of some tribes and families; low levels of education; economic reasons that make families want to get rid of their responsibility to support their daughters; girls' puberty; a culture of honor, in which families depend on the reputation of their girls and maintain it through marriage; conflict, war, and fear of rape; lack of guidance in educational curricula on the negative impact of early marriage; and a desire to marry girls off to their relatives so they will not reject the idea of marriage.

Meanwhile, a study on early marriage in Omdurman (Merghani et al., 2016) shed light on the causes and social/health impact on girls, as well as the resulting issues. The study sampled 50 married women of different ages and educational and geographical backgrounds at Dar El Salam in the Ombada locality and concluded that the marriage of girls below the age of 18 constitutes early marriage; and necessary reproductive health services are unavailable in many rural and remote areas, which puts the girls' lives in danger.

A study for UNICEF on early marriage in the Sudanese states of Khartoum, East Darfur, West Darfur, Central Darfur, and Gedaref (Khaled, 2003) sought to

identify the behavior and practices of early and child marriage in order to understand the economic difficulties, lack of educational opportunities, and prevalence of poverty within these societies. Focus groups were used to collect information, with a sample of 2,275 people from different population groups. The participants were selected based on population percentage, with a target group of parents and girls under the age of 18, as well as lawmakers, religious scholars, community leaders, and civil administration members. Khaled found that child marriage had led to a loss of educational opportunities for 71% of girls in East Darfur, 61% in Khartoum State, and 58% in South Darfur.

The study recommended that the country's laws should recognize gender equality in order for girls and young women to have control over their lives and escape from the cycle of child marriage and abuse. It also recommended increasing girls' access to quality and varied education, enhancing awareness, and reviewing legislation and laws (Khaled, 2003).

The Central Bureau of Statistics reviewed age ratios among males and females to illustrate early marriage in Sudan, as shown in Table 6.1.

Table 6.2 shows the percentage of girls married before the age of 15 by region. This shows that child marriage is still practiced among girls, with the rate varying between 5.1% and 18.6% across different regions in Sudan (Central Bureau of Statistics, Cabinet Office, Republic of Suda).

Table 6.2 shows a rise in average age at marriage between 1973 and 2008. We note a decline in early marriage in urban areas due to a higher rate of general education, as well as higher education among girls. Meanwhile, the rate of early marriage for girls is higher among nomads, according to Table 6.1.

Early marriage can be seen as a type of violence against women, due to its severe physical, psychological, health, and economic consequences. The Convention on the Rights of the Child defines a child as anyone below the age of 18 who has not yet reached the age of majority. Furthermore, the Universal Declaration of Human Rights affirms the full right of men and women to marry and start a family whenever they reach the legal age. According to the laws of countries that have ratified treaties

**Table 6.1** Percentage rates of marriage in Sudan for males and females, by age and lifestyle, 2008

| Age | Total | | Urban areas | | Rural areas | | Nomads | |
|---|---|---|---|---|---|---|---|---|
| | Males | Females | Males | Females | Males | Females | Males | Females |
| 12–14 | 1.7 | 3.8 | 1.5 | 2.9 | 1.9 | 3.9 | 1.2 | 5.8 |
| 15–19 | 3.6 | 22.3 | 2.2 | 16.0 | 4.0 | 24.1 | 5.7 | 34.0 |
| 20–24 | 16.2 | 53.9 | 9.3 | 41.7 | 18.9 | 58.9 | 28.8 | 68.2 |
| 25–29 | 42.0 | 74.0 | 29.2 | 65.3 | 48.3 | 77.1 | 58.7 | 84.4 |
| 30–34 | 63.4 | 80.1 | 52.4 | 74.0 | 68.8 | 82.1 | 73.3 | 87.5 |
| 35–39 | 77.8 | 84.2 | 69.6 | 80.3 | 82.0 | 85.5 | 84.4 | 90.3 |
| 40–44 | 83.4 | 82.6 | 78.5 | 79.7 | 85.9 | 83.5 | 86.3 | 87.6 |

*Source* Central Bureau of Statistics, Cabinet Office, Republic of Sudan

**Table 6.2** Average age at first marriage in North Sudan in 1973, 1983, 1993, and 2008, by gender and lifestyle

| Census year | Total | | Urban areas | | Rural areas | |
|---|---|---|---|---|---|---|
| | Males | Females | Males | Females | Males | Females |
| 2008 | 28.74 | 23.54 | 30.76 | 25.09 | 28.09 | 23.1 |
| 1993 | 29.3 | 22.7 | 31.1 | 24.3 | 27.9 | 21.9 |
| 1983 | 27.3 | 20.7 | 29.1 | 22.2 | 26.6 | 20.2 |
| 1973 | 25.9 | 18.8 | 27.3 | 19.9 | 25.3 | 18.5 |

*Source* Central Bureau of Statistics, Cabinet Office, Republic of Sudan

on the rights of women and children, early marriage is defined as the marriage of children under the age of 18. Khaled (2003), investigating the knowledge, behavior, and practices of early and child marriages in the Sudanese states of South Darfur, East Darfur, West Darfur, Central Darfur, Gedaref, and Khartoum, confirmed that marriage before the age of 18 is practiced in both rural and urban areas, as well as among both nomads and settled groups in Sudan. She noted poverty and the protection of girls' honor as causes of early marriage, along with discrimination based on gender, and customs and traditions that prioritize marriage as a major role for women. Furthermore, early marriage is one of the reasons behind violence against wives, who are often too young and deprived of education and life experience, which makes them easy to control and exploit (Khaled, 2003).

Rahma (2015) set out to identify the causes of early marriage and its impact on the peace process in West Kordofan. One of her key findings was that for girls married secretly before the age of 18, the average age at marriage was 14. Most women were found to have been married at a young age without completing their education, and with a large age gap between them and their husbands. Among the causes of early marriage was the prevalent culture of honor and girls' protection, in which family honor is linked to preserving girls' purity. As such, fathers get rid of their economic and social burdens by marrying off their daughters at a young age. Rahma also attributes the prevalence of the phenomenon to the absence of a law prohibiting the marriage of young girls, as well as a failure to enact a general policy of education for all, leaving many areas suffering from a lack of nearby schools. She concludes that the possible negative outcomes of early marriage for girls can be summarized as girls being deprived of education or prevented from completing it, along with health problems for both them and their children.

## 6.4 Marital Relations

This section covers two main themes: the division of spousal roles, marital relations, and work-home balance for women; and the question of marital satisfaction.

### *6.4.1 Marital Relations and the Division of Family Roles*

In Islam, spouses share a participatory relationship. According to a *hadith* by Aisha, Mother of the Believers, the Prophet (PBUH) helped his family with chores, such as kneading bread, sewing clothes, or repairing shoes. However, societies later came up with a classification of spousal roles in the family, resulting in what came to be known as gender roles. This term refers to a set of societal rules that define the behavior that society deems correct, appropriate, and desirable for individuals, based on their gender or sexuality. These roles focus mostly on the concepts of femininity and masculinity, and often differ from one society to another, or one culture to another. Yet there are common roles between different societies. Many studies have noted these socially accepted roles, which include reproductive, societal, productive, and political roles.

The reproductive role and reproduction represent the responsibility to reproduce and maintain the workforce, which goes beyond having children; in fact it covers pregnancy, birth, child-rearing, and housework. Despite the importance of this role, it is rarely seen as serious work. Instead, it is seen as part of the nature and instinct of women. Moreover, this role—together with its implications—has been the subject of many psychological, social, feminist, and gender studies.

The societal role is considered voluntary and an extension of the reproductive role, as it focuses on the preservation of human society. However, it extends from a familial to a societal concern to provide scarce resources and regulate their use, in addition to offering services that help human society to survive and evolve. The role is played by both men and women, and its distribution between genders depends on societal concepts and the prevailing culture in a society. Examples include the role of charities or ambulances during war, or that of committees in charge of cleaning the neighborhood.

The productive role has to do with the production and trade of consumable goods and services for a financial return. This means that the role has an exchange value, which gives it a special societal importance. Normally, both men and women play this role, yet it is seen as a man's role in society. There remains a clear division between men and women, as some roles are seen as feminine, while others are seen as masculine. Such divisions are variable and subject to many factors. Feminist movements, along with local and international organizations, have made efforts to change this concept and introduce laws and policies that guarantee women's participation. However, there are still many obstacles and challenges imposed by society, the family, and governments.

The political role boils down to decision-making power. The process of decision-making begins within the family and extends to unions, municipal councils, and even legislative bodies. Normally, this role is seen as exclusive to men, even though women have made their way into this space. It is usually paid, either directly or indirectly (moral value), due to its close association with status and power. When performed by women, this role has a great impact on spousal relations, especially if the husband is not involved in politics. Studies have confirmed that a wife's political activity

usually has negative effects on her marital relations and is considered insignificant and non-essential compared to her reproductive role. It is also considered an important role that has received the attention of the international community and civil society organizations, due to its significance for the inclusion of women in politics and development and for ending injustice against them.

Determining spousal roles is the result of many factors, including the impact of childhood upbringing on perpetuating stereotypical gender roles. At an early age, children acquire stereotypical ideas about the specific gender roles that dominate their society. This process begins with the child's upbringing, which plays an important role in the division of gender roles. This occurs by many means, such as children's games that determine their future roles, in addition to stories that reinforce these concepts. Researchers have documented studies on children being affected by their society's concept of gender, and their tendency to view gender as an intrinsic quality and inherent part of human nature, which leads them to make preconceived assumptions about men and women based on their gender and required future roles. This rigid view of gender roles may negatively affect children, and these stereotypes restrict their competence and academic aspirations, while also limiting their potential. It also affects their healthy social development and their ability to fully express their feelings.

Parents play an undeniable role in determining gender roles, and children are greatly influenced by their parents' ideas and views on gender and gender roles. For children, parents are the primary source of answers to their questions about themselves and the people surrounding them. From the moment they are born, boys and girls are treated differently by their parents, who buy them clothes in certain colors or expect them to behave in certain ways to reflect their gender. Children are also influenced in less direct ways through the pre-determined gender roles of their parents inside and outside the home, which affect their views of themselves and those around them.

Numerous studies have discussed these roles within society and the family, including that of Babiker (1999), which shed light on women's roles within the family, including the reproductive, productive, and societal roles. Babiker aimed to identify the attitudes and views of female heads of households regarding their perceptions of themselves and the obstacles they faced when performing their roles within the home. Using a qualitative approach and interviews with women of different socio-economic backgrounds, she identified three main trends regarding the perception of women as heads of households. Some women said they enjoyed complete independence in managing their family affairs, while others said they enjoyed reasonable or no independence, meaning that they did not receive any economic support from others, nor did they live in separate houses or make decisions relating to education and work without interference from anyone else. Babiker also found that many of these women were subjected to pressures from the nuclear and extended family. In addition, she noted that society has determined the roles of men and women based

on their value. For example, men's roles—which are considered productive—are associated with the public space, which includes making all major decisions, such as determining the fate of the family, marriage, divorce, controlling family resources, educating the children, and so on. Meanwhile, women's roles are associated with the private space: the home, the family, and reproduction. Within this space, there are no major decisions to be taken, but rather a daily facilitation of household affairs. This does not mean the wife does not perform a productive role; rather, a wife's reproductive role is considered essential and socially acceptable (Babiker, 1999).

Othman's, 1999 study of Sudanese families in Khartoum sought to analyze factors affecting marital relations and the balance of power between spouses, as well as the criteria determining spousal roles. Using a qualitative approach, she conducted a case study involving married people of different age groups, economic backgrounds, and levels of education. A high level of education was found to grant a wife the power to make decisions, but without changing the typical distribution of roles in which she has to do or supervise housework. Othman also found that women's income did not change men's authority and high status in the family and the marriage. Status and roles are determined according to customs and traditions, giving the husband the higher power and responsibility to make decisions. Meanwhile, women have to accept this distribution of roles, on which they have been brought up since childhood, serving their brothers and fathers and helping their mothers to do so. Othman (1999) also showed that such a culture determines spousal roles and relations, and that this can be changed by a higher level of education, which is more than a means to secure a job and income for the wife to help support the family. On the other hand, a lower level of education—especially in limited-income families—does the exact opposite. She also found that empowering women allows them to make decisions to educate the children, seek work, use family planning methods, purchase family property, and influence income distribution. Decision-making is often participatory, but less so in terms of the use of leisure time or making friends.

Several studies have defined marital satisfaction as a mental assessment of the quality of life of the individual, or as a judgment of satisfaction with life. However, there are many issues when it comes to assessing satisfaction, which tends to be relative. People compare their current state with other stages in their lives (Al Khaledi, 2001). Marital satisfaction can be defined as "the feelings, attitude, and behavior that direct the spouses in their marital relationship and determine the extent to which their needs and goals are met in a way that leaves both spouses content and comfortable, while also creating a generally positive state in which their potentials are put to their best use" (El Beblawy, 1991). Marital satisfaction can also be defined as "satisfying all levels and aspects of the marital needs of both spouses, including the need for sexual, economic, and social satisfaction, as well as the need to satisfy the maternal instinct of women. This also includes the need for security, love, appreciation, respect, self-realization, and other forms of needs" (Khalil, 1991). Some even define marital satisfaction as "an inner feeling that stems from satisfying various marital needs, which contributes to a calm heart and a feeling of joy and pleasure. This drives spouses to employ their energy and abilities to perform their duties in a more effective manner" (Samkari, 2008).

**Social theories explaining marital satisfaction**

Studies have noted different theories explaining marital satisfaction:

1. **Symbolic Interactionism Theory**: Symbolic interactionists view the family as a unit consisting of interacting personalities. As such, they are interested in the internal affairs of the family. They focus on the choice of partner, marital compatibility, parent–child relationships, communication problems, decision-making, and the formation of personality in light of the general context of the family. They are also interested in expected patterns, roles, and emotional compatibility between spouses (Al Daba'a, 2002). According to Arthur Mangus, variables affect marital relations, and the quality of the marriage is reflected in the match between the wife's expectations and the husband's desires. Mangus expressed his idea based on the following hypothesis: There is a linear relationship between the contradicting roles in a marriage and marital satisfaction. As such, this contradiction of roles affects the degree of marital satisfaction; the greater the contradiction, the lower the satisfaction, and vice versa.

Expanding on Mangus's hypothesis, others have tried to prove that two independent factors have an effect on marital satisfaction, namely satisfaction and tension, each of which is linked to marital happiness. According to their thinking, the more often tension occurs, the lower the degree of general marital satisfaction. However, the number of occasions of marital satisfaction is not linked to the number of occurrences of tension. These hypotheses can complement those of Mangus if we view the difference in role contradictions as a form of tension in the marital relationship (Al Khashab, 2008).

2. **Exchange Theory**: George Homans, who developed this theory, believed that social interactions represent the material from which intimate relations are created, and that the gain achieved from such interactions is the recognition of positive and negative aspects in the self and in the partner, based on the returns/rewards and costs of complementing them. Gains achieved from interactions affect the form of sentiment, while the difference in interactions affects the amount of sentiment, whether the outcome of the interaction takes the form of a reward (leading to positive sentiment) or a cost (leading to negative sentiment). For Homans, the independent variable was the gain achieved from the interaction, a binary variable between reward and cost. The dependent variable, meanwhile, is a form of sentiment and is also binary, varying between positive and negative. Homans based this idea on the hypothesis that if the gain from the interaction takes the form of a cost, then sentiment is negative (Al Khashab, 2008).
3. **Balance Theory**: Theodore Newcomb, who developed this theory, assumed that individuals have a tendency to maintain a balance between similar attitudes and sentiments. Balance is the state in which the degree of sentiment toward another person becomes identical to that of his/her similar attitudes. We are strongly attracted to individuals who are similar to us in attitudes, and the more similar these are, the greater the attraction. As such, the similarity between two people is

reinforced for both of them, because it forms an appropriate basis for joint activities and agreement over roles. This agreement then strengthens our confidence in our opinions and supports our self-esteem.

In this context, Ahmed (2006) affirmed that marriages between Sudanese and non-Sudanese people are an example of dissimilarity in many aspects, such as language, religion, customs and traditions, as well as other differences. Her study sheds light on the relevant features and challenges, as well as the resulting lack of marital satisfaction. She says that changing levels of acceptance of the marriage of Sudanese women and foreign men, as well as the increasing number of marriages between Sudanese and non-Sudanese people (even from other religions), may signal new standards for marital satisfaction. The reasons for this, according to Ahmed, include Sudanese women working and studying outside Sudan due to their families' migration, thus reducing their links to their language, culture, customs, and traditions. On the other hand, such marriages come with their own challenges, such as teaching the children two languages and integrating them into two different societies. Another challenge is that the non-Sudanese spouse does not know his/her marital rights under the country's Personal Status Code (Ahmed, 2006).

Ahmed (1998) supports the idea of similarity and its role in marital attraction and satisfaction. She focuses on the key criteria used by families to choose a spouse, concluding that women do not have the control or authority to make such a choice, and that customs and traditions determine who is the right spouse. She also notes that similar economic and work conditions of the man are a common denominator among families.

Mudawi, studying the impact of the family's social status on selection of a spouse (2003), found that men had greater freedom to choose their wives. Despite men being pressured by their families, the family's socio-economic status allows it to select the spouse. In order to achieve satisfaction between spouses, they must have some kind of agreement on vital issues relating to their life together. They must also take part in joint activities and have mutual love for each other.

Abdallah (2005) found no correlation between marital compatibility/satisfaction and the criteria for choosing a spouse, and also noted a lack of correlation between age gap, marriage duration, level of education, income level of spouses' families, engagement period, or marital compatibility/satisfaction. She did, however, note differences in intellectual compatibility between spouses in favor of husbands.

Many scholars, meanwhile, view satisfaction as a direct outcome of the spouses' behavior, which can leave them both feeling content. In general, a person only feels satisfied in a marriage if marital life is free of a certain amount of problems and conflicts. In order for that to happen, the spouses must have the ability to resolve their numerous conflicts, which—if ignored—may destroy the marriage. Generally speaking, to achieve marital satisfaction between spouses, they must work to develop a set of interactions that leave each of them—and their offspring—comfortable. This should help them adapt to the pressures of life, as well as establish emotional connections with each other, maintaining the relationship in the long term within the cultural context in which the couple lives.

In her 1978 Ph.D. thesis, Balghis Badri set out to analyze the factors affecting marital relations and the power balance between spouses, as well as how roles are determined between them. She found that a high level of education gives a wife the power to make decisions, but does not contribute to changing stereotypical roles, meaning that wives still have to do or supervise housework, just as women's income does not change men's power and high position in the family and the marriage. The traditional distribution of roles and status gives the husband a higher position and responsibility to make decisions, which women must respect and accept. From childhood, women are instructed to serve their fathers and brothers and help their mothers to do so. The study (Badri, 1978) explains that this culture is the factor affecting the determination of spousal roles and relations, and that higher education is more likely to change this, compared to a wife with an income but a low level of education, especially among limited-income families. Furthermore, the study noted that empowering women to make decisions should include children's education, the right to work, use of family planning methods, purchasing family property, and distribution of income. This is less applicable regarding leisure time, making friends, and establishing relations with the extended family.

The study confirms that marital relations are governed and influenced by factors outside the scope of each of the spouses' own resources, like education level, income, or wealth alone. Power theories also focus on marital relations, as marriage in Sudan is governed by relations between the two families. As such, the wife comes to the matrimonial home with the status and resources of her family, whether in terms of religious authority or social/political prestige. The balance of power may be equal between them even if the wife does not work, has no income, or does not have a higher education degree. The same applies in marriages where the husband has high status in the tribe or religious sect, in which case the wife's relationship with him is double-edged. For example, as a member of her sect or tribe she pledges loyalty and obedience to its leader (e.g., sheikh or king), but at the same time she can gain authority and status being the wife of this leader, which gives her power over the group. The study also showed that when a man takes a second wife his first wife is left with more freedom of movement and decision-making, since the husband is no longer present at all times. Despite being hurt by his second marriage, the first wife tries to take advantage of the new situation (Badri, 1978).

In her 1999 study on marital relations in the Zaghawa community, Madina Dousa found that wives do not gain power in their marriages despite being responsible for producing food for the family, while the husband continues to have the authority to make decisions and high status in society.

Hamed (2000) finds that the presence of children enhances marital satisfaction, as women suffer more in the case of infertility, which society blames them for. They are also subject to the many social consequences of infertility, such as divorce, polygamy, and psychological pressure. According to Hamed, men and women take different paths in search of solutions to infertility. Meanwhile, Ali and Saleh (2014) find otherwise, saying that childless couples have better marital compatibility, which remains unaffected by the absence of children.

Salam (2009) sheds light on the link between life pressures and marital problems and family harmony, in a case study of Al Kabbashi, east of the Nile river, and its neighboring villages in Khartoum State. This descriptive, analytical study set out to identify the direct and indirect impact of the family's economic situation on creating marital problems and the resulting psychological stress and effects. It also sought to learn the direct and indirect effects of the spouses' level of education on their problems and psychological stress. In addition, the study examined how a childless marriage affects family stability and its resulting psychological stress and problems. No significant correlation was found between the children's stress and family harmony, nor were there significant differences in psychological stress based on the gender variable (husbands/wives). Furthermore, the study confirmed the lack of a significant correlation between the spouses' stress and their ages. Statistically, there were no differences in the spouses' psychological stress based on the educational level variable, nor was there a correlation between parents' stress and the number of children. The study emphasized the need to ensure parents kept their marital disputes away from their children.

Hamed and Babakr (2014) attempted to identify a link between marital harmony and variables including age at marriage among newly married female students at Ahfad University for Women in Omdurman. They found that these students had a high level of marital harmony and that there were no statistically significant differences in marital harmony among them at the level of 0.05. They also found no statistically significant differences at the level of 0.05 in terms of timing or faculty specialization.

### *6.4.2 Marital Violence*

This section discusses violence between spouses, both direct and indirect. Indirect marital violence is a result of rituals, traditions, and culture that restrict the wife's movement or development, or mutilate her body (such as FGM and its repeat procedures). Meanwhile, direct marital violence takes many forms, including physical (beatings or torture), psychological (abuse, insult, humiliation, or degradation), economic (lack of financial support for the wife or depriving her of work to earn an income), and moral violence. There is also legal violence, in which laws restrict women or trap them in the institution of marriage without the ability to get a divorce, despite facing violence that cannot be proven. We have tried to expand the concept of violence to include all of the above, and we began by monitoring studies related only to this understanding of the term "marital violence," without including studies on violence against women or girls in general.

In social sciences, violence is defined as the unlawful or illegal use of beating or force that affects an individual's will (Zaki, 1986). It is also defined as behavior that leads one person to harm another person. This behavior may be verbal, such as threats, or actual physical behavior, such as severe beatings, rape, burning, and murder. It can also take both forms, and may lead to physical or psychological pain, harm, suffering, or all of these (Eid, 1999).

This behavior is directed by one family member against another. It includes deliberate physical assault, whether minor or severe, driven by anger, frustration, vengeance, or self-defense. It can also be caused by being forced into—or prevented from—doing a certain thing. This can result in physical or psychological harm, or both (Tarif, 2000).

This entails harmful physical violence against women by their husbands, including sexual assault. It is also defined as violence against the partner in an intimate relationship, which causes severe harm and pain (including psychological). It is also related to the following behaviors: physical assault, such as punching, slapping, kicking, and any other type of beating.

**Forms of marital violence**

There are various forms of marital violence, including

- physical marital violence, such as deliberate beating, injuring, kicking, and slapping;
- verbal violence, such as insults, abuse, yelling, and mockery of the wife;
- psychological violence, including humiliation, degradation, and making the wife feel inferior and lacking, which causes her to withdraw and lose self-confidence;
- controlling behavior, such as isolating the partner from their family and friends and watching them closely to make sure they do not seek help;
- economic violence, such as a husband keeping his properties secret from his wife, or not supporting her financially. This can even include taking over the wife's money; and
- sexual violence, which—despite traditionally being kept silent—women have recently begun to speak out against.

There are many causes of violence against wives, according to Ahmed (2012), who noted that violence against women and wives is the outcome of the interaction of many factors on the levels of the individual, family, and society. He showed that on the individual level these factors include the husband being subjected to violence or watching it being practiced in his family as a child, which is known as social upbringing, and the impact of social education through imitation and simulation. This includes having the example of a violent father or misunderstanding the role of the head of the family as someone who must be obeyed by everyone. Husbands may also believe that violence is the best solution to their problems with their wives. Causes also include fathers' absence or neglect of their roles in their children's upbringing, as well as addiction to alcohol or drugs.

On the family level, factors include marital disputes and the husband's complete control over the financial and other affairs of the family. On the society and group level, they include poverty, unemployment, social isolation of the family, and linking the concept of masculinity or manhood to the husband's superiority or authority over the wife. A husband's frustration at work, or because of biological or physical impotence, may also be a major cause of psychological and verbal violence, and may sometimes develop into physical violence. There are also social factors, which can include how the marriage took place, or the wider relationships of the husband or

the wife, as well as their different views. The cultural factor also plays a role where there is a cultural or educational gap between the spouses, along with age gaps and marriage duration.

Looking at direct violence by husbands against their wives, Moussa and Mohamed (2017) note the factors leading to violence against wives and the prevalence of the phenomenon in Khartoum State, explaining the causes and effects. They note that women are subjected to violence from their partners due to the social misconception that husbands have the right to discipline their wives, a right guaranteed by Islam and social status, which grant men control and superiority over their wives.

Al Awad (1999) lists many causes of domestic violence between spouses. These include cultural factors related to an upbringing that instills concepts of male domination and superiority, granting husbands complete freedom to exploit and mistreat their wives, eventually leading to violence. Research has also shown that the media play a role in normalizing marital violence as acceptable and tolerated. Al Awad also emphasizes the importance of the economic aspect, and the role of poverty and its consequences in the spread of domestic violence, such as frustration over harsh living conditions or unemployment. As such, the husband thinks that his wife is the cause of his distress, according to another social concept, namely that a wife can either bring or block good fortune for her husband. This idea is undoubtedly wrong, but it does resonate widely in the society. Women themselves often believe in this idea and blame themselves, which is recognized as psychological violence.

Al Awad (1999) also notes the misinterpretation of religion in terms of a husband's relationship with his wife, granting the husband the right to discipline his wife by beating her for his own reasons. This results in verbal violence against the wife through abuse, humiliation, or degradation. It also leads to psychological violence, leaving the wife feeling afraid, depressed, sad, or inferior. Physical violence against wives, meanwhile, has been noted by several researchers, including Anglo and Ali (2016), who examined forms of violence against wives in Omdurman through the accounts of battered women. This included beatings that led to bruises, cuts and even fractures, or miscarriages in pregnant women. Ahmed and Hassan (2016), meanwhile, examining the prevalence of violence against wives in Khartoum, found that the reaction of the battered wife depends on the type of violence against her. This includes being marginalized by the husband and seeking a savior or someone to listen to her problem, or perhaps reporting the abuse to the police. Some women even resort to sheikhs or witchdoctors. There can also be societal effects: wives may end up isolating themselves from social relations and developing a social phobia. They may feel unsafe inside or outside the home. They may also feel ashamed or that they are prisoners of their husbands, who control their lives. In some cases, wives may resort to lying to escape abuse, while feeling inferior and fearing their husbands even when the men are not committing such abuse.

Suleiman (2009) focused on domestic violence among displaced women in North Darfur (Abu Shouk camp), noting several forms of violence against these women by their husbands, including beatings, restrictions on the use of resources and property, and polygamy. Furthermore, the wives were found to suffer from the repercussions of war and displacement, along with the dominance and violence of their husbands.

This confirms the findings of the studies mentioned earlier: that women bear the brunt of their husbands' bad circumstances, as if they are part of the cause. The causes and factors leading husbands to practice violence against their wives at the camp included unemployment and lack of a source of income, all of which change the roles of spouses (Suleiman, 2009).

Osman (2016) examines the phenomenon of domestic violence within the institution of marriage among the middle class in Omdurman, looking at cases of violence and their prevalence, causes, and effects. She also addresses new forms of violence not previously examined in academic research, such as husbands letting their wives know they were having extramarital affairs, as well as treating their wives in a condescending manner and depriving them financially and emotionally. These new forms of violence include the husband remarrying and bringing the new wife to live with his first wife in their home, which leads to a state of sadness, frustration, and psychological stress. Osman notes that this type of violence leaves negative effects on the wife and the family. Many women are unable to change the situation and are forced to live with it for many reasons, including a lack of support from family and society, or a lack of financial resources that would enable them to be free and independent. In addition, having children is one of the reasons why women are forced to remain in such relationships. Most women suffering from this type of psychological violence do not find a release for this stress, because it falls within their private relationships with their husbands, which are difficult to speak about in public.

Another type of physical violence against women is honor crimes or killings, which take place when a man murders a female relative or family member if she commits an immoral act, such as fornication or illicit relations. The perpetrators of such crimes claim to commit them in order to preserve honor or wash away shame. Seddig (2003) sheds light on the factors affecting this most dangerous form of physical violence against women—murder in the name of washing away shame or preserving honor—and its effect on the roles and relationships of spouses. Honor crimes are considered one of the most dangerous forms of violence because a wife can be killed by her husband, which is justified in a society that grants husbands this right. This type of violence is prevalent within tribal societies that are governed by their own customs and traditions.

In another form of physical and psychological violence, wives are pressured to undergo repeated female genital mutilation (FGM) each time after giving birth, or at irregular intervals, as men believe this allows them to maintain pleasure from their wives. According to the 2014 Multiple Indicator Cluster Survey (MICS), an average of 40% of married women in Sudan undergo FGM more than once, in varying degrees depending on the region: the rate rises to 65% in eastern Sudan and drops to 17% in western Sudan. But despite its prevalence, the phenomenon has not received enough attention as a form of violence against wives. Nearly 10 million women undergo frequent FGM to narrow the vagina.

Despite the psychological and physical pain involved in this practice, which may cause health problems and even put women's lives at risk if carried out in places without proper health care, women are eager to undergo the procedure. As a result, women suffer severe physical consequences, including pain, hemorrhaging,

or tetanus. The practice also deprives women of achieving natural satisfaction. There is a general understanding and culture that women are created to please men, and that their mission is to procreate, without necessarily enjoying intercourse. There is also a belief that this practice keeps a woman's genitals clean, among other reasons for carrying it out. Ahmed et al. (2006) suggest, furthermore, that women resort to the procedure in order to receive a financial reward, or to keep the husband happy and ensure he does not think about taking another wife. FGM also increases a girl's chances of getting married, because a girl who has undergone the procedure is considered desirable as a wife. For all of these reasons, FGM is sought before and after marriage, as confirmed by statistics. According to UNICEF surveys about FGM in Sudan, as well as a study by Khaled et al. on men's views on sex and FGM (2004), FGM continues to be practiced, albeit with a slight decline.

Early marriage increases the mortality rate of mothers and infants. According to Othman (2014), underage marriage is used as a means of subsistence due to the difficult living conditions experienced by poor families in the Sudanese district of Al Fateh. This makes them consider marrying their daughters off at a young age in order to stop having to support them financially, as well as to gain from their marriage. Othman (2014) also shows that girls of this age are neither psychologically nor physically prepared for marriage, and that this type of marriage puts the wife under the control of the older husband from the outset. Furthermore, she shows that early marriage makes the wife vulnerable to many types of violence: (1) by denying her an education; (2) by involving her in responsibilities beyond her physical and psychological capacity; and (3) by forcing her into a marital sexual relationship for which she is not psychologically or physically prepared, which causes her psychological trauma and exposes her to many health risks. In addition, Othman suggests that early marriage makes the wife vulnerable to poverty by depriving her of education and work. She also notes that early marriage lengthens a woman's fertile window, which leads to the birth of too many children, physically and psychologically draining her.

Ibinouf (2008) examined the types of violence wives are subjected to in northern Sudan, explaining that women in these areas suffer from poverty and marginalization by the family and society, and that marital relations in this region are based on patriarchy and male dominance. She referred to different types of marital violence in the region, such as psychological, physical, and economic marital violence, and including early marriage, FGM (single and multiple times), poverty, and the inability to make decisions. Although most families in this region work in the Gulf, this situation has not empowered women, nor has it given them any form of power. Instead, women are burdened with responsibilities and subject to the authority of the husband's family, as well as the husband's remote control. Al Awad (1999) also looked into cases and causes of domestic violence between spouses, shedding light on how women respond to exploitation by their husbands, while Osman (2016) tackled the phenomenon of domestic violence between middle-class spouses in Omdurman. The latter examined cases of domestic violence as well as its prevalence, causes, and effects, and addressed forms of violence that had not been academically studied before, such as the husband revealing or hinting at involvement in intimate extramarital affairs, or being arrogant and condescending to his wife. These previously unexamined forms

of violence included the husband leaving his wife emotionally deprived, or taking a new wife and bringing her to live with his first wife in the same home (Osman, 2016).

Another important factor is war, conflict, and displacement, which can create a violent reality. Suleiman (2009) looked at the domestic violence that displaced Darfuri women experience at the hands of their husbands in Abu Shouk camp, and the impact of such violence on their lives. She explained the forms of violence that women are subjected to by their husbands, such as beatings, denial of managing resources and property, polygamy, and various other forms. She also presented the reasons and factors driving husbands to practice violence against their wives in the camp, such as unemployment and lack of a source of income, which had led to changes in spousal roles (Suleiman, 2009). Other studies have examined a type of violence that reaches the extent of murder, known as honor killing, one of the most dangerous types of violence against women, where a wife may be killed by her own husband. Seddig (2003) examines the concept of honor and honor crimes among the men and women of the Hawazma tribe in Abu Karshula, South Kordofan State, as part of the society's culture, looking into the factors affecting this phenomenon and its impact on spousal roles and relationships.

## 6.5 Work and Marriage

This section covers marriage and work and includes a definition of the relationship between the two. It also discusses the importance of work for both spouses, the link between work and marital satisfaction, and the role of the spouses' work in the well-being of the family. In addition, the section analyzes how the work of husbands and wives affects their families, as well as the type of work and its impact on marital relations, along with work-family balance. Finally, the section addresses the negative and positive effects of the wife's work, in addition to the problems and challenges facing working women.

### *6.5.1 The Concepts of Marriage and Work*

According to many sociology and social psychology studies, the concepts of marriage and work appear in several forms. Work appears as (1) a condition and sign of readiness to get married, especially for men; (2) a catalyst for the union between a man and a woman; (3) a cause for the well-being and stability of the family; and (4) a factor in conflicting spousal roles, leading to dire consequences such as marital and professional dissatisfaction for one or both spouses, which can also lead to divorce.

To discuss marriage and work, we must speak about the family, a form of social group characterized by family values that ensure individual interests are part of the interests and well-being of the family as a whole. The members of such a group have

a strong sense of unity, family loyalty, mutual aid, and concern for the continuity of the family unit. The family is considered an economic unit, and this nature becomes clear if we look back over the history of the family. In ancient times, the family took care of all the necessities of life and carried out all aspects of economic activity, thus falling within the idea of the "closed economy" (production for the purpose of consumption). After extending and stabilizing, most of the family's production became part of women's responsibilities, while men largely contributed to production outside the family.

Many studies have examined the relationship between spouses within the prevailing cultures in different societies, especially with regard to the roles of men and women, and the status of both husband and wife in the family through the power of decision-making. Many have taken the view that a wife's contribution to the family income earns her the power to make family decisions. However, this view has faced objections, since other studies have shown how social and economic factors negate the link between the wife's economic gains/income and her attaining a higher status or gaining decision-making power. This is because the prevailing gender hierarchy in most traditional and developing societies is based on the idea that men are superior to women due to their economic responsibility for the family.

### *6.5.2 The Role of Work in Marriage*

Many motives for marriage are mentioned elsewhere in this chapter, but here we will highlight the economic factor, or the role of work in marriage and polygamy. Most marriages take place at a young age (at the beginning of professional life) and are motivated primarily by stability and starting a family, and secondly by social factors. As such, men study and work hard until they get jobs that qualify them for marriage and starting a family. However, aging and advancing in their careers (and thus earning a better income), coupled with the temptation of younger and more beautiful women, may make men consider taking second wives. Thus well-paid work is always the main driver for marriage, whether for the first time or in the case of polygamy. Women's motivation to work can itself be based in marriage, as having an income makes a woman more attractive as a prospective wife.

The better the woman's financial situation, the greater the man's desire to marry her. In addition, a woman's work constitutes a safety net for the husband and adds to her own value and power, which turns into a sense of independence and empowerment. Based on this perception, it is evident that work plays a role in defining a marriage and in the development of social relations, including marriage, divorce, polygamy, and mobility.

### *6.5.3 The Relationship Between Work and Family*

Several mechanisms linking work and family have been identified and can be classified into six general categories: (1) spillover (or extension); (2) compensation; (3) segmentation; (4) resource drain; (5) congruence (or harmony); and (6) work-family conflict.

To define the boundary conditions for this review, we must first define the terms work, family, and linkage mechanism. Work is defined as an essential activity with the aim of securing goods and services to support life. It usually involves being a member of a labor market or organization that compensates workers for their contributions. Work may provide inherent rewards in itself, but its primary goal is to obtain external rewards (Locke & Latham, 1990).

The family can be defined as people related through biological links, marriage, social norms, or adoption. Like work, "family" refers to being a member in a social organization to which the person contributes (Zedeck, 1992). However, these contributions do not aim to secure goods and services, but rather to preserve the family and enhance its well-being. These general definitions of work and family deliberately do not include nuclear families in which one or both parents are employed.

#### 6.5.3.1 Spillover (or Extension)

Spillover refers to how work and family affect each other, generating similarities between the two. This similarity is normally described in terms of the effect of work and family (mood and satisfaction), values (the importance of work and family), skills, and overt behaviors. Other terms that capture the essence of spillover include generalization, continuity, extension, familiarity, and similarity (Staines, 1980; Zedeck, 1992). Two versions of spillover have been discussed in the literature on work and family:

The first version distinguishes the analogy between the similarity in work and its distinct but relevant structure in family. This version of spillover is evident in the positive correlation between work and family satisfaction, and between work and family values. The second version describes the indirect circulation of experiences that are properly transferred between fields, as in the case of showing work fatigue at home (Eckenrode & Gore, 1990). This rendition of spillover is not a linkage mechanism, because it does not in itself involve a relationship between building a career and starting a family. For example, showing work fatigue at home indicates that an experience born in one domain is projected into another domain, but it does not indicate that a structure in the latter is affected. If such an effect occurs, as when work fatigue hinders the fulfillment of family demands, a link is established between building a career and starting a family.

#### 6.5.3.2 Compensation

Compensation represents efforts exerted to compensate for dissatisfaction in one area by seeking satisfaction in another area. Other terms that embody the basic meaning of compensation include contrast, complementarity, competition, regeneration, and heterogeneity (Staines, 1980; Zedeck, 1992). A distinction between two forms of compensation has been made in the literature on work and family.

First, a person may reduce engagement in a dissatisfactory field and increase participation in a potentially satisfactory area. Participation itself is defined as the perceived importance of the field, the time spent there, and the attention devoted to it. Hence, this form of compensation can be viewed as reallocating importance, time, or attention from a dissatisfactory domain to a potentially satisfactory one.

Second, a person may respond to dissatisfaction in one area by seeking rewards in another. By "rewards," we mean experiences that can satisfy a person's desires, thereby enhancing their satisfaction. This form of compensation can be supplemental or reactive (Zedeck, 1992).

Supplemental compensation occurs when rewards are insufficient in one domain and are thus sought elsewhere. Here, a person seeks rewards in a different domain in addition to the existing one, so that cumulative rewards are generated across domains. For example, someone with little autonomy at work may seek autonomy outside work. Reactive compensation occurs when undesirable experiences are redressed in a different setting, such as resting at home from fatiguing work; or throwing oneself into work to avoid thinking about family problems (Evans & Bartolomé, 1986).

#### 6.5.3.3 Segmentation

Segmentation is the separation of work and family, so that they do not affect one another. Originally, work and family were seen as naturally separated due to their different time and place settings, as well as their naturally different functions. Yet this view of segmentation has been challenged by researchers who have demonstrated that work and family are closely related domains of human life. As a result, segmentation is now seen as an active process whereby people maintain boundaries between work and family (Eckenrode & Gore, 1990).

#### 6.5.3.4 Resource Drain

Resource drain refers to the transfer of finite personal resources such as time, attention, and energy from one domain to another. It is similar to forms of compensation that involve a shift in time or attention between fields. Yet, as mentioned previously, compensation is an active response to dissatisfaction in one domain (Lambert, 1990), whereas resource migration simply refers to the transfer of resources between domains, regardless of the strength of the drive to transfer. Moreover, unlike resource depletion, compensation includes a shift between areas of variables other than

personal resources, such as the importance of the field, and it may also involve seeking rewards in other areas.

#### 6.5.3.5 Congruence (or Harmony)

Congruence refers to similarities between work and family due to a third variable that acts as a common issue. Such variables include personality traits, genetic factors, general behavioral patterns, and sociocultural forces (Frone et al., 1992). For example, an excessive influence may affect satisfaction in both work and family, leading to a false positive relationship between the two variables. Congruence is similar to divergence in that both of them lead to work and family similarities. However, divergence distinguishes these similarities based on how one field affects the other, while congruence attributes these similarities to a third variable that affects both fields.

### *6.5.4 Work-Family Conflict*

Work-family conflict is a form of ongoing conflict in which the roles of work and family clash with one another, making it difficult to meet demands in either area. Role demands may arise from the expectations expressed by those playing professional and family roles, not to mention the values that a person maintains with regard to their work and family behavior. Work-family conflict is always present, because the intrinsic and external rewards are often dependent on the demands of the combined roles. When the demands of work and family are in conflict, obtaining rewards in one area requires the presence of existing rewards in the other. Work-family conflict also entails opposition and incompatibility (Burke & Greenglass, 1987).

There are three forms of conflict between work and family. “Time-based conflict occurs when the time demands associated with one role restrict the amount of time that can be devoted to the other role” (Repetti, 1987). Demands may not be met when a person is either physically absent from one domain or mentally preoccupied with another. As such, time-based conflict involves the draining of resources, such as the transfer of time or attention between roles. Yet time-based conflict emphasizes that the transfer of time or attention leaves unmet demands in that area.

Strain-based conflict occurs when focusing on stress arising in one role (e.g., dissatisfaction, stress, anxiety, or fatigue) and makes it difficult to meet the demands of the other. Stress reduces the personal resources (such as energy and physical or mental capacity) needed to perform roles (Staines, 1980). Strain-based conflict not only refers to conflicting demands but indicates that mere participation in one area can lead to stress that impedes performance in the other.

Finally, behavior-based conflict occurs when a behavior in one role clashes with another role, leaving the person unable to control their behavior between roles (e.g., when the confrontational approach normally applied to solving work problems is

inappropriately applied to family problems). Behavior-based conflict indicates a form of repercussions when behavior developed in one area affects behavior in the other area, with the condition that the transferred behavior prevents one from performing roles in the latter. It is observed that behavior-based conflict does not require conflicting demands; rather, it only requires that behavior developed in one area interferes with the performance of roles in other areas.

Work-family conflict is a form of conflict between roles, in which the pressures arising from work and family are incompatible in some aspects. This conflict increases rates of absence from work, employee turnover, low performance, and poor physical and mental health. As for the home, problems occur for working women and male workaholics alike (Greenhaus & Beutell, 1985).

### *6.5.5 Types of Conflict Between Work and Family Life*

Three types of work-family conflict have been identified: (1) time-based conflict: conflicting time demands between work and family roles; (2) strain-based conflict: pressures in a person's role that hinder their performance in the other role; and (3) behavior-based conflict: a clash of behaviors required by each role.

Many researchers distinguish between work-family conflict and family-work conflict:

- Work-family conflict occurs when work interferes with family life, as in long, irregular, or inflexible working hours, as well as increased workload and other forms of work pressure, such as conflict between coworkers, extended travel, moving between jobs, or working at an unsupportive organization.
- Family-work conflict occurs when family life interferes with work, as in having young children, bearing the primary responsibility for them, caring for an elderly person, inter-family disputes, and having unsupportive family members.

Although the two types of conflict are closely related, more attention is paid to work-family conflict. This is because it is easier to define work demands, meaning that the boundaries and responsibilities of the family role are broader than those of the professional role. Research has found that it is more likely for professional roles to overlap with family roles than it is for family roles to interfere with professional roles.

It is possible for conflict to arise between work and family life, as work addiction may cause adverse effects on a person's relationship with their spouse. Workaholism is a defining trait of a person that indicates self-imposed demands, compulsive overwork, an inability to regulate work habits, and an increased indulgence in work so that most other life activities are excluded (Robinson, 1997). It can affect one's personal life, as it entails the exclusion of other activities, such as spending time with the spouse, which is necessary for any healthy and happy relationship. When there is tension in the relationship, and one of the spouses is addicted to work, both spouses may become stressed and less supportive of each other, which may force them into

negative behaviors. People who work to the point where work interferes with the rest of their lives tend to realize that the once-strong communication background with their families is not doing well. These people also tend to accommodate their families, considering that they have familial roles that are not as well defined as they want them to be. Work addiction is not the only mechanism that may be a contributing factor in work-family conflict. The family alone has sufficient demands for a person, but in the new millennium, as more than one person works to support the family, the demands of establishing a family life and maintaining a job are enormous.

### 6.5.6 Strategies for Reducing Conflict Between Work and Family Life and Achieving Balance

There must be a balance between work, family, and home, meaning that boundaries and responsibilities must be established for both family and work. Reducing work-family conflict can be pursued by setting family-oriented policies in the workplace. These may include the use of a remote or online work policy to allow employees to work from home, as well as flexible working hour policies to enable employees to control their work schedule. Work-family conflict can also be reduced by developing family-oriented policies in the work environment, including maternity leave, parental leave, childcare leave, and sick leave, as well as providing childcare options, whether by establishing a childcare center within the workplace or by referral to nearby childcare centers. For these policies to bear fruit, it must be ensured that managers and supervisors working in the organization support these policies and allow employees to benefit from them. There must be a culture of joint housework between spouses, and socially defined roles must be shunned. Furthermore, a spirit of cooperation should be promoted, as well as the use of external aids—such as hiring help—at home to alleviate the burden on wives and save time for them to work.

### 6.5.7 Conflict Between Work and Family for the Working Woman: Opportunities and Challenges

For decades, the effect on women of work outside the home has been one of the most salient issues preoccupying sociologists. In their efforts to understand the situation, sociologists have come up with social theories that attempt to explain or answer questions on this issue; one of the most important is the traditional functionalist theory. According to this theory, women should take care of the home, the husband, and the children, while leaving work outside the home to the man/husband, in order to maintain the balance and stability necessary to ensure the continuity of the family. This theory regards men as providers who have the ability to meet all the material

needs of the family, while women, with their multiple characteristics, have the ability to look after the family.

Another group of modern sociologists has recently emerged who also believe in the functionalist theory, but with slightly different views from their predecessors, and have developed it further in the belief that the traditional version is no longer valid in today's societies. They explain that family needs—along with living costs—have increased exponentially, meaning the husband's income is no longer sufficient to meet family demands, which include housing, food and drink, clothing, education, health care, transportation, entertainment, and other endless needs of the current times. The amended theory calls for the wife's function not to be limited to housework, but for her to go out to work alongside the man in order to secure the appropriate income to meet family needs.

Working women face many challenges that prevent them from playing an active role in society, namely the social, economic, and psychological challenges of being a woman. This limits their participation, whether in the field of work or within the family. Although women represent half of society, men still dominate the course of their lives to this day, and some women still find it difficult to obtain better job opportunities that suit their abilities and capabilities.

With reference to the theoretical frameworks that address the issue of work and the family, we find that studies in Sudan have focused on only one aspect, which is the effect of the wife's work on fulfilling her three roles. No studies have addressed the issue of the husband's work and its effect on the marital relationship.

There is no doubt that we are currently witnessing a series of changes in all cultural, social, and educational areas as a result of economic and developmental transformations and today's technological openness. These changes have not left a single aspect of family or society unaffected, whether in the roles or responsibilities that the family undertakes to the fullest extent. Women's work was a necessity inflicted by these changes, but the roles that women perform within the family have become an obstacle that must be dealt with in order to balance the wife's work inside and outside the home, and to strengthen relations with the extended family, according to the studies outlined below.

Abdel Rahman (1999a, 1999b) set out to discover how women's roles outside the household, or their productive roles, clash with their other roles and affect the distribution of roles and chores within the family. She argues that women's work outside the home requires making certain arrangements within the household to ensure continuity. She also aimed to find out how women's income and their contribution to household expenses affect their decision-making abilities and participation in controlling family resources, which might lead to a fair division of roles inside the home. In addition, the researcher sought to find out the extent of women's struggle to accommodate their productive roles outside the home along with their other roles, and concluded that women's work outside the home places a great burden on them as they continue to carry out their other duties. Women's contribution to household expenses grants them some privileges, allows them to make decisions, and confers a degree of equality between them and their husbands, but not to a great extent. However, wives believe their work grants them a form of self-fulfillment as well as

a sense of security and confidence, despite the challenges they face (Abdel Rahman, 1999a, 1999b).

Meanwhile, Yassin (2005) examined the status of working women in terms of the division of roles between spouses and looked for any kind of change. A time gap is observed between Abdel Rahman's and Yassin's studies, which explains the difference in the concept of the wife's work and its effect on the distribution of roles at home. Yassin's findings indicate that women's contribution to family income leads to a change in roles, as men participate in household chores and help their wives. In turn, wives help with household expenses, which subsequently reduces the burden of their work inside the home. Yassin attributes this change to the difficult economic conditions that have helped to convince husbands of the necessity and importance of their wives' work, together with other possible reasons. There have been many changes and transformations in society and families' perceptions of the role of wives, and studies attribute this to many factors, such as increasing rates of women's education, poverty, and openness to the outside world. Marital roles have become receptive to this shift, which has, in recent times, become an incentive for husbands to commit to a working woman with a productive role, in order to start a family and overcome poverty (Yassin, 2005). Yassin also shows that this shift has manifested in all societal groups, regardless of ethnic and geographic differences (rural and urban), as well as economic levels. Thus the productive role of the wife has become an important factor in changing the balance of power within the family.

Societies have called for paving the way for women and encouraging them to work and help their husbands meet family needs. Having taken up new work outside the home, women became able to increase the family's income in order to meet its growing needs. However, women's new work did not exempt them from their old traditional function of looking after the home, in addition to caring for the children and the husband. Thus women have come to perform both functions simultaneously, while men continue to perform their traditional function outside the home without regard to women's new role outside the home.

Khalil (2008) examined the effect of women's work on changing roles within the home, and found that as a result of their work women became able to make decisions within the family to some extent, if only small and insignificant decisions. She observed an important change in the distribution of roles, such as sharing domestic responsibilities, the presence of openness and acceptance of the wife's opinion, and her participation in work outside the home. Another study indicated that women's work is leading to a change in roles, so that men participate in household chores, or hire someone to do housework in order to reduce the burden.

As a result of women's advancement, higher education, and opening up to the outside world, in addition to pressing economic conditions, women have made their way into the professional world at all levels: governmental and non-governmental, as well as self-employment and business. They have also entered the industrial and freelance worlds. Amany Al Serag's study *Sudanese Women-Owned Large-Scale Enterprises: Opportunities and Perspectives* (2008) set out to identify the motives driving women to enter the field of business, and the obstacles affecting their businesses' growth. It found that women entered this field in pursuit of personal ambitions

and to contribute to the well-being of their families. Obstacles included the interference of work with their roles at home, economic independence from men, and the consequences of this, such as participation in decision-making. All of this has led to changes in roles between family members. In addition, women may have assumed several roles along with their basic ones, which have led to them receiving social support in terms of participation in housework.

In *Women's Handicrafts Work in Omdurman Market* (2001) Thuraya Soliman Al Khalifa examines the economic and social status of women in that field, as well as the challenges facing them and how they manage household responsibilities along with their work in the market. She concludes that the women's work has made a substantial change in their lives, as they have gained freedom of both movement and decision-making, as well as liberties they did not have before, despite their struggles.

Once women entered the professional world, sociologists found themselves facing a new issue. Women now began to work harder than ever, despite the increased household income. Sociologists worked to identify the impact of women's work outside the home, and whether they had become happier or more miserable. The truth is that there is no single answer that applies to all the modern societies that have provided opportunities for women to work. Some believe that women's work has brought them independence and economic empowerment, as in Lina Omar Al Amin's 1999 study *Women as CEOs of Sudanese Banks: Experience and Challenges*. This showed that women's access to high-level positions is a challenge in itself, in addition to the challenges that married women face as they attempt to minimize the conflict between their jobs and their families. Women's access to such positions requires political support through the creation of strategies, systems, and laws, and major social change regarding their roles within the home.

Al Haj (2001) explains an important aspect of women's economic contribution: working from home, as in the case of commerce or handicrafts. She views this as a means of overcoming poverty and all the challenges that women face, such as their inability to work outside the home due to social or familial reasons, their husbands' opposition, or the challenges of balancing work and home responsibilities. She establishes that working from home enables wives to contribute to the well-being of their families and carry out their daily household chores, as well as having numerous benefits, which indicates empowerment.

Salma Soliman Mohamed Soliman explains in her 2012 study *Women in the Private Sector* that the division of household chores is governed by the socially acceptable roles of men and women. The injustice in this division is clearly evident. However, the wife's contribution to family expenses increases her capacity for decision-making and gives her the right to benefit from and control the family's various resources, as well as the right of ownership.

Some of the studies mentioned in this chapter refer to international agreements and charters that call for the elimination of all types of discrimination against women in gender roles. The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW, 1979), which addresses the issue of gender roles in society, affirms in its preamble that the full and complete development of any country, the well-being of the world, and the issue of peace all require the participation of women

on an equal basis with men, as well as their maximum possible participation in all fields. According to the Convention, women's great role in the well-being of the family and the development of society is yet to be fully recognized. In addition, motherhood and the role of both parents are both socially important and essential in the family and the raising of children. A woman's reproductive role cannot be allowed to be a basis for discrimination. Instead, raising children should be a shared responsibility between men, women, and society as a whole. The Convention also emphasizes that achieving full equality between men and women requires a change in the traditional role of men as well as the role of women in society and the family. Article 5 states that state parties shall take all appropriate measures:

- to modify social and cultural stereotypes of the behavior of men and women, with a view to achieving the elimination of prejudices and customary and all other practices that are based on the idea of the inferiority or superiority of either of the sexes or on stereotyped roles for men and women; and
- to ensure that family education includes a proper understanding of motherhood as a social function and recognition of the common responsibility of both parents in the upbringing and development of their children, it being understood that the interest of the children is the primordial consideration in all cases.

(United Nations, 1979. Convention on the Elimination of All Forms of Discrimination Against Women [CEDAW])

## 6.6 Migration and Marriage

Migration refers to people leaving their homeland and moving to settle in another place in pursuit of basic needs, such as decent housing, security, and a generally better life.

More accurately, migration can be defined as the collective decision by a group of people to leave their homeland due to forced conditions or personal choice. These individuals then relocate elsewhere to achieve the goal that influenced their decision to move in the first place, which is considered a human right, as enshrined in the Universal Declaration of Human Rights.

The issue of migration has been around since ancient times, and continues to this day. It has become one of the most prominent phenomena in modern times. The lives of earlier people were largely based on constant travel and movement in search of food and shelter. Over time, life became more stable, and travel became less essential. However, there are still several factors that motivate or force people to relocate.

Migration is directly classified into several categories, depending on the motive behind it, as follows:

- individual will: by choice/forced;
- continuity: permanent/temporary;
- geographic range: internal/external;

- legality: legal/illegal migration; and
- general classifications: immigration (incoming), emigration (outgoing), commuting, return migration, continuous migration, and complete migration.

### *6.6.1 The Causes of Migration*

People decide to migrate for several reasons:

- Unemployment: This is seen as one of the main factors affecting migration. The lack of job opportunities for young people pushes them to relocate in search of work, and thus productivity and income.
- Population growth: Population density is one of the factors encouraging migration, due to its adverse effects in creating poor economic conditions, as the national economy fails to provide a decent life. As such, people relocate to better places, seeking to improve their economic conditions by migrating to developed nations with booming economies in order to generate high income and welfare.
- Political motives: These result from military conflict and war, as well as political disputes and government-imposed economic pressures, along with general neglect and lack of a decent life for young people.
- The search for academic and work experience.
- Escaping and surviving natural disasters.
- Seeking safe havens and escaping war.
- The lack of community services for individuals.

### *6.6.2 The Advantages of Migration*

These may include

- communicating with other peoples and learning their cultures;
- obtaining high-level academic degrees;
- gaining important life experience and motivation for work on a wider scale;
- the diversity of an immigrant labor force from various countries;
- having better living standards in booming economies; and
- satisfying physical needs by receiving better services, such as security and income.

### *6.6.3 The Disadvantages of Migration*

These may include

- losing one's original identity and giving up some customs and traditions;
- adopting new customs and traditions that may contradict those at home;
- distance from family, and feeling estranged in one's own home;

- giving up the mother tongue in favor of new languages;
- discrimination and mistreatment by natives; and
- draining home countries of scholars and labor.

Sudan is one of the Arab African countries suffering from migration and displacement, both internally and externally. As mentioned earlier, the adverse effects of migration are no secret. Many studies have examined the various aspects of migration. As a social institution, marriage has undergone many changes due to migration. These include the changing age at first marriage, the disappearance or transformation of wedding rituals and ceremonies, and changing spousal roles. In addition, new types of marriage have emerged, such as “white marriage” (living together without marrying). Other changes include the migration of wives and decreasing number of family members. On the other hand, migration has had some positive effects on marriage. It has provided a decent life that has helped stabilize some marriages. It has also led to the elimination of some harmful marriage rituals stemming from culture, customs, and traditions. Additionally, migration has helped with family planning and allowing more time between births. Wives have also been able to take up previously prohibited roles, such as head of the family and primary decision-maker of the household. Furthermore, migration has opened up opportunities for travel and integration into new communities, and for an economically easier life.

### 6.6.4 The Effect of Migration on Changes in Some Marriage Rituals

One of the changes that migration inflicts upon the institution of marriage is manifested in its ceremonies and rituals. Sudan is a vast country with a large number of tribes and ethnic groups. Each tribe has its own marriage traditions and culture, including engagement, dowries, bridal preparations, and the format of the marriage contract, whether religious or civil, as well as the wedding celebration itself. All these factors are shaped by the geographic environment in which the couple lives, as well as the economic and social activities they practice. In the case of migration or displacement, people lose this cultural component. As such, they make adjustments to adapt to their new reality and environment. Such changes are particularly noticeable among tribes forced to leave their homeland and settle in refugee or displacement camps. Deng’s case study (2004) of Shilluk in Jebel Aulia displacement camp shows how displacement affected marriage ceremonies and rituals in terms of the type and payment method of dowries, which used to consist of a certain number of cows. After displacement this tradition changed, as the Shilluks could no longer maintain it. Deng found, however, that displacement did not have a significant effect on engagement and marriage celebrations. Another aspect that remained unaffected was the decision to marry and choose a wife, which continued to be in the hands of the prospective husband. Despite their displacement, Shilluks maintained the tradition of marrying from within their tribe, and the mixing of lineages remained minimal.

Meanwhile Yomima (2008) found that after migrating and settling in Khartoum, members of the Moru tribe left their camps and integrated with the local population. While their marriage traditions changed in terms of dowries and the religious aspects of the process, the tribe maintained many of its cultural rituals of marriage. The tribesmen also maintained the way they choose a wife and celebrate marriage, which made them feel unique in their new environment (Yomima, 2008). Despite some of them having been migrants for a long time, or even being second-generation migrants, they considered marriage an essential part of their cultural identity, passing it from one generation to the next. Another group of researchers believe that migration has played a positive role in the elimination of some rituals and preparations that took their toll on spouses and their families. In addition, marriage ceremonies in the new countries are much simpler and less complicated.

### *6.6.5 The Effect of Migration on Marriage Age*

The social impact of migration includes a delay in marriage age among many young men and women. Their celibacy, and older marriage age among young men, can be attributed to their migration abroad. Marriage age is closely associated with the financial situation of prospective husbands, as well as the deteriorating economic conditions in Sudan, a major cause of migration. As such, youths spend a long time seeking to leave the country and save some money. Moreover, a migrant suitor is expected to be in a better financial state than his counterparts at home. This is why it takes the migrant longer to reach a certain financial state in order to meet people's expectations of someone working abroad.

The effect of migration on marriage age is different when it takes place inside the country. Internal migrants or displaced people relocate in order to flee war or natural disasters. This means they lose their sources of livelihood, whether agricultural or pastoral. They start a new life with new surroundings and new means of making a living, which may not be the same as they had before. For them, marriage is delayed depending on the attainability of income and housing, which they need in order to start their marital life. Until these essentials are available, marriage remains a delayed dream. Even though early marriage was common in many parts of Sudan, it has now become a declining phenomenon among migrants. As such, we can conclude that migration has a clear effect on marriage delay among both men and women.

Despite the significant correlation between migration and marriage age, research is lacking on this matter. Al Awad (2003), investigating marriage delay for both genders in Khartoum State, lists migration as one of the causes, and concludes that migration negatively affects marriage age, the average of which has increased for both genders.

## 6.6.6 *The Role of Migration in Changing Marital Roles*

### 6.6.6.1 When Both Spouses Migrate Together

Migration plays a substantial role in marital relations, whether or not they are satisfactory. It brings spouses closer together and develops their relationship into one of partnership and solidarity as they work together to adapt to their new lives away from home. Samira Amin's 1985 study of immigrants in Riyadh looked at the positive and negative effects of work-oriented migration to the Gulf on marital relations. It found that in such cases marital relations were characterized by intimacy and cooperation on household chores, especially if the wives worked as well. Harmony, quality time, and social visits were also noted. Amin also explains how this intimacy stems from being away from extended families, and how exile at such a distance affects the couple directly. Al Hussein's study of Sudanese families in Qatar (2005) explains how internal and external migration play a significant role in marital relations, and how migration helps with spousal satisfaction and closeness. It also found that being away from influential factors such as extended families could be a major reason for a decline in conflict and disputes. Homesickness and the wish to belong with a wife and children were also found to help bring spouses closer. On the other hand, the husband's preoccupation with work and a limited social life helped with spousal harmony.

Amal's study *Changes in the Marital Roles of Eritrean Spouses in Khartoum* (2002) examined the cases of Eritrean couples who relocated to Sudan in search of work to flee from the woes of war and poverty in their homeland. It confirmed that the productive role of wives became no less important than their procreative role. As such, families became essentially dependent on wives' incomes, due to their easier access to work. Meanwhile, husbands took on childcare responsibilities while their wives were at work, without any associated stigma, unlike the case before migrating to Sudan.

Meanwhile, Abdeen (2005) sought to identify how the internal migration of inhabitants of the Nuba Mountains region to Khartoum and refugee camps affected marital roles. She concluded that the spouses' productive roles saw a significant change compared to their pre-migration roles. Wives began to work hand in hand with their husbands in order to provide for their families, and their lives were substantially affected, since they had not played such a role before migration. Their procreative roles were also affected, with husbands becoming more involved.

### 6.6.6.2 When Husbands Migrate Alone

Most studies on marriage and migration focus largely on changes to spousal roles, whether both spouses migrate or the husband alone. The absence of the husband contributes to such changes, leaving the wife taking on her husband's responsibilities in addition to her own. Saeed (1999) examines how men's migration to work in the

Gulf, leaving their wives and children in Sudan, affected their marital relations. She confirms that many factors force husbands to leave their families behind in Sudan in pursuit of work abroad, including work circumstances and conditions in the destination country. Moreover, there are social aspects that prevent wives from leaving their extended families, such as taking care of elderly parents or school-age children, which is why some wives prefer to stay behind in Sudan. Saeed also confirms that the months-long absence of husbands affects marital relations. Wives who live alone with their children tend to have a higher sense of freedom and a wider range of decision-making ability within the family. They also have a higher sense of responsibility and intuitiveness. Wives who remained with their husbands' families said they hardly felt any changes, however, since the husband's authority merely shifted to his father or older brother. They also said their husbands' absence added more control over their movement and they felt a general lack of security or freedom, because they feared their behavior could be reported to their husbands in a negative way, leading to reproach. On the other hand, wives who stay with their own families have a much higher sense of security. They often receive help from their parents or siblings with their responsibilities, such as shopping or childcare. In addition, these wives have more freedom to make decisions, because their economic situation is stable due to the funds sent by their husbands. However, they do not have much freedom of movement or ability to spend much time with their friends, since that depends on permission from the males of the family, who are essentially the women's supervisors. According to general norms and traditions, women who go out too much risk gaining a bad reputation, which may lead to tension with their husbands. In the three categories above, the wives confirmed that the husband, even as a migrant, remains head of the family and takes major decisions, such as those regarding children's marriages or education.

Babiker's study (1999) on the views of female heads of households about their situations when widowed or left behind by a migrant husband found that many women had great liberty to take decisions, as well as complete fulfillment of family responsibilities. They also enjoyed freedom of movement, spending quality time, and having a higher sense of self-worth. Others, however, said the husband's absence had negative effects, as the wife came under constant scrutiny from society and her extended family, which puts a significant burden on wives.

Iman and Insaf (2004) examined the psychological effect of husbands' exile on wives and showed that the wife is negatively affected, as she becomes more prone to depression and anxiety due to the difficulties she faces in managing family affairs. Mubarak (2004) confirmed the psychological and social repercussions of the husband's absence and its effect on the family. Despite the resulting financial benefits and higher standard of living, children are negatively affected as they grow up without a father to be their role model. Boys in particular tend to neglect their schoolwork, while wives have difficulty raising the children and dealing with the psychological distress they feel (Mubarak, 2004).

Saeed (1999) found that many factors prevent wives from migrating with their husbands. These include the type and location of the work that the husband will be doing, or in some cases the presence of one or both of the spouses' parents,

which requires the wife to stay behind and care for them. In the husband's absence wives also enjoy privileges such as managing the family budget, as well as being the main decision-maker. Moreover, social responsibilities decline, allowing the wife to feel more independent and make some time for educational activities. Saeed goes on to confirm that when the husband returns, tension in the marital relationship tends to rise, as the wife will be required to give up some of the aforementioned privileges and adjust to a different lifestyle. Alnour (2002) indicates that marital relations are affected both negatively and positively by male migration. The negative effects manifest in the burden that falls on the wife and the constant scrutiny from society, her family, and her husband's family, not to mention the long deprivation of intimate relations; the positive effects lie in the wife's increased freedom to make decisions and manage the family budget.

### *6.6.7 The Effect of Migration on Raising Children*

Many studies on marriage and migration have raised the issue of children's upbringing, which they say is a highly significant aspect of marital satisfaction and stability. Some studies point to cultural differences between the child's homeland and the destination country, as well as the resulting challenges faced by the spouses. The problems and challenges arising from internal migration or migration to neighboring countries are somewhat different from those faced by the couple if they relocate to a more distant country. For example, the first thing the couple face in developed countries is the legal protection of children, even from their own parents. This contradicts the couple's idea of their absolute right to raise their child, as granted to them by nature, religion, and society. Omar (2015) and Al Hussein (2005) highlight the role of child upbringing in the stability—or lack thereof—of marital relations in the context of migration abroad. They address the issue of raising children abroad and the difficulties the parents face in preserving the children's identity and native language, which may eventually require a return to the homeland. Meanwhile, Ghada's study on the status of migrant women (2017) indicates that the wife plays an essential role in the children's cultural and educational processes by raising them based on the same cultural setting, customs, and traditions of the homeland. Sawsan's study (2006) on the effect of migration on women and children indicates that the child's upbringing and identity are significantly affected, which requires the mother's attention in order to maintain language, religion, customs, and beliefs. This is considered one of the challenges that parents face in raising their children abroad.

Ossome (2009) examines the effects on children of migration caused by war, as well as relocation into refugee camps, and focuses on how social, political, and economic institutions respond to the needs of children impacted by war. She also highlights an important factor in the issue of marriage and migration, in addition to the upbringing of children in a different environment and its ramifications when they return to their homeland. She explains that children are substantially affected by refugee life, and that families must be encouraged and motivated to return to

their homeland in order for the children to obtain all essential services, namely education. Ossome concludes that armed conflict exacerbates the already fragile relationships between husbands and wives in refugee camps. Moreover, the fact that the government does not prioritize children's issues is likely to obstruct the effective reintegration of children into Sudan after the conflict is over. A balanced familial environment must be created for the sake of the children.

### *6.6.8 The Effect of Migration on the Wife's Reproductive Health*

Internal and external migration have drawn attention to issues within the institution of marriage that were generally neglected or deeply influenced by customs and cultural traditions, and in some instances associated with religious misconceptions relating to issues such as family planning and sexually transmitted diseases. Approaching these issues—either through governments or organizations—became feasible with the displacement and migration of groups who had strong ties and cultural bonds with their homeland. Some studies on marriage and migration have highlighted the very important issue of reproductive health. Attention has been given particularly to couples who migrate due to war or natural disasters, in order to preserve the core of the family and the notion of procreation, and to provide various related services. Mahmoud (2013) set out to determine the social, economic, cultural, and psychological factors pertaining to individuals and communities that affect the maternal healthcare services provided to internally displaced women.

Jabir (2013) assessed the reproductive health care provided to women at Mayo IDP camp, as well as their awareness of reproductive health and the effect of healthcare quality on the decision to stay. She found that healthcare services were available to the camp's women of childbearing age, but the high costs of formal healthcare sectors would force many of them to resort to midwives or traditional therapists for checkups during pregnancy. Jabir confirmed a lack of adequate health care and experienced health workers in the hospital. Other researchers have cited distance from facilities as a reason for not resorting to formal healthcare services. Patients who nevertheless did turn to the formal sector reported not finding the healthcare services there satisfactory. In addition, most respondents had very limited knowledge of the necessary precautions for pregnant women, and half of them were found to have only a vague awareness of sexually transmitted diseases and HIV/AIDS, or how to prevent them, yet most respondents said there were no health education programs in the camp. The researcher concluded that reproductive health services were insufficient, and that the health education program in Mayo IDP camp was similarly inadequate. More efforts were needed from the government, NGOs, and civil society to enhance both health and the health education program (Jabir, 2013).

Other studies focus on different aspects of the issue. Eisa (2006) looks at health education and the impact of cultural variables on women's reproductive health in

Jebel Aulia camp (2006), while Shallouma (2003) examines social and cultural factors affecting maternal health and decisions regarding use of healthcare centers, as well as the use of contraceptives, among Nuba people in Al Salam IDP camp in Dar es Salaam, Omdurman. The results show that most women did not use family planning methods due to their lack of knowledge of reproductive health issues and their importance to their health. Moreover, many mothers preferred to turn to trained midwives instead of the available health centers due to social and cultural factors, as they were under the misconception that family planning aimed to sterilize them. However, most of the women stressed that the decision to use contraceptives was up to their husbands. Shallouma makes several recommendations, including empowering women so that they can influence decision-making to improve maternal health conditions, raising awareness among men and women, and training traditional midwives to help women improve their maternal health.

Mandil (2013) conducted a comparative analysis of fertility in Qatari and Sudanese women in Qatar, explaining that despite various studies on the relationship between external migration and migrant fertility, no comparison had been made with the fertility of women in the host country, with the hypothesis that moving from a poor country to a rich country leads to a significant decline in fertility of the migrants. After close examination of the different variables and subjecting them to different statistical tests, Mandil concludes that the fertility of Sudanese women is consistently lower than that of Qatari women, despite the fact that the fertility of Sudanese women residing in Sudan is much higher than that of Qatari women. His findings confirm the relationship between external migration and fertility, as mentioned above. His main recommendation is to conduct such comparative analyses in other countries, particularly the Gulf states.

## 6.7 Marriage During Conflict and War

This section examines marriage during war and conflict. There are hardly any academic studies discussing this issue in terms of changes to the institution of marriage, including to marital relations, rituals, marriage age, or how a life partner is chosen. However, we can draw some tentative conclusions on what has happened to the institution of marriage through studies looking into changes to the roles of displaced women in light of war and conflict.

Abdeen (2005) focused on changes to the roles of women displaced from the Nuba Mountains—a war zone—to the capital city, settling in Omdurman. The main change lay in married women playing a great productive role that contributed to the family's income. This traditional role changed from farm work aiming to feed the family in the Nuba Mountains to city work including the sale of food and tea and working inside the home. Some of the women even began making and selling local wines, generating a large income, despite the risk of confiscation and prison, since selling wine is illegal. Abdeen notes that this active economic contribution increased the women's influence within the family, as well as their ability to make decisions.

This changed marital relations, granting women relative power and shrinking their reproductive role and housework, which became the responsibility of daughters or sons since wives were spending more time doing productive work.

Meanwhile, Elamin (1999) studies the impact on women displaced from the Nuba Mountains to the El-Baraka district near Khartoum of development projects that aim to increase women's income by improving their skills in income-generating work. She confirms that women contribute to the family income, especially to the decision to fund the children's education, as well as improving their living conditions.

Aldow (2014) examines how people displaced by war and conflict have integrated into new communities in the capital, and finds that changes have occurred in the way people choose a spouse. Each man and women is now able to choose their own partner, unlike the case in the Nuba Mountains, where their partners were imposed on them. There were also changes to the duration of marriage ceremonies, which have become limited to one day, compared to four-day weddings back in the Nuba Mountains. Aldow also notes how these displaced people struggle to integrate in the capital after losing their pre-war lands, houses, livestock, and simpler lifestyle.

Clearly, research on marriage and family during conflict, or inside conflict zones, is in its infancy. We also note that the studies above indicate the strategies adopted by families and women displaced by war to adapt to their new conditions. The lack of research requires that more attention be given to the issue in future, through academic research into conflict zones, in order to learn more about the demographic impact of conflict on the institution of marriage, in addition to marital relations during conflict.

## 6.8 Conclusion

This section summarizes the findings and recommendations arising from this chapter on marriage in Sudan. It explains that the number of studies on such an important institution is relatively low. It rarely forms the subject of a research program, and instead is researched only by universities interested in the issue or as part of a strategy by the state or relevant ministries. Thus we find that relevant studies and research are mostly carried out toward academic degrees, especially master's or bachelor's degrees but sometimes Ph.D.s. The only national survey available was conducted by UNICEF, on early marriage, in 2015. There are no specialized surveys on marriage and related issues such as marriage age, types of marriage, violence, divorce, and the spouses' education, work, and migration statuses. A portion of this information was obtained from the Multiple Indicator Cluster Survey (MICS) of 2014, as well as the population census of 2008. Since Sudan has a new MICS and census coming up in 2018, it is worth noting the need to focus on the data that needs to be collected, analyzed, and written up in a special paper.

We list below the main points discussed in this chapter on marriage in Sudan, in addition to the issue of the rates, causes, frequency, and timing after marriage, of divorce. One of the most important findings of marriage-related studies is that the rate of early marriage has not declined despite worsening economic conditions,

rising poverty, and increasing education levels. In this regard, there should be a law setting the minimum marriage age at 18 years old for both genders.

Many of the studies discussed in this chapter note the need to conduct more research and to amend or issue laws and policies related to marriage. In the following section, we highlight important recommendations that the research team thought worth following up.

The studies we looked at showed that changes have occurred in terms of polygamy and its rejection as a culture, as well as the priority given to consanguineous marriages. In fact, acceptance of exogenous marriage has become common in urban and educated circles. The concept of delayed marriage age has also changed, with marriage by the age of 30 now being expected, and at 35 being regarded as delayed. This delay is seen as the result of higher and postgraduate education, as well as work and migration. It has also become more acceptable for married women to take over the family in the absence of the husband, giving them a degree of freedom and decision-making. New patterns of marriage have emerged, such as *misyar* and *ithar* marriages (despite being socially unacceptable), in addition to state-sponsored group weddings. Studies also indicated that migration and displacement caused by war, as well as women's work, were among the factors affecting marital relations in terms of role distribution and women's status. These factors either improved marital relations through better marital satisfaction and cooperation between spouses, or worsened them through increased responsibilities on the spouses. Furthermore, studies examined the effect of migration on reproductive health and family planning. They also looked into cultural changes that have led to the breaking of taboos on violence against wives and stereotypes of married couples. The impact of education and population growth in urban centers was also examined as contributing to the changes mentioned above.

The chapter's most important recommendations in terms of future amendments to laws that must be made in order to close current loopholes, as well as policies, norms, and studies, are found below. In terms of laws, the recommendations include the following.

1. The need to issue legislation that prohibits the marriage of girls under 18 years of age, in addition to making education compulsory until the end of high school and amending the Personal Status Code to allow marriage only between spouses at least 18 years old. This would protect girls from pregnancy at a young age, to avoid the health risks, especially for girls below the age of 16. Feminist groups and the UNICEF office in Khartoum have already made these demands, which comply with international conventions including the 1990 Convention on the Rights of the Child, which Sudan has ratified.
2. The need to amend the law on the criteria for a legal marriage by removing the requirement for the bride's guardian's approval, and granting girls over 18 the right to get married without it and merely notify the guardian. This

has been discussed in studies from the Regional Institute of Gender, Diversity, Peace, and Rights at Ahfad University for Women, as well as the Sudanese Organization for Research and Development (SORD). Other studies have also noted the need to define marriage and the marriage contract, as well as to set strong justifications for polygamy, requiring the first wife to be informed and granting her the right to divorce should she refuse to remain in a polygamous marriage. Amending the legal requirements for marriage would be expected to clarify for society the current misunderstanding that *urfi* and secret marriages are Islamically valid, when in fact they are illegal and count as adultery, since they take place without the knowledge or approval of the woman's guardian. To solve this problem, it would be better to amend the 1991 Personal Status Code by removing the requirement for the guardian's approval for the girl to marry. This recommendation, which came to be known as the "Consensual Marriage Bill," was submitted and approved one year during the National Dialogue Conference by a large number of political parties. However, Parliament rejected the bill, amid harsh criticism by lawmakers who said allowing girls to get married without their guardians' approval would lead to the disintegration of families and the social fabric. We support granting women the right to get married without their guardians' approval. Instead, a woman should be allowed simply to notify the guardian of her marriage, so that he cannot marry her off (according to common practice) while she is already married without his knowledge.

3. A further amendment should be made to the 1991 Muslims' Personal Status Code in relation to the rights of husbands over their wives. This includes obedience and the need for permission to work, travel, or leave the house. In practice, these laws do not often apply. However, a strict husband may use them, especially if he wants to prevent his wife from working or leaving Sudan for work. If she does work without his approval she is considered disobedient, and may subsequently lose her right to alimony. Economic conditions in Sudan have already forced many men to accept their wives' working, but it is crucial to amend the law to bring it into line with the Constitution, which guarantees equal civil and political rights. It is common practice across Sudan's rural areas for women to carry out farming, commercial, and pastoral work. As such, the Personal Status Code should not contradict other laws, norms, or the Constitution.
4. Another recommended amendment to the 1991 Muslims' Personal Status Code is to require a prospective husband to notify the judge, the marriage official, or the bride if he is already married. This issue has various ramifications, as in cases of Sudanese women marrying foreigners whose countries do not allow polygamy. For example, when Turkish men marry Sudanese women while already having wives back in Turkey, the Sudanese wives are left without any rights or even recognition of their marriage according to

Turkish law. Meanwhile, Sudanese law recognizes them as second wives. This often leads to legal conflict, leaving Sudanese women without rights to inheritance or alimony, or any civil rights. According to Turkish law, neither the Sudanese wife nor her children are recognized.

**Policies**

In terms of policy, studies have noted the need to allocate special budgets for girls' education and create policies to support displaced women, offering them psychological and physical assistance, especially for female heads of households.

Studies on spousal relations, compatibility, and violence have emphasized the need to promote a culture of condemnation of all forms of violence against wives, including verbal and emotional violence, and deprivation of education, work, or development, all of which may lead to deteriorating marital relations and possibly even divorce, as wives feel their capabilities and ambitions are being constrained, and their dignity or rights undermined.

In some of the studies, researchers stressed the need for marriage counseling centers to offer advice and guidance to couples before and during marriage. This would ensure lasting marriages based on compatibility and mutual interests, which would make both spouses happy and reduce conflict, violence, and divorce.

Followers of the relevant television and radio programs (on family or legal issues) get to learn about real cases being discussed in relation to marriage, and particularly to spousal relations. The extent of such discussions in the media proves the need for specialized centers to support the institution of marriage. In Khartoum there is only one such center. It should be noted, however, that there are other centers dedicated to supporting victims of domestic violence and psychological trauma resulting from all forms of violence. The government recently opened a police unit for the protection of women and children in every Sudanese state. These units are intended to handle reports from family members against each other, such as a wife reporting her husband in cases other than divorce and alimony, which are usually referred to the family courts. At Ahfad University for Women, there is a psychological trauma center dealing with all types of mental issues resulting from war, torture, sexual harassment, and rape, with several branches across five states. There is also an NGO specializing in cases of violence against women, providing them with support. There are many groups in addition offering legal assistance, though they do not provide marriage advice. As a research team, we note the lack of specialization in this field in Sudan. As such, we recommend the establishment of relevant specialized training centers.

At the same time, there needs to be a culture of spouses seeking out such centers. In general, people turn first to their extended families, and then friends, for marriage advice, or even when choosing a suitable partner, as confirmed by the studies mentioned above. As such, with growing urban populations and rates of migration (both internal and external), and in order to maintain the institution of

marriage, centers, NGOs, media channels, and TV programs should offer marriage support. This can range from choosing a partner and awareness of rights and duties to achieving satisfaction and compatibility and avoiding all forms of violence.

It is important to note the need to spread a new culture and values of this kind that show the significant role of wives, whether or not they go out to work and earn money, and to value that role. It is also important to note the importance of husbands taking part in housework, and of changing the misconception that an ideal wife carries out, or supervises, all housework; obeys her husband; looks after her appearance; and raises the children, ensures their academic success, and cares for them when ill. Husbands do not usually undertake any of these duties, and their responsibilities are limited to financial support and decision-making. They are also entitled to such things as their wives' obedience, as well as deciding how to spend their own time and income. This culture must be changed in a way that allows for equality and the dividing of responsibilities between spouses, including decision-making, allocation of income, and how personal time is spent.

This culture of unequal roles and status has become unacceptable among new generations of young women, especially those who are educated and working. The gap between the roles expected of them and reality creates fractures in marriage and leads to

1. delayed marriage among girls, who may fear marriage will be used to suppress their freedom and personal achievement; and
2. celibacy or delayed marriage among men, who may fear differences, responsibilities, or a reduction of their freedoms after marriage.

The media and school curricula must work to correct such stereotypes of the roles and status of men and women, and marital relations.

## Further Research

In terms of further research, we recommend the need to conduct studies on

1. Marriage among non-Muslims in Sudan, as such studies are unavailable.
2. The impact of work, education, and migration on marriage, and on the cultural and social changes among younger generations in terms of choosing spouses and their idea of marital relations, as well as the social value and status of each of the spouses from their points of view on marriage. This includes accepting new types of marriage, marital compatibility, and the concepts of delayed and early marriages. Such studies will have an impact on changing legislation and supporting policies.
3. Polygamy, spousal violence, and all forms of cultural violence against wives, such as female genital mutilation (FGM) and other issues, all of

which should be discussed through in-depth research and surveys, which will explain the current situation and changes desired.

4. Marriage, migration, and conflict (which have been addressed in a limited number of studies), based on recommendations by universities and research centers that consider them essential subjects of study. Most studies on migration, war, and conflict have dealt with ways of adapting to the new situation, as well as types of work, social and cultural integration and adaptation, and the problems they face, all without taking into consideration the issue of marriage. This has resulted in weak Sudanese research into marriage, migration, and conflict.
5. A comparison of marriage-related laws, policies, and programs in Arab countries, in order to benefit from successful models.

## References


Abdallah, S. T. (2005). *Attitudes of Muslim women towards polygamy and its relationship to some demographic variables in the state of Khartoum.* Master's dissertation, University of Khartoum (in Arabic).

Abdalli, Y. (2004). *Reasons behind court-ordered divorce.* Ph.D. research, Omdurman Islamic University (in Arabic).

Abdeen, A. S. (2005). *Forced migration and its effects on changing gender roles: A case study of the women of the Nuba Mountains in Wad Al Bashir camp, Sudan* (in Arabic).

Abdel Halim, S. (2017). *Proposed amendments to the Personal Status Code.* Women's Leadership Series. Ahfad University for Women, Regional Institute of Gender, Diversity, Peace, and Rights (in Arabic).

Abdel Latif, M. (2005). *Marriage issues in the Arab region.* Dar Al Ma'aref (in Arabic).

Abdel Rahman, E. A. (1999). *The attitudes of university women students towards the selection of a spouse.* Master's dissertation, Ahfad University for Women.

Abdel Rahman, M. N. A. (2016). *New marriage contracts: A comparative study.* Master's dissertation, Omdurman Islamic University (in Arabic).

Abdel Rahman, W. A. (1999). *Working women and household responsibilities.* Master's dissertation, Ahfad University for Women, Regional Institute of Gender, Diversity, Peace, and Rights (in Arabic).

Abdelrahman, A. I. (1989). *Regional marriage patterns and trends in North Sudan.* African Demography Working Paper No. 18. University of Pennsylvania, Population Studies Center.

Ahfad University for Women. (2004). *The rights of adolescent girls and women in Sudanese laws* (in Arabic).

Ahmed, A. M. (2012). Domestic violence in Sudan: Patterns and causes. *Cultural Journal of Human Rights* (in Arabic).

Ahmed, I. (1998). *Attitudes of female students towards husband selection.* Master's dissertation, Ahfad University for Women, Regional Institute of Gender, Diversity, Peace, and Rights (in Arabic).

Ahmed, R. I. (2006). *Marriage between Sudanese and non-Sudanese people: Features and issues.* Master's dissertation, Ahfad University for Women (in Arabic).

Ahmed, S. A. (2010). *The psychological, social, and economic effects of polygamy.* BA research, Ahfad University for Women (in Arabic).

Ahmed, U., & Hassan, T. (2016). *The extent of violence against wives in Khartoum State.* BA thesis, Ahfad University for Women (in Arabic).

Al Awad, S. A. (1999). *Domestic violence between spouses: Facts and response.* Master's dissertation, Ahfad University for Women, Regional Institute of Gender, Diversity, Peace, and Rights (in Arabic).

Al Awad, S. M. (2003). *Delayed marriage age for both genders in Khartoum state: Some causes and psychological effects.* Master's dissertation (in Arabic).

Al Baseer, A. H. F. (2008). *Social factors delaying marriage age among women working in specialized professions in Khartoum State.* Master's dissertation, University of Khartoum (in Arabic).

Al Daba'a, A. (2002). *Family sociology*. Dar Al Wafaa (in Arabic).

Al Hashimi, S. (2016). *Comparing international agreements to the Muslim Personal Status Code in Sudan.* Adolescent rights handbook series (in Arabic).

Al Hussein, M. A. M. (2005). *The impact of migration on marital relations: An applied study on Sudanese families in Doha, Qatar.* Master's dissertation, University of Khartoum, Faculty of Economic and Social Studies (in Arabic).

Al Khashab, S. (2008). *Social theory and the study of the family*. Dar Al Ma'aref (in Arabic).

Al Ma'moun, M. A. (2013). *Polygamy in Sudanese society from the perspective of the second wife.* BA research, Ahfad University for Women (in Arabic).

Al Maryoud, A. (1998). *Forming a stable family in light of economic challenges and social changes.* University of Khartoum Press (in Arabic).

Aldow, H. A. (2014). *Displacement and challenges of cultural adaptation: Case study of people from South Kordofan in Mayo IDP camp, Khartoum.*

Ali, I., & Saleh, M. (2014). *Marital compatibility among visitors of fertility centers in Khartoum.* Supplementary research for honors. Ahfad University for Women, School of Psychology (in Arabic)

Ali, M. M. (2006). Conditions of legal and customary marriage in Sudanese law. *Journal of Sharia and Islamic Studies, 8* (in Arabic).

Alnour, A. (2002). *The impact of male out-migration on the conjugal relationship: A social analysis.* Master's thesis, Khartoum University.

Anglo, M., & Ali, H. (2016). *Manifestations of violence against wives in Omdurman.* BA research, Ahfad University for Women (in Arabic).

Arshad & Fawziya. (2009). *Early marriage and its psychological effects on women in the White Nile State.* Bachelor's paper, Ahfad University for Women (in Arabic).

Babiker, M. A. (1999). *Female heads of households: Dependant versus independent perceptions.*

Badawi, Z. A. (2008a). Needed reforms in Muslim family laws and customary laws in Sudan. In A. M. Tire & B. Badri (Eds.), *Law reform in Sudan.* Ahfad University for Women.

Badawi, Z. A. (2008b). Women's rights in the Personal Status Code. Cited in A. M. Tire & B. Badri (Eds.), *Law reform in Sudan.* Ahfad University for Women.

Badri, B., et al. (2013). *Women's quota in the 2010 election law.* Unpublished report, Ahfad University for Women, Regional Institute of Gender, Diversity, Peace, and Rights (in Arabic).

Badri, N., & El Hussein, T. (2014). *Exploring stakeholders and activities perspective interventions for combating child marriage.* Ahfad University for women (in Arabic).

Burke, R. J., & Greenglass, E. R. (1987). Work and family. In C. L. Cooper & I. T. Robertson (Eds.), *International review of industrial and organizational psychology 1987* (pp. 273–320). Wiley.

CEDAW. (1979). *Convention on the elimination of all forms of discrimination against women.* United Nations. https://www.ohchr.org/Documents/ProfessionalInterest/cedaw.pdf

Deng, C. A. (2004). Marriage customs in a changing context: A case study of Shilluk in Jebel Aulia displaced camp. *Ahfad Journal, 31*(1), 87.

Eckenrode, J., & Gore, S. (1990). Stress and coping at the boundary of work and family. In J. Eckenrode & S. Gore (Eds.), *Stress between work and family.* Springer. https://doi.org/10.1007/978-1-4899-2097-3_1

Eid, M. F. (1999). *Contemporary crime.* Nayef Academy for National Security (in Arabic).

Eisa, H. (2006). *Displaced women's reproductive health in camps—The effects of some social variables: A case study of Jabel Awlia.* Master's thesis, Africa University.

Elamin, N. A. (1999). *A socio-economic perspective of the role of women in development: A case study of a displaced women, population and development project in Hay El-Baraka area.*

Evans P., & Bartolomé, F. (1986). The dynamics of work-family relationships in managerial lives. *International Review of Applied Psychology, 35* (special issue).

Fadl, A. H. (2017). *The impact of social and economic change on delayed marriage age in Sudanese societies.* Master's dissertation, Sudan University of Science and Technology (in Arabic).

Gamal Eldin, A. (2012). The history and features of migration within Sudan. *Ahfad Journal, 2* (in Arabic).

Gender Wiki: A collaborative feminist platform that works on producing knowledge on gender, feminism, and women-related issues in Arabic language. It provides open content and promotes the production of open knowledge in this field.

*General population census, 2008.* Central Bureau of Statistics in Sudan (in Arabic).

Global Arabic Encyclopedia. (1999). *Encyclopedia foundation for publishing and distribution* (2nd ed.) (in Arabic).

Goma'a, F. I. (2010). *Girls' views on marrying a married man.* BA research, Ahfad University for Women (in Arabic).

Greenhaus, J. H., & Beutell, N. J. (1985). Sources of conflict between work and family roles. *Academy of Management Review, 10*, 76–88.

Hamed, R. O. (2000). *Medical behavior to investigate the issue of infertility: A case study in Jabal Al Tina.* Master's dissertation, Ahfad University for Women, Regional Institute of Gender, Diversity, Peace, and Rights (in Arabic).

Hemmat, M. G. (n.d.). *Group weddings as a strategy to protect youths in the Sudanese society* (in Arabic).

Ismail, S. M. Y. (2009). *Documenting the customs, traditions, and rituals of marriage, childbearing, and grief that consolidate the marginalization of women among the Hawazma tribe.* BA research, Ahfad University for Women (in Arabic).

Jabir, E. M. I. (2013). *Reproductive health care provision for IDP women: The case of Mayo IDP camp.*

Khaled, T. A. (2003). *The behavior and practices of early and child marriage in six states in Sudan (South Darfur, East Darfur, West Darfur, Central Darfur, Gedaref, Khartoum).* UNICEF Sudan & the Central Bureau of Statistics (in Arabic).

Khalifa, R. H. (2017). *Highlights from the feminist movement* (in Arabic).

Khalil, W. I. H. (2008). *Celebrating Arab Family Day, Yemen* (in Arabic).

Kuper, A. (1999). *Culture: The anthropologist's account*. Harvard University Press.

Lambert, S. J. (1990). Processes linking work and family: A critical review and research agenda. *Human Relations, 43*(3), 239–257. https://doi.org/10.1177/001872679004300303

Locke, E. A., & Latham, G. P. (1990). *A theory of goal setting and task performance.* Prentice Hall.

Mahmoud, W. A. (2013). *The determinants of maternal health care in Gabarona. International displacement camp.*

Mandil, U. Y. (2013). *A comparative study of the levels and determinants of fertility among Qatari and Sudanese women in the State of Qatar.* Ph.D. thesis (in Arabic).

Merghani, B. I., Kodi, R. M., & Aljack, F. S. (2016). *Early marriage: Causes and effects in Dar Assalam—Ombada.* BA research, Ahfad University for Women (in Arabic).

Moussa, H., & Mohamed, I. (2017). *Factors leading to violence against women and its effects.* BA thesis, Ahfad University for Women (in Arabic).

Moussa, M. A. (1981). *Marital rights in Islamic Sharia.* Master's dissertation, International University of Africa (in Arabic).

Mudawi, O. M. (2003). *The process of spouse selection in terms of social stratification impact.* Master's dissertation, Ahfad University for Women.

Multiple Indicator Cluster Survey (MICS). (2014). Central Bureau of Statistics in Sudan (in Arabic).

National Workshop Report. (2000). *Muslim women's development research.* Ahfad University for Women (in Arabic).

Omran, A. (2007). *Family planning in the legacy of Islam.* UNFPA.

Osman, I. N. (2016). Domestic violence within the institution of marriage: A case study of married middle-class women in the city of Omdurman, Sudan. *Ahfad Journal, 33*(2), 26. (In Arabic).

Ossome, M. R. A. (2009). *Southern Sudanese children between socialization in Kenya and reintegration.*

Othman, M. E. (1999). *Marital relations: A case study of Sudanese families in Khartoum.* Master's dissertation, Ahfad University for Women, Regional Institute of Gender, Diversity, Peace, and Rights (in Arabic).

Othman, M. E. (2014). Early marriage as a survival mechanism. *Ahfad Journal, 30* (in Arabic).

Rahma, B. S. (2015). *Early marriage in west Sudan.* Master's dissertation, Ahfad University for Women, Regional Institute of Gender, Diversity, Peace, and Rights (in Arabic).

Repetti, R. L. (1987). Linkages between work and family roles. In S. Oskamp (Ed.), *Applied social psychology annual: Vol. 7, Family processes and problems.* SAGE.

Saeed, K. E. (1999). *The impact of male out-migration on women's role and status in Sudan.*

Said, S. M. (2004). *Marriage customs in Sudanese society: Field study in Gezira State.* Master's dissertation, University of Khartoum (in Arabic).

Said, S. M. (2014). Some marriage customs in Darfur Region. *Our Continent Africa, 12*(April) (in Arabic).

Samkari, A. (2008). *Marital satisfaction and its effect on some mental health aspects in light of some demographic and social variables among a sample of married women in Mecca Province.* Master's dissertation, Umm Al Qura University (in Arabic).

Seddig, H. H. (2003). *The concept of honor and honor crimes among men and women in the Hawazma tribe in the South Kordofan area of Abu Kershola.* Master's dissertation, Ahfad University for Women, Regional Institute of Gender, Diversity, Peace, and Rights (in Arabic).

Shallouma, L. P. (2003). *Factors affecting maternal health among Nuba people in Alsalam IDP camp.*

Staines, G. L. (1980). Spillover versus compensation: A review of the literature on the relationship between work and nonwork. *Human Relations, 33*(2), 111–129.

Sudanese Organization for Research and Development. (2015). *Proposed alternative to the personal status code.* Sudanese Organization for Research and Development (SORD) (in Arabic).

Sudanese Women's Union. (2010). *Report* (in Arabic).

Suleiman, J. M. (2009). *Domestic violence among displaced women in North Darfur [Abu Shouk refugee camp].* Master's dissertation, Ahfad University for Women, Regional Institute of Gender, Diversity, Peace, and Rights (in Arabic).

Tarif, S. (2000). *Violence in the Egyptian family*. National Center for Social & Criminological Research (in Arabic).

Wadallah, D. T. K., & Abdel Rahman, A. E. (2015). *Causes and motives leading to* urfi *marriage from the perspective of Sudanese university students*. BA research, Ahfad University for Women (in Arabic).

Women and the Constitution in Sudan. (2013). Ahfad University for Women, Regional Institute of Gender, Diversity, Peace, and Rights (in Arabic).

Yassin, U. (2005). *Women and work: Experiment on how women manage their duties and triple roles.* Master's dissertation, Ahfad University for Women, Regional Institute of Gender, Diversity, Peace, and Rights (in Arabic).

Yomima, C. (2008). *Social changes in the marriage institution among the Moru tribe after migrating to Khartoum.*

Zaki, B. A. (1986). *A dictionary of social sciences*. Librairie Du Liban Publishers (in Arabic).

Zedeck, S. (Ed.) (1992). *Work, families, and organizations.* Jossey-Bass.

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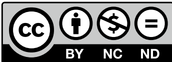

# Chapter 7
# The State of Marriage in Yemen

**Fouad Al Salahi and Arwa Al Aazi**

This chapter deploys an analytical method for approaching the issue of marriage in Yemen against the backdrop of a tumultuous social situation. For over five years now, Yemeni society has been going through a political and social crisis, where economic, social, and political challenges are on the rise. The latter cast their shadows over the family in Yemen and its roles and functions—and women are particularly affected. Marriage, as both concept and phenomenon, cannot be studied in the absence of a thorough understanding of its general social context. The significance of marriage and the dynamics of its formation cannot be separated from the context that functions as the structural force shaping individuals and their culture, and determining their interactions and interrelations. The point is particularly true of marriage and family filiation, since they form new kinds of bonds and construe people as relatives.

Marriage is determined by a number of religious, legal, and value systems, all of which intersect to offer the reference points for marriage even with the dominance of official marriage, the contract for which is stipulated in the by-laws of personal status law. Yet marriage is ultimately conditioned and legitimated by social agreements that resort to the familiar historically transmitted customs and traditions.

As such, we ask: Why do people get married? There are varied responses to this question. They depend upon the referential value systems that inform the decisions of individuals. These are often similar across civilizations and cultures—and this is equally true even for the capitalist civilization that we inhabit today, with its cultural particularity and the hegemony of commodification it embraces. Yemen is a part of this world; it necessarily interacts and intersects with it. Consequently, there are similarities rooted in the extent to which capitalism has permeated Yemeni society, influencing individuals, society, and the state. In fact, its influence is felt in changes

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in the concept of marriage itself and its various attendant practices. We will refer to this at several points in our study.

To recap, marriage occurs at the intersection of several referential systems that grant it (i.e., marriage) legitimacy through the appeal to rules and laws, as well as social and religious norms adopted by society. In fact, this interlacing system of traditions (legal, social, religious, and customary) intervenes in the process of selecting a wife in accordance with well-known provisions. These provisions differ slightly according to economic and political status. Society legitimizes marriage not just to regulate sexual practice, but also to preserve humankind. As such, procreation is safeguarded as a social value at the crux of family formation.

Hence marriage, as a social concept, is not to be decided—in most cases—by the woman or the man. Rather, it is a decision undertaken by the family unit in accordance with the systems of filiation and social relationship that are welded among families through marriage and the ensuing common life of (extended) families as a single unit where feelings of attachment and cordiality are forged. The family, in every society, is the nucleus of its vitality. It gives society its distinctive features and it achieves continuity. As a result, marriage gains its significance as the process through which families are formed.

Generally speaking, Yemeni society is traditionalist: it has traditional structures and cultures. Nonetheless, it is also dynamic. It has witnessed serious changes in the past hundred years both in the wake of political revolutions and in light of its connection with the outside world—both regionally and globally—especially since the network of foreign trade, migration, and other interpersonal interactions has widened exponentially. As such, Yemeni society continues to move with the times, adjusting to new political and economic changes by introducing new enactments and laws—not to mention the education system, health system, and expanded settlements. At the same time, however, the society is also bound up with traditions and their value and cultural reference systems. These regulate behavior and relationships—especially when it comes to marriage, its conditions, and its numerous rituals.

Since the advent of the modern nation state in the mid-twentieth century, Yemen has experienced crucial political, legal, and economic changes. These were central to the introduction of changes to the marriage contract itself, which came to the forefront of official and legal interest in light of its ties to religious and traditional social values. Broadly speaking, the process of marriage can be outlined in this manner: it is born out of an individual and familial agreement and includes ceremonies that announce this attachment. These begin with engagement and culminate in marriage. That said, the actual rituals performed in these ceremonies and celebrations vary slightly from one city to another. Updates were introduced to these traditional rituals with the rise of a large middle class with a modern education. These updates were also supported by the expansion in urbanization and the increase in internal migration toward the new urban centers. In the process there was more exposure to the outside world, especially in these urban centers. All of these changes combined to introduce novel practices into marriage ceremonies and celebrations; in fact they even initiated new marriage patterns that were previously unknown.

According to custom and tradition, the age of marriage is linked with reaching puberty. The latter is adjudicated by the family in light of biological maturity alone. That is to say, their judgment does not touch upon issues of physiological and intellectual maturity, and is not concerned with acquiring the social and lived experience necessary for establishing a family and tending to its needs. Early marriages are strongly motivated by anxiety over women's chastity (a traditional tool of sexual protection) as well as by economic considerations in poor families who see early marriage as a way of alleviating economic pressures.

Marriage takes place in accordance with social and cultural arrangements whose rules are well known and acknowledged by society as a whole. Furthermore, individuals are forced to abide by these arrangements. Marriage forms, and the ways in which they are celebrated, vary from one time and society to another. As such, marriage is a reflection of social, cultural, and religious determinants. Sometimes these also include official and legal factors. There are numerous marriage types ranging from the dominant traditional marriage, with its customs and rituals, to exchange marriage, touristic marriage, and *urfi* marriage. These latter types point to social changes, and some of them are championed by neighboring countries.

It should be noted that early marriage and polygamy are still commonly practiced in Yemen. These factors drive the persistence of large families with a lot of children. This is not to deny the existence of a trend toward smaller families that break with the extended family. The tendency is bolstered by the migration of youth to urban centers and increasing economic difficulties. In addition, Yemeni men may marry foreign women (both Arab and non-Arab). This kind of marriage is approved of by the parents and even the families at large.

Even though women now participate in both education and the labor market, they are still subjected to domestic violence. Traditional justifications continue to allow men to "reprimand" women, since their status is deemed to be inferior to that of men. This being the case, a woman cannot file an official complaint against her husband, her father, her brother, or even her mother. Instead, she is forced to adapt. At best, one of her relatives may intervene to resolve the situation.

One observes that only a few cases have been recorded in official police reports. Violence against women takes different forms ranging from verbal abuse to physical violence, not to mention sexual harassment in public and in the workplace (Al Salahi, 2005; Al Sharjabi, 2005; United Nations, 2002 and 2010). The rising awareness of women and of society as a whole has placed these issues at the center of public discussions across Yemen. Domestic violence can be attributed to a number of issues pertaining to the specificities of the relationship between the two spouses, including a lack of emotional or sexual compatibility. These issues trigger disputes. A lack of compatibility can also be due to vast age or educational disparities. In some cases the man is a lot older than the woman—he could even be twice her age. As a result, problems arise and accumulate. Not all of these problems can be attributed to economic reasons, as some people argue. Even though economic hardships present a serious challenge to relationships, the emotional dimension is also crucial for the stability of families. There are no field studies or objective surveys offering data and

statistics on this matter. What are available to us are studies based on very limited demographic and regional samples.

Marital incompatibility is due to many factors, such as emotional or sexual dissatisfaction. Consequently, marriage is disrupted by negative emotions. These accumulate until they become a risk to the marriage and to the family itself. The sexual relationship between an older man and a 15- or even 20-year-old woman renders her first sexual encounter a real shock. More accurately, the act is more akin to rape than it is to a natural sexual encounter between a couple on their first night of marriage. Closeness between the couple is essential for the stability of their family life. By closeness we refer to mutual understanding, familiarity, and acceptance. Social reality points to the fact that traditional marriages usually bring together spouses with differing educational levels and interests. Meanwhile, a study carried out in 2003 showed a positive correlation between the educational levels of the spouses and the agreeableness of their marital relationship and family life: the higher their levels of education, the more compatible they were.

With women's increasing access to education and work, there is sometimes a delay in marriage. This breaks with the prevalence of early marriage. Delayed marriage can be seen as an advantage for women, since it gives them time to continue their education and find a job, which allows them to achieve economic and personal independence. It also reflects a transformative trajectory in Yemen, bringing with it some alterations in social values. It is worth noting that women's access to education and the job market started in the 1950s, especially in Aden, which was a British colony. In fact overall, the existing laws strengthen women's rights to education and work. However, a gap persists between laws on the one hand and social and cultural norms on the other.

At the same time, the state of marriage and women cannot be dissociated from the larger social contexts inhabited by women, whether in the city or the village. Every major political crisis has strongly influenced both the family and women in Yemen. During periods of stability, migration has strong repercussions for women and the state of marriage. Migration is often the result of an agreement between the two spouses, if not the entire family. It aims to improve their living conditions by accumulating some savings from the new labor market to which the husband or unmarried youth migrates. Marriage has both positive and negative effects. Yemen experienced extensive migration activity in the 1950s, when Aden was a British colony and a hub for trade and various modern activities, serving as a major attraction for internal migration. Meanwhile, Ethiopia was another magnet for hundreds of Yemeni migrants, some of whom settled there and started families through mixed marriages. Migration to Britain, the United States, and East Asia also flourished in the early twentieth century, with a particular boom in the 1950s. But the biggest wave of migration followed the 1973 war, when oil prices soared and Gulf countries needed diverse labor to expand their infrastructure. Later, Yemenis experienced different forms of migration from the countryside to cities in search of jobs and better living conditions. All of these migrations left their mark on families in general, as well as on women and marriage.

Some might say that war and migration discourage marriage, due to their negative impact on general social stability, yet in reality society continues to adapt to the changes introduced by war and migration by adjusting its interactions and interrelations (Al Weheshi, 2011). In the past few years, war and migration have become closely linked, as war has often led to internal and external migration, while migration has offered an escape from the horrors of war. Both of these processes have led to changes in living conditions, and in both cases they have led to an increase in marriage, as they have heightened people's awareness of the value of life. In both rural and urban communities people have come to a greater realization that what has been lost to war has to be replaced by continuing to produce life—and a new will emerge to live and resist. Marriage is the manifestation of this will to live. It is worth noting that marriage rituals have also been influenced by new practices brought in from the diaspora.

Over the past three years, Yemen has experienced—in addition to internal and external migration—the displacement of thousands of families fleeing war and the political chaos that has engulfed the country (Al Salahi, 2007; IOM, 2015). Many people have been forced to move from cities to the countryside. Some families have managed to reunite while others have been separated, and refugee camps have been set up inside and outside Yemen. Yet despite all of these circumstances, marriage has continued as an expression of the Yemeni people's will to live. Refugee camps have registered dozens of marriages, even if the celebrations were kept simple due to the constricting economic situation.

If men are direct victims of war, women are both direct and indirect victims at once. They bear the burden of supporting the family. They are also subjected to different forms of gendered violence. They become more vulnerable during emergencies as they work more to increase their income or to access services offered by relief organizations.

Since Yemen is undergoing a period of transformation, with increasing modernization, it combines traditionalism in ideas and customs with changes in ideas, values, and practices. This is the main challenge for Yemen in the age of globalization. The path to modernization needs to be strengthened, and women's access to education and the job market needs to be supported. The social formation also needs to change. Globalization is a wide-reaching transformative process; it encompasses all the different aspects of life. As such, Yemen's young men and women cannot avoid interacting positively with it. They need to acquire modern and civil values that make it possible to build an open-minded society and families that reject discrimination against women. The irony here lies in the continuing state/tribe, and laws/customs-and-traditions dichotomy. The path to transformation is unfolding, and women will enjoy a widely felt public presence.

To summarize, marriage, as a phenomenon, reveals the different aspects of existing social, cultural, and legal conditions. It also reveals ongoing changes at the intersection of the local and the global, against the backdrop of globalization. The issue is accentuated by the fact that Yemen is undergoing a process of transformation whereby many of its components and practices are changing, including marriage and its customs, determinants, and rituals.

## 7.1 Marriage Context

This chapter deploys an analytical method for approaching the issue of marriage in Yemen against the backdrop of a tumultuous social situation. For over five years now, Yemeni society has been going through a political and social crisis: economic, social, and political challenges are on the rise. The latter cast their shadows over the family in Yemen, and its roles and functions—and women are particularly affected. Marriage, as both concept and phenomenon, cannot be studied in the absence of a thorough understanding of its general social context. The significance of marriage and the dynamics of its formation cannot be separated from the context that functions as the structural force shaping individuals and their culture, and determining their interactions and interrelations. The point is particularly true of marriage and family filiation, since they form new kinds of bonds and construe people as relatives.

Marriage is determined by a number of religious, legal, and value systems, which intersect to provide the reference points for marriage even with the dominance of official marriage, the contract for which is stipulated in the by-laws of personal status law. Yet marriage is ultimately conditioned and legitimated by social agreements that resort to the familiar historically transmitted habits and traditions.

As such, we ask: Why do people get married? There are varied responses to this question. They depend upon the referential value systems that inform the decisions of individuals. These are often similar across civilizations and cultures—this is equally true even for the capitalist civilization that we inhabit today, with its cultural particularity and the hegemony of commodification it embraces. Yemen is a part of this world; it necessarily interacts and intersects with it. Consequently, there are similarities rooted in the extent to which capitalism has permeated Yemeni society, influencing individuals, society, and the state. In fact its influence is felt in changes in the concept of marriage itself and its various attendant practices. We will refer to this at several points in our study.

The above question can be answered in the following ways: starting a family; having children; intimate relationship; abiding by religious imperatives; settling down; love; or any other response. These reflect the value systems informing individuals—whether implicitly or explicitly—and influencing their decisions concerning marriage and starting a family. The influence begins with the criteria for selecting a wife, courtship, and merging families through intermarrying, passing through engagement, and culminating in marriage and the ways in which it is announced to the local community. These are all important steps in legitimizing marriage that families, and society at large, take pride in—especially since both the cultural and religious value systems, as well as tradition, valorize marriage as the sole way in which a relationship between a man and a woman can be acknowledged.

A sociological analysis of marriage enables us to perceive the link between marriage and its changing social contexts. Furthermore, such analysis reveals the forces underpinning the formation of social norms and customs, and their relationship to the natural habitat and mode of production. In this manner, it highlights the dialectical relationship between people and their working conditions and modes

throughout a specific historical trajectory. In the process, traditions and norms gradually take form, becoming a holistic system. The latter is acceded to by society as determinants of behaviors, and as an acknowledged social code punctuating the relationship between families and individuals. The code also determines the relationship between men and women, and the process through which they can be associated to form a new family (i.e., marriage).

Consequently, we can say that marriage is a social system that encompasses a plurality of determinant value systems. These direct the process of family formation in society. Furthermore, marriage often exhibits the properties of the social group, its culture, and the kernel of its historical experience. As such, marriage is valorized by different cultures and religious creeds. Cultures and civilizations display different forms of marriage, each with its organizing rules and principles. The latter are connected to the uniqueness of the cultural and historical experiences of these civilizations. In Yemen, and in fact Arab society as a whole, history continues to exercise an active influence to this day. From an anthropological perspective, we can distinguish between marriage patterns for primitive peoples on the one hand and contemporary marriage types on the other. This is not to ignore, however, the manner in which contemporary marriage types hold within them traces of preceding historical experiences. Yet it does go to show how marriage changes in response to social and cultural transformations, across different historical tangents. Yet the historical and cultural heritage is not simply discarded. Rather, it continues to coexist with more modern features arising in the fields of economic and social activity.

This is evident in marriage types as well as in the modes of meeting a partner, and the rituals of celebrating engagement and marriage. For example, both monogamy and polygamy exist. Likewise, manifestations of both endogamy and exogamy can also be found in Arab and Yemeni societies. These patterns are punctuated by the survival of the social and cultural formations promoting their perseverance.

Monogamy (the marriage of one man to one woman) is currently the most widespread marriage pattern. It also existed in ancient societies. Marriage derives its value and its importance from association with this particular type of marriage. Religions have attempted to frame the relationship between men and women through marriage. In this view, marriage is sacred and should not be impinged upon by anyone or in any way. Christianity did not permit divorce except in the most limiting of circumstances. Islam, on the other hand, allowed it. According to the latter view, the relationship between a man and a woman is ultimately a social relationship, practiced through the mediation of divine stipulations. As such, divorce was allowed for when social or familial life flounders.

Studies suggest that marriage can be divided into two main categories: endogamy and exogamy. The first type refers to marriage that predicates that the two spouses should be from the same tribe or clan. The second type denotes marriage where the two spouses can be from two distant tribes, or even belong to geographically and culturally remote places.

With the increasing exposure to other societies, new and previously unknown marriage patterns have emerged. Even older marriage types have been renewed. In Europe, civil marriage has appeared—which is by definition monogamous. Yet it

does not follow religious or cultural considerations. Anyone of marriageable age is legally allowed to marry any other person of marriageable age—regardless of any other cultural or religious considerations that prevailed during more traditional times. Accordingly, marriage becomes a personal matter pertaining to the consent of the two spouses with no further binding considerations.

The above type of marriage has its challenges. In it, marriage becomes isolated from its social context. In the process, the bond between the two spouses is similarly weakened. Any psychological distancing between the partners can result in separation and divorce more easily than it would if marriage remained attached to its social context. The variation in marriage types across civilizations has motivated numerous thinkers and researchers to address marriage as a topic of study in anthropology and sociology. Researchers have contributed a number of prominent theories, such as functional and evolutionary theories. Functionalism seeks to explain different marriage patterns by attributing them to the various functions played by the institution of marriage in changing social circumstances. Child-rearing and the production of well-adjusted future citizens are considered to be two of the most important functions. Evolutionary theory, on the other hand, seeks to explain the vast difference in marriage patterns by linking them to the various stages witnessed by human societies from pre-history until today. Each evolutionary stage has its own distinctive features that are reflected in the marriage institution, including both its patterns and its mechanisms.

Marriage occurs at the intersection of several referential systems that grant it (i.e., marriage) legitimacy through the appeal to rules and laws, as well as social and religious norms adopted by society. In fact this interlacing system of traditions (legal, social, religious, and customary) intervenes in the process of selecting a wife in accordance with well-known provisions. These provisions differ slightly according to economic and political status. Society legitimizes marriage not just to regulate sexual practice, but to also preserve humankind. As such, procreation is safeguarded as a social value at the crux of family formation.

Hence marriage, as a social concept, is not to be decided—in most cases—by the woman or the man. Rather, it is a decision undertaken by the family unit in accordance with the systems of filiation and social relationship that are welded among families through marriage and the ensuing common life of (extended) families as a single unit where feelings of attachment and cordiality are forged.

The family, in every society, is the nucleus of its vitality. It gives society its distinctive features and it achieves continuity. As a result, marriage gains its significance as the process through which families are formed. Marriage unites two parties, for the purposes of procreation and the satisfaction of psychological needs. Marriage rituals vary widely among societies, yet one cannot deny the global commonalities that give marriage its significance. Marriage is a relationality binding the two genders in a project acknowledged by the social context inhabited by the two parties. Marriage rituals, like other rituals, witness many changes and transformations in accordance with the general trajectory of change experienced by society as a whole.

### *7.1.1 The Societal Context of Marriage in Yemen*

Generally speaking, Yemeni society is seemingly traditionalist. Nonetheless, it is also dynamic. It has witnessed serious changes in the past hundred years both in the wake of political revolutions and in light of its connection with the outside world—both regionally and globally—especially since the network of foreign trade, migration, and other interpersonal interactions has widened exponentially (Al Salahi, 2003). As such, Yemeni society continues to move with the times, adjusting to new political and economic changes by introducing new enactments and laws—not to mention the education system, health system, and expanded settlements. At the same time, however, the society is also bound up with traditions and their value and cultural reference systems. These regulate behavior and relationships—especially when it comes to marriage, its conditions, and its numerous rituals.

Since the advent of the modern nation state in the mid-twentieth century, Yemen has experienced crucial political, legal, and economic changes. These were central to the introduction of changes to the marriage contract itself, which came to the forefront of official and legal interest in light of its ties to religious and traditional social values. Broadly speaking, the process of marriage can be outlined in this manner: it is born out of an individual and familial agreement and includes ceremonies that announce this attachment. These begin with engagement and culminate in marriage. That said, the actual rituals performed in these ceremonies and celebrations vary slightly from one city to another. Updates were introduced to these traditional rituals with the rise of a large middle class with a modern education. These updates were also supported by the expansion in urbanization and the increase in internal migration toward the new urban centers. In the process there was more exposure to the outside world, especially in these urban centers. All of these new changes combined to introduce novel practices into marriage ceremonies and celebrations; in fact they even initiated new marriage types that were previously unknown.

Marriage, according to its legal definition in the Yemeni Personal Status Code of 1992, is the legal attachment between two spouses. The woman becomes the lawful partner of the man. It aims to protect partners from unlawful sexual relationships, and to promote family formation. This definition has been subject to change more than once as personal status law itself has changed over the past fifty years in accordance with state plans and ideology.

Marriage is one of the most important social institutions. It exercises a substantial influence over people's lives. Consequently, there is a social and legal emphasis on clarifying the connection between the two genders. It has to be practiced in accordance with religious and social value systems; that is to say, the emphasis on regulating the relationship between the two genders is due to the prominence of the family as the fundamental unit of all societies. Yemen is no exception. It is similarly affected by global changes. Yemeni society interacts with global culture and the changes happening in the contemporary world. It selects appropriate elements, which are then accepted by the state via national laws drafted in accordance with international declarations. These include declarations pertaining to women.

In conclusion, marriage in Yemen occurs in accordance with social and cultural arrangements whose rules are well known and acknowledged by society as a whole. Furthermore, individuals are forced to abide by these arrangements, which come into play in partner selection in accordance with social and economic conditions. Even though the society is religious by natural disposition, many interactions among individuals are underpinned more by traditions than by religion. As mentioned earlier, society legitimizes marriage not just for the purpose of intimate relationships, but also for procreation as a family value. The issue is even more pertinent in the case of having male offspring—which is more important for the husband and his family. The value of the wife also increases, the more sons she has. Marriage, here, is a social concept in which the decision is not made by the woman or the man. Rather, it is a decision undertaken by the family unit in accordance with the prevailing systems of filiation and social relationship.

While this traditionalist picture has persisted, there have also been many changes, most important being the personal selection of a partner by young men and women. This issue demonstrates the ongoing changes in Yemen that compete with traditionalist views and values. The change is underpinned by increased access to education and urban life.

Many women, especially in rural areas and in the north more particularly, do not have the freedom to marry whom they choose; that is to say, they cannot select a partner for themselves. According to the traditional value system, the selection process is the exclusive prerogative of the family. Some families force their daughters to get married as young girls, before they are even 14 years old. Once a woman is married, she is expected to obey her husband, and to ask for his permission before she can go out of the house. Discrimination against women is evident in Yemeni law, particularly family law. This discrimination is equally visible in everyday life, where decision-making power is concentrated in men, without their female partners being allowed to participate in decision-making processes (Al Madhaji, 2011).

According to custom and tradition, the age of marriage is linked with reaching puberty. The latter is adjudicated by the family in light of biological maturity alone; that is to say, their judgment does not touch upon issues of physiological and intellectual maturity, and is not concerned with acquiring the social and lived experiences necessary for establishing a family and tending to its needs. Early marriages are strongly motivated by anxiety over women's chastity (a traditional tool of sexual protection) as well as by economic considerations in poor families who see early marriage as a way of alleviating economic pressures.

### *7.1.2 Marriage and Divorce Cases*

Young people make up the largest segment of Yemeni society, with increasing rates of marriage and reproduction (several children, polygamy, early marriage). This is viewed from a positive perspective, given the social and developmental value of people, who also make up an active workforce worth investing in through education

and training. Otherwise, in the absence of education and training, the same people would become a heavy burden.

As such, the majority of people remain within tribal, rural communities, maintaining inherited traditions and norms that they believe protect and suit them, including patriarchy in the family and male-dominated decision-making. Here, the status of women deteriorates, and their social roles and educational value are undermined.

Divorce rates are rising in Yemen, just as they are in most Arab societies. These indicators are especially high in the Gulf, Egypt, Tunisia, and Morocco. According to data from the 2004 national census (covering both genders), 46.5% of the total population aged 10 or more are married (48.8% of females and 44.3% of males). It is notable that the marriage rate is higher among females due to polygamy (Central Statistical Organization, 2015) (Table 7.1).

Table 7.2 shows that 61.2% of women aged 15–49 were married at the time of the survey, while 34.9% had never been married. Divorced women made up a little over 2%, while widows were another nearly 2%. These rates vary depending on age, with 82.5% in the 15–19 age group never married, and just under 2% in the 45–49 age group. The rate of marriage increases with age, rising from 17.1% of women in the 15–19 age group to 87.0% in the 45–49 age group.

Registration of marriage documents does not receive much attention, especially in rural and tribal areas. People only resort to registration if they have to travel abroad, or when they face legal issues that require official documentation, in which case they are forced to register their marriage contracts. Still, all marriages take place under official contracts from a specialized marriage official and with the knowledge of the local community, which ensures that marriages are declared among relatives or in village circles.

From statistics based on official marriage and divorce documents at state courts in 2014, 2015, and 2016, we see a decline in the number of marriage and divorce cases. There is also a lack of data from a number of provinces for 2015 and 2016. In addition, citizens normally neglect documenting their marriages and divorces. Yet

**Table 7.1** Marital status of men and women according to 1994 and 2004 census figures

| Marital status | 1994 | | | 2004 | | |
|---|---|---|---|---|---|---|
| | Women | Men | Both | Women | Men | Both |
| Single | 38.3 | 50.3 | 44.4 | 42.8 | 53.2 | 48.1 |
| Married | 53.2 | 47.2 | 50.1 | 48.8 | 44.3 | 46.5 |
| Divorced | 1.4 | 0.7 | 1.1 | 1.4 | 0.7 | 1.1 |
| Widowed | 6.8 | 1.4 | 4.0 | 6.3 | 1.2 | 3.7 |
| N/A | 0.3 | 0.4 | 0.3 | 0.6 | 0.6 | 0.6 |
| Total | 100 | 100 | 100 | 100 | 100 | 100 |
| Number | 4,603,671 | 4,853,314 | 9,456,985 | 6,719,048 | 6,961,149 | 13,680,197 |

*Source* Central Statistical Organization

**Table 7.2** Marital status of women aged 15–49 at time of survey, Yemen 2013

| Age | Marital status | | | |
|---|---|---|---|---|
| | Never married | Married | Divorced | Widowed |
| 15–19 | 82.5 | 17.1 | 0.4 | 0.0 |
| 20–24 | 40.4 | 57.1 | 2.2 | 0.3 |
| 25–29 | 19.5 | 77.1 | 2.6 | 0.8 |
| 30–34 | 12.4 | 83.0 | 2.8 | 1.8 |
| 35–39 | 5.4 | 87.2 | 3.8 | 3.5 |
| 40–44 | 3.5 | 87.4 | 3.7 | 5.4 |
| 45–49 | 1.8 | 87.0 | 3.7 | 7.6 |
| Total | 34.9 | 61.2 | 2.3 | 1.7 |

one might say that divorce is a social and psychological problem resulting in family disintegration, with a direct negative impact on children and families, as well as on society in general.

Divorce, according to social norms, entails extreme stigma for women, which is why it is seen as the last resort in the event of family disputes. It has a major effect on women amid a social reality that points fingers at women as the primary cause of divorce, even when men initiate the decision to separate. Separation brings financial insecurity to women, who are considered a burden on their families or even themselves. Hence these women find themselves forced to marry according to the wishes of the family. They may even have to work in order to support themselves. The 1992 Personal Status Code gives men the right to divorce their wives for a variety of reasons, and according to Article 152, a woman may lose her right to alimony if her husband divorces her for one of the following:

- refusing to move to their matrimonial home without valid justification;
- leaving the matrimonial home without valid justification;
- working outside the home without prior approval from the husband; or
- refusing to travel with her husband without valid justification.

Yemeni law allows men to divorce their wives by repeating the word "*talaq*" ("divorce") three times. Meanwhile, women must file an application for divorce in court, and can only apply in limited cases. Another option for women is to file a *khul'* lawsuit for divorce, but that entails a series of concessions. The UN Committee on the Elimination of Discrimination against Women (CEDAW) calls on the Yemeni state to ensure equal rights between women and men in personal status cases, especially those relating to marriage, divorce, property, nationality, child custody, and inheritance. The Committee recommends that the state amend all other discriminatory provisions, including the right of children to obtain the nationality of their Yemeni mothers, just as they obtain the nationality of their Yemeni fathers. The Committee also recommends that non-Yemeni men married to Yemeni women be granted a five-year residence permit, just as non-Yemeni women married to Yemeni men are granted such a permit.

## 7.2 Types of Marriage

Marriage takes place based on social and cultural rules approved by society; in fact society obligates individuals to adhere to these rules. Marriage also comes in different forms, with rituals and ceremonies varying from one time period to another, and from one society to another. As such, marriage is considered a reflection of social, cultural, and—occasionally—official and legal determinants. The manifestations and rituals of weddings vary between urban and rural settings in Yemen. New types of marriage and marriage rules are also emerging in line with local, regional, and international changes, with which Yemeni society interacts through more than five million Yemenis in the diaspora. These migrant Yemenis acquire new traditions, practices, and customs from their host countries and transfer some of them back to their own society. In other cases, Yemenis at home imitate some of the practices brought home by migrant youths or from the media.

### *7.2.1 Traditional Marriage*

The traditional way of marriage does not allow individuals to choose the appropriate partner. Instead, the family plays a major role in the selection process. In Yemeni society, men do not normally get the opportunity to see their prospective brides before marriage. However, the situation is slightly different now, thanks to family relations, mutual visits, and the roles of mothers and sisters in introducing men to their selected wives. In addition, there are now direct relations at the workplace and during studies.

Nevertheless, marriage decisions remain in the hands of the family rather than the individual. This is because the type of relationship that will be formed with the marriage is of concern to both large and small families. There is also the sense that when a young man is dependent on his family to cover the marriage costs (that is, when he does not live independently from them), the decision will made by the family. This situation echoes the absence of the independent personality or individualism that reflects liberal values, which continue to penetrate Yemeni society slowly. Such values are also present in cities and large urban centers, where we find young men and women making their own marriage choices with the approval of the family (Family Social Association for Development, 2012).

In this context, young men have better chances of rejecting family decisions or choices than young women, who are forced to accept all of their family decisions. Occasionally women may object, but this still occurs less often than in the society at large. Traditional marriage means that the family chooses the wife, often from within the extended family, tribe, or village. This is based on social and economic considerations, especially with women, whose families prefer to marry them off to relatives in order to preserve agricultural property, which holds social and economic value for the entire family (Al Haimi, 2009; Family Social Association for Development, 2012).

Endogamy rates have declined due to the changes currently taking place across Yemen. A number of studies indicate a decline in endogamy among educated people, while the family continues to play a role in choosing or pre-approving a suitable wife for their son. It has been found that 76.7% of women were married this way, which indicates that parents continue to be the prime decision-makers. They also continue to be involved in marriage arrangements and rituals (Central Statistical Organization, 2015, pp. 48–49).

The spousal age gap is one of the main characteristics of marriage in traditional societies, including Yemeni society, in which traditional marriage prevails. It causes many problems, most notably the lack of compatibility between spouses in terms of age or educational level. The latter is often not a matter of concern. According to statistics, 35% of husbands are older than their wives by less than five years, 32% by five to nine years, 19.2% by ten to fourteen years, and 10% by more than fifteen years (Table 7.3).

Generally speaking, newly married men continue to live with their families, further extending them. In Yemen, families are known to be large. According to the 1999 national poverty survey, the size of a Yemeni family could be up to 7.3 persons, compared to 6.7 in 1994 (Table 7.4). While some researchers attribute this to strong family ties in Yemeni society, the reality reflects another equally significant indicator: the continuity of large families, as well as new couples living in their parental family homes, is a reflection of economic conditions. This shows that the young husband is not financially independent, either because he is still a student, or because he is in the process of searching for a job.

The course of social change in Yemen shows a transformation in family life, with an increase in nuclear families, especially in urban centers. This means there

**Table 7.3** Relative distribution of men by age gap between them and their wives

| Age gap | % | Number |
|---|---|---|
| Wife older than husband | 3.4 | 67 |
| Wife younger than husband by | | |
| 0–4 years | 35.1 | 697 |
| 5–9 years | 32.4 | 645 |
| 10–14 years | 19.2 | 381 |
| 15 years or more | 9.6 | 191 |
| Unknown | 0.3 | 7 |
| Total | 100.0 | 1,987 |

**Table 7.4** Average family size in the city and the countryside

| Place of residence | 1994 census | 1999 national poverty survey |
|---|---|---|
| City | 6.8 | 7.3 |
| Countryside | 6.7 | 7.2 |
| Overall | 6.7 | 7.3 |

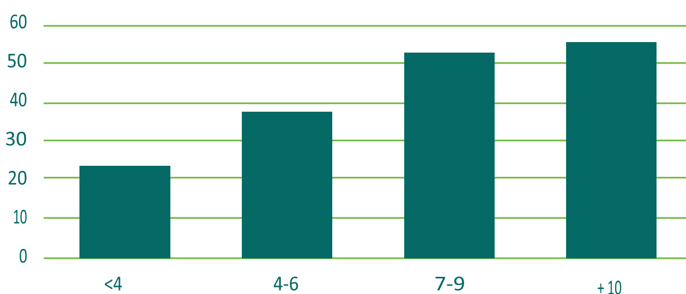


**Fig. 7.1** Family size and poverty rates, 2014. *Source* 2013 Yemen Household Budget Survey

are fewer extended families in society. In addition, urban dwellers make up 35–40% of the total population. As such, it can be concluded that this rate indicates a transformation from the situation in 1962, just before the September Revolution. This time period marks two eras in the modern and contemporary history of Yemen. Even if sons live independently, family ties remain strong due to general and specific circumstances that strengthen such relations in all their primary and spatial aspects.

According to the 2013 Yemen Household Budget Survey (World Bank, 2013), poverty is higher among larger families. The sampled families were divided into four categories: fewer than four members, four to six members, seven to nine members, and ten or more members. A clear link was found between family size and the rate of poverty. The larger the family, the more vulnerable it was to poverty. In families of fewer than four people, the poverty rate was 23.7%, rising to 55.4% among families of ten or more members (Fig. 7.1). A fundamental feature of the continuity of extended families is weak socio-economic modernization in the Yemeni countryside and in the depths of tribal population clusters (Al Aryani et al., 2006).

Since families supported by people with college or vocational education are less vulnerable to poverty, the head of the family's level of education can be linked to poverty rates. In families supported by uneducated people, the poverty rate reached 57.2%, whereas it was significantly lower among families supported by educated people (23.8%). Generally speaking, the findings indicated a link between level of education and families who do not struggle with poverty. However, the current situation in Yemen, due to the war and political turmoil, has impoverished all families, except for 10% of the population (World Bank, 2017, p. 22).

### *7.2.2 Exchange Marriages*

Exchange marriages take place without dowries and have negative effects on family life. This type of marriage is not recognized by many religious scholars, since it does more harm than good. It often results in social issues, namely divorce and worsening family relations, not to mention disturbing social life. Under exchange marriages, a

man marries a woman in exchange for his sister marrying his wife's brother. This has an economic benefit, as neither husband pays a dowry, and both weddings take place on the same day. As such, delays are unwelcome, since no family would allow their daughter to marry someone before their son married the sister of her husband-to-be. Some civil society activists view this marriage type as a form of gender-based violence, as most families force their daughters into marriage when the father decides to benefit from a dowry-free marriage deal for his son.

This phenomenon is steadily declining due to variables of education and migration, as well as changing awareness among both men and women, and the education of women themselves. Some scholars and jurists deem this marriage undesirable given its many problems. However, some Yemenis believe it maintains family relations, promotes family cohesion, and preserves family wealth. This type of marriage, which often takes place within the same clan or family, is further sought when women are poorly educated, or when they do not know their rights and are unable to stand up to society and family.

### *7.2.3* **Urfi** *Marriage*

In this type of marriage, the union of a man and a woman is regulated by law or social norms. It permits the man to have sexual relations with his wife. This union results in a family, with rights and duties relating to the spouses and the children, especially since the purpose of marriage is to ensure the continuity of life through procreation and stable marital relations. Every society is governed by its own laws, values, and norms, which in some cases have loopholes that go unnoticed until the society faces problems and seeks answers. Some find *urfi* marriage a solution to a social problem, while others find it a source of many more social problems.

Failure to meet the basic requirements of marriage (witnesses, consent, and public declaration) invalidates a union between a man and a woman; hence some scholars—along with some jurists—consider *urfi* marriage unlawful. In some cases, men deny their marital relations, causing children to lose their rights at birth, in the absence of a document proving paternity. Furthermore, marriage is a moral union essential for building a cohesive family. Thus failure to meet the requirements and absence of documentation can lead to dissolution, as well as the woman losing her rights as the weaker party in this relationship. The man may even deny their relationship and leave her to suffer the resulting pain and stigma. For these reasons, some scholars consider *urfi* marriage Islamically unlawful.

No data are available on this type of marriage in Yemen. However, some studies have explored individual attitudes toward *urfi* marriage, which was found to be socially unacceptable to most segments of society. One study, which surveyed university students, found that most respondents (85.3%) found secret *urfi* marriage a sign of the deteriorating values and morals of the young people involved. Despite the relaxed procedure for *urfi* marriage, it has serious short- and long-term implications for individuals. Of the respondents, 55.7% said they would not opt for this type of

marriage if they had the opportunity. The study also found that students at private universities had different views on *urfi* marriage from those of public university students. Their responses varied between extreme rejection and acceptance of the phenomenon. Women were more opposed to it than men, and humanities students were more opposed than natural sciences students. There were also statistically significant gender differences, with more females opposed than males. Despite all this, the reality on the ground confirms the presence of *urfi* marriage, especially among young men and women who are students at universities or higher education institutions (Al Aryani et al., 2006).

### *7.2.4 Touristic and Heterogeneous Marriages*

Touristic marriage is a new type or form of marriage that was not previously known in Yemen and did not emerge until the 1990s. It is defined as marriage in which a Yemeni woman marries a young Gulf Arab man who comes to Yemen during the tourism season. In its general form, it takes place in the same way as with regular marriage arrangements, with documents, witnesses, and a dowry. It has features, however, that make it an irregular type of marriage.

Sometimes the girl will not have seen her prospective husband before. However, the marriage does not take place secretly, but has the approval of her father and the rest of the family, as well as members of the local community. The main motive behind it is economic, as the family seeks a high dowry from the man, who is often from the Gulf. As such, it can be compared to human trafficking, because it entails a financial transaction in which the man enjoys the company of the girl temporarily, as this marriage does not last long. It only lasts for a short period of time, after which the man disappears and returns home, leaving behind a married girl, who may even be pregnant. This phenomenon came to light after many women complained about their husbands leaving them, sometimes with newborn children, without knowing the future of the marriage or how to register the children.

As the economic conditions of a large segment of the population create unlimited suffering and poverty, people have looked for a way to break the cycle of poverty through this type of marriage. Some researchers, including us, believe that this type of marriage constitutes a form of violence against women, exploitation of the family's needs, and suppression of the girl's humanity.

Turning now to heterogeneous marriage more generally, as well as marriages between Yemenis and foreigners, statistics show there were 381 cases of heterogeneous marriage in 2015, rising to 463 in 2016, but still below a high of 1,357 in 2014. With recent changes in the structure of society and its relationships, as well as growing openness toward the outside world, some youths and families have shown flexibility by not opposing the marriage of Yemeni women to Arab or foreign men.

A recent study noted that nearly 37% of respondents would not mind their son or daughter marrying a foreigner (i.e., any non-Yemeni). This lack of opposition reflects a shift in values and culture, and growing openness. It also reflects the benefit angle,

which views a girl's marriage as a new business transaction that generates income for the family and perhaps even the girl. This has some of the characteristics of global capitalism, which has spread to our traditional societies, penetrating them without any institutional, cultural, or legal assimilation, and instead distorting many of their traditional social features and turning people into objects and commodities, as in touristic or heterogeneous marriages, which are essentially based on pleasure in exchange for payment to the family and the girl.

A study sampling women who married non-Yemeni men in Ibb (the governorate most associated with touristic marriage, with fewer cases in other governorates) noted the importance of the material stimuli and gifts offered by Gulf husbands when accepting this type of marriage, which targets girls as young as 20 or even much less. The study also noted that 38% of the married women were aged 20–24, followed by 35% aged 15–19. Generally speaking, touristic and heterogeneous marriages represent a new phenomenon in Yemen, reflecting changes in culture, values, and openness, as well as economic crises combined with low levels of culture and education among parents and girls. Yemen's economic crisis has had negative effects on the value system and the family, creating pragmatic justifications that some people try to use against any feelings of guilt or remorse (Mathar, 2010).

Statistics show a link between the increasing number of girls involved in touristic marriages and disruptions to family life, such as the death of a parent (22.5%); divorce (17.5%); polygamous fathers (7.5%); and migration (5.7%).

Studies have also found that 70% of these women have been divorced in various ways including at home in Yemen, or by mail, fax, court order, or even having the woman's relative travel to the tourist's/husband's country to receive the divorce papers. Meanwhile, the other 30% were simply abandoned without a divorce.

Such new forms of divorce are quite unlike the usual confrontation between spouses and their families. Here, the divorce takes place via text message or mail. In other cases, the court's process server delivers the divorce papers to the wife without prior warning that she has been effectively divorced. She must then receive the ruling issued by either a local or a foreign court.

The Committee on the Elimination of Discrimination Against Women (CEDAW) has expressed concern regarding these so-called "touristic" or "temporary" marriages, in which young Yemeni girls, who usually come from poor families, marry wealthy men coming from neighboring countries. Such cases have become more common in recent years. The Committee urges the state to take all legal measures to prevent these negative phenomena and combat this type of sex tourism. It also believes the state has a duty to actively consider the relevant recommendations made by the parliamentary committee of Islamic jurisprudence, in which legislators recommended adopting measures including amendments to the Personal Status Code and prosecution of the perpetrators of such acts. The Committee recommends, in addition, that the state and all civil society organizations should campaign to raise awareness of the harmful effects of "temporary marriages" on girls and their families.

### *7.2.5 Polygamy*

Under current Yemeni law (the Personal Status Code), polygamy does not require prior approval from the courts. This is a clear retreat from the previous version of the law, which required notification of both wives (current and prospective). The husband also had to have a legitimate reason to take a new wife, such as illness or sterility in the first wife. According to official statistics, 6% of married women have husbands who are also married to another woman. Polygamy is most common in the following governorates: Al Jouf (16%), Ma'rib (11%), Saada (10%), and Al Dhalea (10%). A survey of men's attitudes (Central Statistical Organization, 2001) revealed that the average age gap between men and their first wives was 6.6 years. For men married to more than one woman, the average age gap between them and their second wives was around fourteen years. Furthermore, government surveys have found that 5.5% of married women have husbands who are also married to another woman, while 1% have husbands who are married to two or more other women. This rate increases as women get older, from 2% among women aged 15–19 rising to 11% among women aged 40–44. The rate is put at 6% in urban centers and 5% in rural areas. The data also show that polygamy is more widespread among illiterate women than educated women (Central Statistical Organization, 2014).

Polygamy is considered a traditional, culturally acceptable practice. It is also viewed as a mechanism to protect against harassment outside the family and alleviate economic pressures. Some studies indicate that prolonged conflict and instability in Yemen have increased the number of men married to more than one woman.

Meanwhile, there are marginalized social groups characterized by darker skin and poor education, with men and women working in lowly and low-paid occupations. In these groups, polygamy is a strategy adopted by men to increase their income. They do so by having their wives beg for money on the streets. A study of Yemeni society (in the capital, Aden, Taiz, Lahaj, Hudaida, and Shabwah) found an inverse relationship between polygamy and the ages of the wives surveyed. The proportion of married women who were second or third wives was found to be 71.4% and 14.3% respectively in the 15–19 age group, declining to 8.7% and 0% in the 55–59 age group (Table 7.5).

Table 7.5 shows this direct link between polygamy and age. The phenomenon is absent among men aged 24 or younger. Meanwhile, it is present to varying degrees among men older than 24. The rate of polygamous men peaks at 29.6% in the 55–59 age group (Table 7.6).

Female respondents quoted a Yemeni proverb that says that when men get older, they must be offered young wives in order to be rejuvenated, but when women reach menopause, they must be thrown out into the yard. Popular proverbs often reflect the experience of traditional society in short, expressive phrases. An observer of Yemeni society might find that in recent years older men have developed a tendency to marry young women/girls. This applies equally to educated men, farmers, and others.

**Table 7.5** Wives according to age group and order in marriage

| Age group | Wife's order in marriage | | | |
|---|---|---|---|---|
| | First wife (%) | Second wife (%) | Third wife (%) | Fourth wife (%) |
| 15–19 | 14.3 | 71.4 | 14.3 | – |
| 20–24 | 33.3 | 50.0 | 16.7 | – |
| 25–29 | 35.4 | 53.8 | 9.2 | 1.5 |
| 30–34 | 48.5 | 42.3 | 7.2 | 2.1 |
| 35–39 | 74.1 | 20.5 | 5.4 | – |
| 40–44 | 77.8 | 13.3 | 4.4 | 4.4 |
| 45–49 | 81.0 | 16.7 | 1.2 | 1.2 |
| 50–54 | 87.7 | 10.5 | – | 1.8 |
| 55–59 | 91.3 | 8.7 | – | – |
| 60–64 | 100.0 | – | – | – |
| 65+ | 85.7 | – | 7.1 | 7.1 |
| Total | 67.7 | 25.5 | 5.2 | 1.7 |

**Table 7.6** Number of current wives of married men, by age group

| Age group | Number of current wives | | | |
|---|---|---|---|---|
| | One wife (%) | Two wives (%) | Three wives (%) | Four wives (%) |
| 15–19 | 100 | – | – | – |
| 20–24 | 100 | – | – | – |
| 25–29 | 93.9 | 5.1 | 1.0 | – |
| 30–34 | 98.8 | 1.2 | – | – |
| 35–39 | 87.6 | 11.3 | 1.0 | – |
| 40–44 | 87.9 | 12.1 | – | – |
| 45–49 | 73.5 | 22.4 | 3.1 | 1.0 |
| 50–54 | 72.5 | 25.0 | 2.5 | – |
| 55–59 | 70.4 | 29.6 | – | – |
| 60–64 | 84.6 | 7.7 | 7.7 | – |
| 65+ | 71.4 | 19.0 | 9.5 | – |
| Total | 85.9 | 12.4 | 1.5 | 0.2 |

Yet this phenomenon still has negative effects on families, weakening relationships between fathers and their children and other wives; in fact the man may even be subject to ridicule from his neighbors and friends, who oppose polygamy among old men (Sa'em & Al Azzi, 2012).

## 7.3 Age and Marriage

This section addresses the phenomena of early and delayed marriage in Yemen, as well as marriage costs, as some of the intertwined variables affecting the big picture of age and marriage.

### *7.3.1 Early Marriage*

Early marriage, also referred to as underage marriage, is the marriage of any girl or boy under the age of 18, since anyone under this age is considered a child, as defined by the Convention on the Rights of the Child as well as Yemeni law. The Convention defines “the child” as any human being under the age of 18, unless the age of majority is attained earlier under national legislation. Early marriage has its own justifications within different traditional contexts governing agricultural, tribal, and other local communities. Moreover, customs and norms have long legitimized early marriage. Hence it can be said that early marriage, as well as polygamy and having large number of children, is among the main drivers of population growth in Yemen. It also has a direct effect on the school dropout rate, and consequently affects girls’ educational attainment and job opportunities. It also leads to higher rates of illiteracy and unemployment among girls.

Yemen’s Personal Status Code is the main law regulating family affairs, marriage, and childhood. It sets the minimum marriage age at 15 years for girls and 16 years for boys. This age limit is general and non-binding due to the lack of any mechanism to prevent violations or monitor marriages on the ground. In addition, marriage contracts do not include the age of the girl but only state that the wife is considered to be of age.

Prior to 1990, when Yemen’s North and South were united, the legal age for marriage was 15 in the North and 16 in the South. The newly united state redrafted the Personal Status Code, but only to include a reference to the role of the girl’s guardian, regardless of kinship degree, allowing him/her to decide whether or not the girl was of marriageable age. The law cited prevailing customs and social norms representing the fundamentalists and traditionalists who dominated parliament, which drafted the legislation relating to the Personal Status Code. Marriage age has long been a subject of concern for civil society activists, who have addressed the issue in the public sphere. It has also received support from regional and international rights organizations (Manea, 2010). In 2009, the Yemeni parliament considered a new draft Personal Status Code proposed by civil society activists and the Women’s National Committee. The draft law included raising the legal marriage age for girls. However, it was not approved by parliament, as conservatives objected, and the draft law was later withdrawn from discussion (Human Rights Watch, 2011).

Early marriage has negative effects on women’s personal lives in particular, as well as on families and societies in general. It represents a violation of children’s

rights, as it deprives girls of their right to choose and decide their own fate, as well as their right to education and training. It also subjects them to countless health problems and increases their risk of falling victim to domestic violence.

From a general, analytical, perspective, child or underage marriage can be seen as a horrific violation of human rights. It robs girls of their education, health, and aspirations in the long run. When girls marry at a young age, they are more vulnerable to violence and mistreatment from their partners than those who marry when they are older. As child marriage remains an international issue, there should be efforts against depriving any girl of her childhood, education, health, and aspirations. However, it is understandable that economic pressures and social traditions push families—especially in rural areas—to resort to early marriage as part of the prevailing norms. It should also be mentioned that child marriage is a violation of human rights for the following reasons: In practical terms, it ends girls' education. It blocks their opportunities to acquire life and professional skills. It subjects them to the risks of pregnancy, giving birth, and early motherhood before they are mentally and physically ready. It increases the risk of physical violence from their partners, as well as the risk of contracting HIV.

Strategies to end early marriage include

- supporting and implementing legislation to raise the minimum marriage age for girls to 18 years;
- ensuring equal opportunities for all boys and girls to acquire elementary and secondary education;
- mobilizing boys, girls, parents, and leaders to change practices that involve discrimination against women, and creating social, economic, and civil opportunities for young women and men;
- granting married girls the choice to access education, work, and income, as well as to acquire new skills, information, and services in the field of reproductive health (including protection from AIDS), and providing them with refuge in cases of domestic violence; and
- tackling the fundamental causes of child marriage, including poverty, gender inequality, discrimination, devaluation of girls, and violence against them.

In Yemen, as in most Arab countries, the rates of early or underage marriage are high. The International Center for Research on Women (n.d.) ranked Yemen as the 13th worst country, out of the world's top 20 countries with the highest rates of child marriage, with 48.4% of girls getting married under 18, including a high percentage of girls under 10 years old. Meanwhile, other estimates by NGOs put the rate of underage marriage in Yemen at 32%. The figures may vary in local and international reports, but they all confirm the issue and its harm to individuals, families, and societies. One local study (Al Radaei, 2008) found that 70% of girls aged 13–20 were married, meaning that early marriage derives from a prevalent culture, despite the state's efforts in the South during Socialist Party rule (1967–1990). In the North, however, efforts were limited as the state itself followed traditions that further entrenched—and often boasted about—the tribal culture.

Some research has put the average age for first marriage at 25 years for males and 22.3 among females. These figures are at odds with reality, which reflects measures that allow early marriage at the age of 14 or below. Such measures also legitimize a traditional culture in which fathers or close male relatives determine the age of adulthood and marriage eligibility for girls.

Table 7.7 shows the average age at first marriage for both genders and gives us a positive—albeit statistically low—indication that this average age has changed in Yemeni society. However, this indication means there are trends of change in society and the family that go beyond the traditional perspective of marriage.

One study found that 48% of married women were aged 15 and under, and 13% of them had married more than once. Girls' marrying at this age—while they are physically and psychologically unprepared and have not yet acquired marital life skills and requirements—can be said to shorten the duration of the marriage and increase divorce rates. Therefore these girls get married again and again, causing more suffering and different types of damage.

As in many Arab countries, Yemen is seeing increasing divorce rates among girls married at a young age for several reasons, including spousal incompatibility. Other reasons include the new challenges facing young wives who do not have the experience and knowledge to deal with them, as well as husbands exercising their power, leaving no room for dialogue or discussion. Instead, the men give a set of orders, thinking they have the sole right to do so.

The National Demographic Health Survey of 2013 (Central Statistical Organization, 2015) put the average age at first marriage at 18.2 among women aged 25–49. This means that half of the women in Yemen marry by 18.2 years old. Meanwhile, women/girls with secondary education marry around three years later (at 20.5 years) than others with no education (at 17.4), and a significant percentage of women (18%) get married at the very early age of around 15 years old (Table 7.8).

Despite a relative decline in early marriage in Arab countries, the number of teenage girls and women getting married remains high, especially in Yemen. According to UNICEF estimates, the rate of women in the 20–24 age group who got married under 18 years old is 45% in Somalia and 37% in Mauritania and Yemen. In such places, especially in Yemen's rural areas, it is not compulsory to register marriage documents. Therefore there are no accurate and comprehensive statistics

**Table 7.7** Average age at first marriage (average celibacy age), final results of the 1994 and 2004 census

| Gender | Urban | | Rural | | Total | |
|---|---|---|---|---|---|---|
| | 1994 census | 2004 census | 1994 census | 2004 census | 1994 census | 2004 census |
| Male | 25.65 | 26.32 | 24.29 | 24.92 | 24.76 | 25.45 |
| Female | 21.61 | 22.89 | 20.41 | 21.79 | 20.72 | 22.14 |
| Both genders | 23.89 | 24.76 | 22.29 | 23.31 | 22.76 | 23.81 |

**Table 7.8** Percentage of women aged 15–49 who were married at 15, by age group, Yemen 2013

| Current age | Marital history | |
|---|---|---|
| | Married at 15 (%) | Never married (%) |
| 15–19 | 3.3 | 82.5 |
| 20–24 | 9.4 | 40.4 |
| 25–29 | 14.0 | 19.5 |
| 30–34 | 17.2 | 12.4 |
| 35–39 | 19.3 | 5.4 |
| 40–44 | 20.8 | 3.5 |
| 45–49 | 26.7 | 1.8 |

on the rate of registered first marriages, nor on the low rates of birth registration, which means age at marriage is only an estimate.

According to tradition, the age of marriage is associated with puberty, and is the family's way of protecting the girl. This comes as an expression of established traditions that cannot be circumvented or challenged. To date, there are no accurate and comprehensive statistics from official, private, or academic bodies. The available studies are based on samples and do not use objective criteria to ensure the best representation in terms of society or class.

### *7.3.2 The Causes of Early Marriage in Yemen*

In different developing societies, the majority of the rural population have experienced low levels of socio-economic modernization, and live under a system of customs and traditions that weaken the influence of positive law and formal institutions. As such, families remain out of reach of state intervention, except in rare cases. Therefore the causes of early marriage cannot be linked to poverty alone, as this is not substantiated by empirical evidence. Such linkage also contradicts many social facts, and does not reflect the reality of Yemeni or Arab society. The phenomenon in question can be linked to multiple cultural, social, and economic factors, especially given that rural and tribal families are closely committed to their inherited customs and traditions. These include early marriage, polygamy, and high birth rates, all of which are based on a fundamentalist religious culture that supports and justifies such practices.

A local study on this topic found that poverty is not the main cause of early marriage among males. In fact, according to the 1999 national poverty survey, the availability of wealth among 30.6% of families was found to be the main reason for their sons to get married at a young age. However, the survey also found that some families push their daughters toward early marriage due to low living standards, poverty, the reduction in spending on education, and the desire to protect the girls from misbehavior. Another reason for early marriage, according to a different study,

is the parents' wish for a large dowry, fear of spinsterhood, and having the husband's family help support the household, given that the wife is considered an addition to the family workforce. Furthermore, many parents consider early marriage to safeguard boys and girls against sin.

Here we are looking at an oscillating equation of cause and effect. Some parents believe that poverty leads to early marriage among girls, given their hopes of reducing the size of the family and benefiting from the dowry. Meanwhile, we find that poverty actually leads other families to delay their sons' marriages, particularly due to the difficulty of covering the costs.

Social, economic, and educational factors converge to bring about changes in many traditions and customs relating to the family and age at marriage. Changes are occurring even in terms of accepting women's participation in the labor market to support their families. This comes on the back of a bitter economic reality, which in turn results in a changing social reality where individuals and families are forced to adopt behaviors and practices that slightly deviate from what they are accustomed to.

In summary, we can say that there are various causes of early marriage. While this phenomenon is linked to tribal and social traditions and norms, the economic factor can be important. Poverty or wealth can lead to underage marriage among girls, and so can problems that lead to family disintegration. The absence of binding legal mechanisms to implement crucial laws also plays a major role in the spread of this phenomenon, and reflects the weak presence of the state and its modernization plans in the most important components of society.

### *7.3.3 The Impact of Early Marriage*

A case study from the capital city examined the psychological and social effects of early marriage on a limited sample of forty girls, of whom twenty-seven were married at 15 and the other thirteen between the ages of 15 and 18. Their average age at first marriage was found to be 14.26 years. Many of them had developed negative feelings toward marital life, which brought them nothing except new roles and responsibilities that overwhelmed them and affected their physical and mental health. It was also clear that many of the girls did not feel safe. Marital life had not turned out as they expected, leaving them anxious, depressed, and upset. They were unprepared for the psychological pressure, especially on the first night of marriage.

The same sample of girls disclosed various forms of psychological and physical abuse. As a result, many of them concluded that girls should not marry at an early age, in order to avoid abuse. In addition, early marriage played a role in depriving girls of a decent education, and thus curbing the development of their capabilities and skills. Younger girls, married at 15 or below, suffered the most from these effects as per National Demographic Health Survey, main report, 2013 (Central Statistical Organization, 2015).

In poor families, early marriage among males forces them to work in order to secure the dowry, cover marriage costs, and support the wife and children. Meanwhile, early marriage in well-off families reflects their desire to protect and guard their children. This is one of the reasons behind the high dropout rate from basic education and early involvement in the labor market. It is also one of the reasons behind accelerated population growth, given that Yemen has one of the highest rates in the world, at 3.5% a year. It also has a high dependency ratio of 6.3 children per family, which exceeds its economic income, whether the husband is employed or works as a simple farmer in an agricultural village.

Even if it seems stable and united, no family is free from incompatibility issues, especially when it comes to early marriage. This type of marriage has proved to do more harm than good. It has a negative effect on the lives of women and families, and these marriages often end in divorce. Meanwhile, girls show an inability to take on responsibility, which is inconsistent with the type of marriage in which women bear the brunt of child-rearing and housework. Marriage is a responsibility, and young girls who become wives are unable to bear it. Of the total sample of girls who were married young, 37.5% had got divorced or were in the process of seeking divorce. Meanwhile, 62.5% said the husband and his family subjected them to abuse, including beatings and accusations of dishonor, as well as public humiliation and detainment.

A number of the girls who had married at a young age complained about having little experience in family life and being unable to assume their family and social responsibilities as wives. As a result, they were subjected to insults, beatings, ridicule by the husband's family, and—in some cases—divorce. Marriage is a heavy burden on girls and their bodies, which are growing and in need of nutrition. In cases of pregnancy, the fetus also needs nutrition. Pregnancy leads to hormonal changes that disrupt the girls' own growth and affect their health in the medium and long terms.

Official surveys in Yemen show that 48% of deceased mothers were married early, under the age of 18, and 80% of them were uneducated. Most such cases were found in rural settings, given that a large number of small families have moved to urban centers but continued to follow rural and village practices. These families have not benefited from the place and culture variable, except in minor aspects of their lives. Here it is worth mentioning that the Personal Status Code does not provide preventative measures in terms of health risks among girls forced to marry at an early age. Hospitals receive many girls with severe injuries resulting from intercourse, but they never report these incidents (Central Statistical Organization, 2015).

### *7.3.4 Delayed Marriage*

Celibacy and marrying at a later age reflect a phenomenon whereby young people tend to delay getting married later than is traditional in Yemeni society, in either rural or urban settings. This delay does not come from a personal desire, but is rather forced by economic conditions in which a young man and his family cannot afford a wedding. Thus engagement—a preliminary agreement between families or

couples—can last for years, or even be postponed. In European societies, delayed marriage is associated with social variables such as education, urbanization, and industrialization. In our region, meanwhile, in addition to these same variables it is also associated with economic factors and high marriage costs. Education is not considered a factor in delaying marriage in our region, except to a limited extent, as it offers new awareness among young men and women as well as society as a whole. In Yemen, the correlation coefficient between these variables is absent. It is first limited to the economic aspect, followed by the education and culture variables gradually and in a limited manner.

While early marriage is justified according to the culture of agricultural and tribal society, it loses its justification in cities and urban centers, as well as among families and young people with a modern education. Therefore the traditionality of society and the family, along with the strong presence of social traditions and norms, have been—and remain—a motive for early marriage and a reason to label unmarried women over 25 “spinsters.” However in cities, and in today’s world, this age is natural for young men and women prioritizing higher education that will enable them to find employment, which will in turn provide them with financial independence and contribute to family income and living expenses.

According to popular culture, a “spinster” is a woman who remains unmarried at a later age than usual in the village or tribe. However, this label does not apply to men, even if they too remain unmarried at a later age. Such paradoxes reflect the cultural stereotypes that discriminate against women and stigmatize them for something men can do freely. According to the dictionary, a spinster is a woman who remains unmarried beyond the usual age for marriage. The term applies to women who grow old in their parental family home. Yet if a woman gets divorced after an extremely short marriage, she is not labeled a spinster. The label, then, applies to girls beyond the age of marriage, as defined by traditional society from its cultural and customary perspective. Against this background, media organizations and civil society activists, as well as educational institutions, must create new societal awareness supporting the continued education of girls until college. Society must also renew its awareness of the concept of delayed marriage as a personal and objective need for young men and women. Moreover, marriage should not justify girls dropping out of education. Rather, education must become a higher goal and priority in society, and part of the state’s interests and development programs.

The reality of Yemen today reflects all aspects of social change and inherited traditionalism in a single trajectory. The society is going through a period of transition that has gone on a little too long. The transition is volatile in its course of change, given the state’s weak role and the lack of an integrated modern vision or legislation for change, development, and evolution. Thus many of the features of modernization and evolution do not form individually or separately from the past and heritage. Rather, the past and its cultural system continue to present themselves with every new variable. What is certain is that modernist variables always challenge old traditions, albeit slowly, with a noticeable and tangible effect on various aspects of social life.

Delayed marriage has become a prominent phenomenon in all Arab societies, albeit to varying degrees and for various reasons. For example, we find unmarried

men and women in their thirties who are worry-free, because living expenses and personal growth in terms of work, housing, and social status all constitute a priority for a large segment of young people.

Nevertheless, our Arab societies—including Yemen—continue to reel under traditions in a transitional phase that reflects the duality and bilateral coexistence of old and new ideas, practices, and structures simultaneously. This is one of the most important features and manifestations of transitional societies, which have yet to achieve complete modernity but are no longer the same. These societies also need more time to root social and cultural changes in a more comprehensive modern context.

As noted earlier, despite the changes across Yemen, society's views continue to worry older unmarried women/girls, which also raises questions about their personalities, characteristics, and behaviors. This often makes the women—and their entire families—feel ashamed and anxious when asked by neighbors or friends about marriage. While women are not to blame for delayed marriage, the matter is often associated with socio-economic living conditions, and occasionally luck (or lack thereof), according to the fortunetellers some seek out.

Girls sometimes accept marriage as an opportunity to change their lives and avoid social accountability and anxiety, even when they have many reservations about the prospective husband. Women do not have the freedom to choose whether or not to get married. Rather, marriage is a constant and their only choice is to work to improve the conditions of marriage.

### *7.3.5 The Causes of Delayed Marriage*

Based on earlier references to the significance of delayed marriage and the associated variables in the societal context and the circumstances of young men and women, it can be said that there are several causes—personal and objective—leading to delayed marriage. The most important of these are high dowries and marriage costs, youth unemployment, girls' education and work, the cost of independent housing, youth migration, and general social conditions.

Such causes undoubtedly have psychological and social effects on young men and women. However, they have a markedly greater effect on women, especially in terms of how society views them, and how such views raise questions or accusations that worry the women and restrict their movements and relationships.

There are other general and objective variables relating to the awareness of young men and women of future options and the desire to pursue education and job opportunities. However, it is society's views on delayed marriage that must change. Delayed marriage must be viewed in the context of young people's hard work to grow economically and educationally and prepare for the future. In this regard, researchers point to a number of causes that justify delayed marriage and intersect with what we have discussed earlier. These causes, which are also present in many Arab societies (Al Mahdi, 2004, pp. 118–121), include lack of a suitable partner; pursuit of education; women's working to ensure a bright future; difficult financial status and preference

for celibacy; fear of marriage responsibilities; young men refusing to marry college graduates; fear of the future; and unmarried older sisters.

### *7.3.6 The Costs of Marriage*

The costs of marriage have always been high, because they do not occur frequently. Moreover, marriage is considered an occasion to express family joy and social status, with different manifestations from one city to another, and from one family to another. Wedding ceremonies are even different from twenty years ago. In the city, weddings take place in modern venues (large halls designed for multiple purposes, including weddings), which can cost a fortune—up to 500,000 Yemeni riyals—for a single day, but also half of that, or even less, depending on the size and décor of the hall. As such, holding wedding ceremonies in these luxurious halls has become a social way of boasting among families.

Marriage costs are not limited to the dowries offered by the suitor and his family to the bride and her family. They include the cost of the wedding itself, which can last up to three days in some rural areas, and a day or two in the city, in addition to new rituals. For example, modern wedding dresses are new to the Yemeni countryside, but they have become more acceptable in cities and urban centers. Because this is an exceptional occasion, fathers and families do their best in terms of money and services to enhance their image before relatives, neighbors, and others.

Until the mid-1980s, weddings were affordable for the majority of young people in both rural and urban areas. However, Yemen witnessed major changes in the early 1990s, with increasing rates of emigration, higher wages, higher costs of living, and growing wedding requirements. This burdened fathers, families, and suitors, forcing some of them to borrow from other people or from banks, or seek to mortgage or sell a plot of land, or sell some of the family's assets, such as cars.

A case study carried out in Dhamar province, in a small agricultural community called Jahran, found that a bride's dowry can be as much as one million riyals (about US$5,000). Thus parents in the village have become unable to marry their sons off without selling land, taking a loan, or both. Dowries continue to rise, worsening the struggle of young men and women in the village, as marriage has thus been rendered practically impossible. As a result, some of the region's elders and leaders got together and drafted a socially binding agreement that set a cap of 200,000 riyals (about US$1,000) for dowries. Violators of the agreement were fined 100,000 riyals and forced to apologize to the village and its elders. This allowed young men and women to get married at much lower cost, making it affordable for poorer and middle-class families.

Similar measures have been taken in several other villages and provinces, as the problem is not limited to a specific region or city. Rather, it is a conscious recognition of a social problem facing most cities and populations, especially low- and middle-class families, that has prompted village elders to come up with practical solutions. However, these can sometimes be of short duration, as they are gradually violated.

Generally speaking, marriage costs in Yemen are very high and vary from one city to another. Fathers often cover the costs with the help of loans and assistance from family members. Such loans may lead to problems between spouses, which in turn affect and occasionally break up the traditional family. In other cases, parents resort to exchange marriages when they are unable to fund their sons' marriages by other means. On the other hand, the high cost of marriage has introduced a new variable that some view as a positive feature, that is, delaying the marriage of young people until the age of 25 or older, while continuing to support the education of girls until they finish college, which is also a positive development.

Some researchers have seen a decline in polygamy due to high marriage costs, but this is not borne out by statistics, especially since polygamy is an option only for those who can afford it. Most marriages among older people do not require luxurious celebrations but are limited to small arrangements among family members. Meanwhile, other positive changes have attracted the attention of researchers. The high costs of marriage have earned women the respect of husbands, families, and society, although—as others would argue—this can also be attributed to changing levels of education and culture, as well as the prevalence of positive views toward women even among poorer communities.

## 7.4 Marital Relations

This section examines marital relations in Yemen, with a focus on emotional satisfaction between spouses, domestic violence, and the role of legislation.

### *7.4.1 Emotional Satisfaction Between Spouses*

Emotional satisfaction refers to meeting and positively expressing the emotional needs of men and women, as well as women's awareness of its importance as an integral variable for the stability of the marriage. In our societies, intimate relations acquire legitimacy through the declared marital union of a man and a woman. The more both spouses understand and appreciate the importance of this issue, the more stable their relationship becomes. Otherwise, any disruption to this process may become the primary cause of problems and disputes between men and women in the home. This can also result in domestic violence, especially against wives. Traditional culture justifies men's violence against their wives in cases of disobedience and refusing to meet their emotional desires. Some studies have found a link between the levels of communication and compatibility between spouses, which explains the intersecting interactions within Yemeni families with low compatibility. The negative traditional values of spousal relations are not based on the concept of partnership, as men are usually the decision-makers, while women constitute a mere necessity of marital life (Al Azzi, 2007).

Based on traditional social culture, men often see women as negative beings who only offer emotional interaction when asked to do so. Problems arise between them when women do not respond to men's desires as required. Since men are the decision-makers in the family, women are either partners in or recipients of those decisions. In either case, they work to implement them. One study detailed the key factors contributing to marital compatibility, defined as satisfactory intimate relations and emotional support, with the emotional aspect being found to be of great importance in building marital relations. Moreover, marital compatibility was seen to be an ongoing process based on the actions of the spouses and requiring continuous effort, along with other influential factors (Al Radaei, 2008), as follows: the emotional aspect; mutual love; personality; conflict and the change of social roles; the material/financial aspect; the cultural and social aspect; children; age at marriage; and marital choice.

In one way or another, all of the factors above contribute to the pattern of spousal relations and emotional satisfaction. Studies have indicated that 25% of husbands fail to appreciate the physical or mental health of their wives. As such, many wives are left upset and frustrated, especially in terms of intimate matters. This also affects marital compatibility, either positively or negatively. The same studies also showed that husbands do not pay attention to their wives' intimate needs, either by accepting or rejecting them. Sexual intercourse between spouses often takes place by force or against the will of the wife. In Yemen, nearly 92% of men and women were found to lack knowledge of reproductive health.

On the other hand, some studies have found a correlation between divorce and intimate relations between spouses. The spouses' lack of understanding of the nature of sex and how to handle and enjoy it were found to cause many marital issues, which in turn led to actual or emotional divorce. Many couples, even educated ones, generally avoid having honest discussions about these matters. In some societies, having sexual intercourse without the wife's consent may be viewed as a form of violence that must be reported.

Emotional satisfaction has a major impact on marital compatibility and satisfaction, and it strengthens the connection between spouses, with intimate relations at the center of a good marriage. In this regard, studies indicate that educated spouses have an above-average level of compatibility. A study sampling one thousand male and female married high school students found a high level of compatibility among adolescents and an inverse relationship between marital compatibility and emotional problems. The study concluded that a majority of the respondents had a high level of marital compatibility. Nearly 44% of them responded positively regarding emotions, while 56% responded negatively. In our societies, the idea of emotional satisfaction is never discussed in public and does not form a part of social upbringing. Sex culture is generally unrecognized as a cultural field and is never discussed in schoolbooks or as part of official religious discourse. As a result, spouses acquire this knowledge individually in various ways. The educated among them may sometimes read about it in books or online.

Economic and social pressures cause men moral and physical frustration; hence they often seek release through emotional interaction, but they do not find the best

or most sensitive way to deal with their wives. As a result, their intimate encounters may turn violent, with wives submitting to their husbands' desires without any regard for their own needs or readiness.

This gives rise to continuously escalating disagreements and disputes between spouses, as they do not stop to think calmly or discuss their problems. This is because they do not understand each other, and because men do not comprehend the concept of emotional satisfaction. Most men in our society, where traditional culture demeans women, do not allow women to discuss their sexual needs with their husbands or even their parents. This traditional culture requires women to follow, serve, and fulfill the men's desires.

Today, scholars and cultural/feminist magazines often discuss sex education and its importance for women and men. They also discuss the concept of emotional satisfaction and its role in the stability of a marriage. However, in traditional society husbands often do not show emotions toward their wives; in other words, men believe that the expression of emotions makes them look weak in the eyes of their wives. Thus cruelty and the suppression of emotions make men feel powerful. There is also a widespread belief that intimate relations are a right that husbands can exercise without any objection from their wives.

As a result, family issues accumulate over time. Contrary to popular belief, not all of these issues can be attributed to economic reasons. Although economic hardships present challenges to relationships, the emotional dimension is key to the stability of the family. There are no field studies or objective surveys offering data or statistics on the subject. All we have are studies based only on samples and with limited geographical reach. We should also mention that for a girl aged 15, or even a woman of 20, having intimate relations with an older man makes her first sexual encounter a real shock and more akin to an act of rape than a natural interaction between a couple on their first night of marriage.

Closeness between spouses is also important for family stability. By closeness we mean mutual understanding, harmony, and acceptance. In social reality, traditional marriages often bring together spouses with differing educational levels and interests. A study carried out in 2003, meanwhile, found a positive correlation between spouses' education levels and their marital compatibility. The higher the educational level of the spouses, the greater their awareness of the importance of maintaining their relationship and their skills to do so. Educated spouses are better able to exchange views, make decisions, have constructive conversations, and discuss their problems, which enables them to resolve their disagreements without the involvement of others. The education of spouses adds a level of respect to the relationship. It also makes the relationship a better match, which is considered one of the main reasons behind marital compatibility.

Emotional satisfaction problems often appear when there are large age gaps between spouses (i.e., an older husband marrying young girl). For example, a weary older husband who is economically and socially drained and undernourished, and is thus less active, may be unable to deal or communicate with his wife, because he always finds her willing to serve his needs without any regard for her own needs.

Meanwhile, the absence of specialized family centers offering social and psychological support to resolve emotional issues between spouses has led to the accumulation of crises, which often end in divorce or women returning to their parents, further exacerbating marital disagreements and problems.

### *7.4.2 Violence Against Women*

All societies strive for change and progress in terms of development and its requirements. This includes serious and active steps to help the family, and particularly women. According to scientific studies and reports, at least one in three women around the world is subjected to violence by strangers or relatives. Violence against women comes in various forms, from verbal and physical harassment to beating and direct violence. Domestic violence against women, as a direct or indirect act or behavior, moral or physical, may be committed by any male family member (father, brother, husband) and often results in physical or psychological harm (or both) to the woman (daughter, sister, wife). Physical violence includes corporal abuse in various forms (beating, burns, or disfigurement).

Moral violence, meanwhile, involves the threat of using physical violence, along with negligence, contempt, and denial of freedoms. In traditional Yemeni society, women are subjected to various forms of violence and discrimination. These include domestic violence, deprivation of education, early and forced marriage, restricted movement, exclusion from decision-making, denial of inheritance, and female genital mutilation (FGM). It is worth mentioning here that there are solid tribal traditions that deny women their Islamically rightful share of inheritance. In that sense, the tribe often has more power than Islamic law, which is largely ignored by the state.

However, this phenomenon is not widely practiced in society. There has been a generally positive change in favor of women and the structure and functions of the family, especially with increasing education and expanding urban centers. But a large percentage of the population, especially in extremely conservative tribal areas north of the capital, appears to follow this practice. The lack of relevant statistics is attributable to the fact that society does not publicly acknowledge it. It is socially unacceptable to report relatives like fathers or husbands for abuse. In Yemeni culture, it is also unacceptable to beat or humiliate women, yet male family members have the right to do so in order to discipline girls and preserve the family honor. This is often regarded as an internal family issue. Domestic violence occurs behind closed doors, and laws criminalizing the act are non-existent. Moreover, social norms prevent families from reporting violence or seeking help. As a result, abused family members are physically and psychologically affected, and their suffering increases when they do not seek help.

There are insufficient data available on violence, from either official institutions or civil society organizations. Statistical indicators on gender are not part of officially published reports. Such indicators are excluded because obtaining them involves the public prosecution and judicial system. There is a lack of scrutiny regarding

the collection and exchange of statistical data among the Interior Ministry, public prosecution, and judiciary. Furthermore, some incidents do not get reported due to prevailing social traditions or the intervention of relatives to resolve the family dispute. As a result, these incidents do not get documented in police records. This is confirmed by studies that have found that families do not file official reports or complaints against family members who commit gender-based violence, in order to preserve the family's social reputation.

### *7.4.3 Domestic Violence*

Over the past five years, studies and research on women and violence have looked at married women and adolescents in both rural and urban areas. They have found that some of the women sampled were not subjected to violence by their husbands. These women emphasized that their husbands considered their marriages sacred and respected the freedom of women. Other respondents said they were subjected to violence (mostly psychological) by their husbands, which included picking fights, yelling, abandonment, negligence, and insults. The women reacted by ignoring the violence, feeling oppressed and threatened with separation; they remained silent for fear of the situation escalating, which might eventually break up the family and harm the children. Women also feared they had nowhere else to go. Some said that family members around them did nothing in reaction to the violence against them but remained silent, and sometimes even blamed the wife for the violence she suffered. Others said their relatives reacted by blaming the abuser.

The forms of violence inflicted on adolescent girls differ between rural and urban communities. In the city, new restrictions have been imposed on the movement of girls, especially after puberty. In addition, brothers often exercise control and force them into early marriages. They also use physical violence against them. Meanwhile in the countryside girls are deprived of education and forced into early marriages and arbitrary divorce. Their brothers there also control them, which reflects a culture of male dominance imposed by the patriarchy and justified by tradition. Most girls said they had been subjected to multiple forms of violence, and some had even attempted suicide. Reactions to the violence also varied among the people around them. In the countryside, the abuser was blamed and criticized. In the city, some people blamed the abuser, while others stood idly by in the face of the violence.

Domestic violence against women is widespread but takes place behind closed doors, which makes it hard to identify or survey (Al Salahi, 2010). It is considered a family matter that many avoid discussing. Most women see the following actions as constituting domestic violence: physical violence (94%), child marriage (96%), rape (97%), sexual harassment (95%), and deprivation of education (94%). Meanwhile, 81% say that not being allowed to participate in family decision-making constitutes a form of violence. Women do not participate in key family decisions, and only 55% take part in decisions related to their health care. Despite the lack of accurate statistics, domestic violence is clearly widespread in Yemen. It is often dealt with

according to social norms and by community leaders, family elders, or neighbors and friends. However, what is certain is that most cases of domestic violence are not reported to the police. Studies have shown that women believe psychological violence is the most widespread, whereas men say physical violence is the most prevalent kind. Responses have also shown that gender-based violence is practiced most at home, followed by in the street and other places, like work or school.

Some Yemeni wives suffer various forms of verbal, physical, and sexual violence. Verbal and psychological violence are among the most prevalent forms, at a rate of 96.7%. This is due to a misguided social upbringing, which grants men absolute power and forces women to follow orders. This kind of upbringing downplays the value and status of women while elevating the status of men. Popular folk tales play a major role in portraying women as inferior. Physical violence is the second most common form of violence suffered by wives. Beating was reported by 33.3%, while sexual violence—in which women are forced into sexual intercourse against their will—was the least common, reported by only 10%.

Most women, whether married (89.9%) or unmarried (71.85%), do not consider psychological violence (like name-calling, harassment, searching of personal belongings, or threats) to be abuse, and 79.1% of married women do not regard physical violence by the husband as abuse. Some do not consider psychological violence like name-calling and contempt within the family to constitute violence. Yet according to a field study sampling married and unmarried women in four Yemeni provinces, Sanaa, Taiz, Aden, and Hodeida (Yemeni Observatory for Human Rights, 2006), both married and unmarried women are aware that psychological and physical violence constitute abuse. Official statistics have indicated that many women find beatings justified in specific cases, such as leaving the house without the husband's knowledge (35.5%), refusing sexual intercourse (32%), neglecting the children (29.9%), arguing with the husband (20%), or burning the food (10%). Women living in urban areas are less likely than their rural counterparts to accept violence, owing to their higher levels of education. According to focus groups of men and women in 2014, women fall victim to domestic violence when they deviate from their family roles or traditionally prescribed conduct, whether in the public or the private sphere. Surveys have shown that 37% of Yemenis agree that violence against women is justified if they refuse to obey orders. There is also widespread acceptance of this type of violence inside the home, on the basis that abusers commit violence in order to protect, discipline and look after women's interests, ultimately preserving the honor of the women and the family. Meanwhile, divorced women were found to be the most subjected to gender-based violence.

### *7.4.4 The Causes of Domestic Violence*

Violence against women is one of the key factors negatively affecting women's participation in, and consequently their ability to become active and influential members of, society and the family. There is no clear legislation in Yemen protecting women

from domestic violence. Such laws are also missing from social norms and traditions; in fact tradition emphasizes men's right to beat and discipline women, as being subject to their control. Families are considered private spaces where all power is in the hands of men (fathers, brothers, husbands). Women are subject to various forms of violence, mainly due to the nature of the cultural terms of reference that shape and define what men—and even women themselves—consider violence toward women. The failure of social and cultural change has led women to believe that men's behavior toward them is their given right, which is thus faced by weakness and submission on their side. As a result of this powerful social upbringing, women pass these ideas on to a new generation of children, in line with restrictions on women's rights, choices, and roles. Many women believe that the continuation of such social norms is an expression of a normal situation, where women are inferior to men in terms of rights, roles, and status.

At all stages of their lives, women are subjected to punishment when they fail to carry out all the required duties at home (cooking, cleaning, laundry), in addition to their reproductive roles. Forms of punishment include verbal violence (name-calling, cursing) and psychological violence (quarreling, abandonment, beatings, and divorce). Men (fathers, husbands, brothers) hold the right to determine and execute such punishments when women fail to perform their duties. Furthermore, delayed pregnancy may result in women being shamed and accused of failure to bear children, even if the delay is caused by a health problem in the man. The different forms of violence against women show the duality and contradiction between the (mis)understanding of religious texts, the power of social norms, and the fragility (or lack) of laws. In this regard, the state's failure is evident in the absence of laws granting women their rights and protecting them from tribal traditions that negate the power and constitution of the state. In Yemen, this duality is seen in many fields, and not only with regard to violence against women. This situation contributes to the widespread illiteracy among women, as well as their ignorance of their religious and legal rights. It also undermines civil society's campaigning in support of women, a newly formed movement that lacks proper representation and has yet to be heard by the state. While illiteracy helps to reinforce the existing status of women, some modern institutions reinforce it too, with schools and textbooks often supporting the stereotypical view of women within society. The media play a similar role, further entrenching the traditional view of women based on cultural and tribal values. Throughout the history of domestic violence, girls have learned from their abused mothers and come to perceive certain behaviors as normal. In fact girls sometimes feel responsible for provoking violent behavior from men, which is why they resort to denial and attempt to reduce the violence in order to avoid regular clashes with their father, brothers, or society.

The social structure in which women live imposes certain rules, practices, and traditional social relationships that establish and deepen male dominance and the marginalization of women in society. It also imposes a wide range of social rules and restrictions on women, bolstering conceptions and values of honor, shame, appropriate and inappropriate behavior, and Islamic rules. In addition, it imposes certain depictions and conceptions of women as lacking intellect, strength, and status. This

distorts women's self-image and makes them feel inferior in terms of their social roles. Thus women remain in this position, and illiteracy helps to make it acceptable (Table 7.9).

Based on sampling, some researchers believe that women living in Yemeni cities like Sanaa, Taiz, and Aden are subjected to more violence than women living in other provinces. This is despite a high rate of enrollment for girls in school (as shown in Table 7.10) and a low rate of illiteracy, as well as high levels of economic participation by women due to the social and cultural change witnessed by urban centers across Yemen. This structural change has created a new image of women and their roles in both private and public spheres. In the city, girls (and even young men) appear to be rebelling against traditional value systems and cultural references, leading to a clash between modern and traditional cultures. This rebellion has also created a kind of clash between men and women, where men seek to preserve their

**Table 7.9** Level of education among the population aged 10 or older (%)

| Category | 1994 census | 2004 census | Multipurpose family budget survey 2005–2006 |
|---|---|---|---|
| Illiteracy rate among males and females | 55.8 | 45.3 | 40.7 |
| Illiteracy rate among males | 36.5 | 29.6 | 21.3 |
| Illiteracy rate among females | 76.2 | 61.6 | 60.0 |
| Literacy rate among males and females | 26.7 | 31.5 | 33.6 |
| Literacy rate among males | 36.7 | 37.3 | 41.0 |
| Literacy rate among females | 16.1 | 25.4 | 26.3 |
| Percentage of total males and females with basic education + pre-secondary diploma | 12.7 | 12.0 | 13.0 |
| Percentage of males with basic education + pre-secondary diploma | 19.2 | 17.0 | 18.8 |
| Percentage of females with basic education + pre-secondary diploma | 5.8 | 6.8 | 7.4 |
| Percentage of males and females with high school education + post-secondary diploma | 3.5 | 8.2 | 8.7 |
| Percentage of males with high school education + post-secondary diploma | 5.5 | 12.0 | 12.8 |
| Percentage of females with high school education + post-secondary diploma | 1.4 | 4.4 | 4.7 |
| Percentage of males and females with university education or higher | 1.1 | 2.3 | 2.3 |
| Percentage of males with university education or higher | 1.7 | 3.5 | 3.6 |
| Percentage of females with university education or higher | 0.4 | 1.0 | 1.1 |

*Source* Central Statistical Organization, annual statistical reports 2013, 2014

**Table 7.10** Gross and net rates of school enrollment

| | Gross enrollment rate | | Net enrollment rate | | Non-enrollment | |
|---|---|---|---|---|---|---|
| | 2005/2006 | 2014 | 2005/2006 | 2014 | 2005/2006 | 2014 |
| Urban | 87.2 | 91.2 | 81.5 | 87.0 | 18.5 | 13.0 |
| Rural | 68.1 | 87.0 | 61.6 | 83.5 | 38.4 | 16.5 |
| Male | 82.0 | 90.1 | 75.9 | 86.2 | 24.1 | 13.8 |
| Female | 62.6 | 86.1 | 56.0 | 82.4 | 44.0 | 17.6 |

traditional authority, while women attempt to eliminate male dominance and limit men's control. All of this reflects the complex transitional phase that Yemeni society in general is going through, marking a break between old and new norms. In other words, Yemen is at a crossroads of tradition and modernity. However, modernity has yet to cut ties completely with inherent social traditions.

According to a government report, the improvement in women's education levels and the decline in illiteracy rates from 76% in 1994 to 60% in 2006 both reflect successful developmental efforts in terms of women's education (Table 7.9). The percentage of females aged 10 and older attaining elementary school education and higher increased between 1994 and 2004, with a clear impact on average age at first marriage in both rural and urban communities, rising from 20.7 to 22.1 (Women's National Committee, 2010).

Education is considered the main route for social and economic mobility. It provides women and girls with opportunities to improve their choices and living conditions. Moreover, it provides society as a whole with more options and opportunities to change and renew its social culture of roles and status. For that reason, education has become the main concern of families, even when parents are themselves uneducated, which is why they invest part of their savings in the education of their sons and daughters alike. This signifies that education has an important social and economic value for families.

Poverty is not the only cause of gender differences in terms of education in Yemen (CARE, 2015). The rural/urban gap, as well as social norms, plays a role in further entrenching gender differences when it comes to school enrollment. Yemeni children in the countryside—whether poor or wealthy—are less likely to enroll in school than city children, who have more opportunities. Furthermore, there is a shortage of schools and teachers, a tendency to avoid non-segregated education, and fears related to the honor and reputation of adolescent females, which explain why tradition supports and justifies early marriage as providing security for the family and the girls.

In 2011, 597,000 girls and 352,000 boys of basic education age did not enroll in school. Factors like poverty and living in rural areas have a negative effect on gender-based treatment and increasing rates of early marriage. School enrollment levels increased between 2005/2006 and 2014, while the number of children dropping out declined. Gross enrollment increased from 73.4 to 88.3%, while net enrollment increased at an even higher rate, from 66.4 to 84.5%. Meanwhile, dropout rates fell by

more than half, from 33.6 to 15.5%. This was a particularly substantial development at the lower end of the scale. Gender gaps were also narrowed considerably across all indicators, albeit not entirely closed.

Enrollment in school plays a role in reducing rates of illiteracy among both men and women, which is considered one of the main causes of domestic violence. It also reflects the increasing interest in education nationwide (urban and rural), as well as increasing number of schools and a general public awareness of the importance of girls' education.

### *7.4.5 Who Commits Violence Against Women?*

In one study, field interviews with women suggested that abusers are mainly their fathers (37%) and brothers (35%), while fewer than 3% of women reported violence by their husbands. However, another study ranked husbands first in committing domestic violence, followed by fathers, brothers, and occasionally mothers.

It was found that 40.63% of married women are subjected to insults and threats of divorce by their husbands, but that women face more beatings, biting, and verbal abuse from their fathers-in-law than from their husbands (29.05% vs. 24.58%). The rate of female victims of domestic violence (wives, sisters, daughters) was 22%. Most victims of domestic violence are related to their abusers, and family disputes are the main reason behind violence against women (Central Statistical Organization, 2015). According to official statistics 37% of women said fathers or mothers committed the most violence against women (daughters, daughters-in-law), followed by brothers or sisters (35%) and husbands (2.7%). Most violent practices against women occur at home (92%), followed by on the streets, in the workplace, and at school (8% in total).

Another study found that the obstacles to eliminating violence lie not only in the dominant traditional culture, but also in the country's weak laws and the absence of the state as a supporter of families and wives. The lack of specific laws on violence against women constitutes another obstacle. For example, sexual harassment is considered only a misdemeanor incurring minor penalties that fail to deter or properly punish perpetrators. The researchers found that sexual harassment is prevalent in most cities, where many women face verbal or physical harassment. They also found that many women subjected to harassment do not file complaints at police stations for social reasons. There are no female police officers who can understand the victims' complaints, and male officers—who are themselves strongly influenced by the traditional culture—dismiss their complaints of harassment and actually laugh at women who report their husbands or family members. Here there is a duality between the law and the traditional culture, with the latter being prioritized rather than the law being applied. The researchers recommended setting harsher penalties and raising the level of the offense from a misdemeanor to a felony. They also suggested recruiting specialized female police officers, and adopting a gender-based violence indicator

to be used by the police, prosecution, and judiciary. Their recommendations also included keeping an ongoing record of such cases all year round.

While issues of violence are covered under the penal code and public law, these laws make no reference to all the cases of violence inflicted on women and girls inside and outside the home. As such, protection from family violence is viewed extremely negatively by the authorities, who consider the family home a private space in which the state does not directly intervene. Fathers see their families as their own personal fiefdoms, where no one is allowed to challenge their violent practices against any member of the family. And because the concept of gender-based violence is relatively new, it is absent from various laws advocated by civil society and activists, including the Women's National Committee.

### 7.4.6 *Marriage, Violence, and the Law*

Despite the development of laws in Yemen, including changes to ensure gender equality in terms of citizenship and equal opportunities, some of them still include articles that discriminate against women. This is especially the case with the Personal Status Code, which regulates family matters. It was drafted by conservative and fundamentalist lawmakers who held demeaning views of women and their status. Hence family law, among other legislation, reflects clear discrimination against women. The Committee on the Elimination of Discrimination against Women (CEDAW) has expressed concerns about ongoing discriminatory practices against women, as well as hardline attitudes on the roles and responsibilities of men and women in the family and society (United Nations, 2008). These stereotypes represent the main obstacle to implementing international agreements on women that have been signed and ratified by the Yemeni government, especially the CEDAW Convention on the Elimination of All Forms of Discrimination against Women. Laws including the Personal Status Code contain articles emphasizing men's roles as the guardians of women in respect of marriage, and consequently deny women independent personhood. These articles make women subordinate to men, regardless of the degree of kinship (father, brother, or uncle) and do not ensure justice for women; neither do they protect them in their marriages. In fact they show discrimination against women by placing them at the mercy of men, who have, with the full support of the law, been culturally and socially portrayed as women's owners. For a man, the marriage certificate is more like a property contract, whereas a woman is not allowed to discuss any part of the matter, despite being a key party to the marriage. According to the marriage contract, men become owners of women and their bodies and choices. This is why changing the laws and the cultural system is so important. They need change in order to support the concept of equality, and the view of women as human beings entitled to make their own choices.

In terms of state involvement, laws are an important tool for change and development, especially with reference to women. In southern Yemen, the state played an important role in supporting women by approving the Family Law in 1974, which

was considered one of the Arab world's best acts of legislation for achieving gender equality, while setting the marriage age at 16 years for girls and 18 years for boys. The law also strongly emphasized that judicial approval of polygamy for men had to be based on various criteria that did not include the men's personal wishes. After a unified state was declared in 1990, the laws were also unified and revisited. A parliamentary majority of traditional forces amended the Personal Status Code (family law), adding a range of articles discriminating against women, including the definition of marriage and the various rights and duties within it.

Since the unification of Yemen, Article 15 of the Personal Status Code (20/1992) has only prohibited the marriage of children (boys or girls) under the age of 15. The law was later amended (24/1999) to make valid a marriage contract signed by the guardian of a female minor. Meanwhile, the husband was not allowed to consummate the marriage unless the girl was physically capable of sexual activity, even if she was older than 15. The amended law also prohibited the marriage of minors unless there was a proven benefit. It allowed the guardian (father or judge) to determine the girl's age of maturity and her capacity to take on the responsibilities of marriage and engage in sexual activity. Thus women became dependent beings defined by their connection with a man, whether father or husband. Under these laws, women were deprived of the ability to decide on this most personal of matters. Instead, the man decides for them when they are ready to marry. As such, women engage in sex based on men's ownership of them, and having to satisfy the men's needs in order to avoid violence in its various forms.

The Personal Status Code (20/1992) also allowed for polygamy. Article 13 allowed men to take up to four wives if they could ensure fairness to them. Section 3 of that article set out the conditions for polygamy. Article 13 was then amended by Law 27/1998 on personal status. Article 12 of the amended law allowed men to take up to four wives according to the following conditions (Table 7.11).

As can be seen from the table above, in 1998 the lawmakers retained Islamic conditions for polygamy while removing the condition of legitimate benefit, determined by agreement of both spouses, which had meant that women had to be involved in making their own decisions. The law also stipulates that women should meet their husbands' needs (husbands being entitled to their wives' obedience, and the duty of

**Table 7.11** Conditions for polygamy, 1992 and 1998

| 1992 Law, Article 13: conditions for polygamy | 1998 amendment of Article 13: conditions for polygamy |
|---|---|
| There must be a legitimate benefit<br>The man must have sufficient funds to support more than one wife<br>It must be ensured that the woman is aware her suitor is already married<br>It must be ensured that the existing wife is aware her husband is seeking another wife | The man must be able to achieve fairness<br>He must be able to support them<br>The woman must be notified that her suitor is already married |

obedience being justified as being in the best interests of the family). Among the obligations the law imposes on women are

- Moving with her husband to their matrimonial home, unless she has set a condition in the marriage contract that she is to stay at her family's home, in which case she must allow him to live with her and consummate the marriage.
- Allowing him sexual intercourse when they are alone.
- Obeying orders and carrying out her matrimonial home duties like others.
- Not leaving the matrimonial home without his permission. A husband does not have the right to prevent his wife from leaving their home if she has a legitimate or socially acceptable reason that does not violate honor or her duties toward him, especially when her purpose is financial or work-related. Another legitimate excuse for a woman to leave the home is to assist her elderly parents, if they do not have someone else to care for them.

Under Yemeni law, women do not have the same citizenship rights as men. Children automatically acquire the citizenship of their fathers, whether or not the mother is Yemeni. Meanwhile, Yemeni women married to foreigners are unable to pass their citizenship on to their children. Despite government efforts to amend discriminatory articles in the law, it has failed to guarantee equality, especially regarding Law 24/2003, and a new provision, Article 10, was added to the Nationality Law (9/1991) to prohibit Yemeni women from transferring their nationality to their children unless they are divorced, widowed, or abandoned by their non-Yemeni husband. In 2008, Article 3 of the Nationality Law was also amended to allow women to transfer their nationality to their children if the father is unknown or stateless. Meanwhile, according to Article 232 of the Criminal Code (12/1994), if a husband kills his wife while she is lying with another man (adultery), or commits an assault on them (the wife and the other man) leading to death or disability, the law of retribution does not apply. Instead, the husband is only sentenced to one year in prison or a fine. The same applies if a man catches any of his other female relatives committing adultery.

## 7.5 Work and Marriage

Yemen's constitution clearly guarantees the right to work for all people as a citizenship right, without any discrimination between men and women. However, there is a wide gap between the text of the constitution and the content of the laws as applied in society. Women's rights are either acquired through the constitution and the law as an expression of the discourse of a modern state, or else socially inherited through the prevailing customs and traditions. As such, the reality on the ground has a negative effect on women's rights to work on an equal basis with men. The society's traditional

culture continues to stereotype the roles of men and women, while also downplaying the value of women's work outside the home, although this perception has slightly declined according to current variables. Women's work, activities, and success are controlled by constraints and limitations based on their gender that undermine their status and roles.

According to a local study, 50% of a sample across ten provinces (out of nineteen) said they did not consider women's lack of participation in the economy as violence.

Out of the total population, women constitute 72% of those outside the workforce, and men 28%. The absence of women from the modern workforce can be attributed to the dominance of a patriarchal culture that views women's place to carry out their roles as in the home.

However, this has not dissuaded women from acquiring education and participating in the modern labor market, following many changes in Yemeni society. Families also need women's work and additional income to help cover household expenses. That is why a growing number of women are now working in education, health, administration, and other new sectors, such as banks, private companies, and private businesses. Their numbers remain low, but they are important indicators of women's presence in the modern workforce.

Yemeni women first joined the education and labor market in the 1950s, particularly in Aden. The city witnessed a brief liberal and open era under British occupation, which lasted for over a century.

The traditional culture that established a stereotype of women's roles still elevates their status whenever they successfully perform their reproductive roles and other household/family work, yet the same culture devalues women's success outside the home. This is why most female candidates fail in municipal or parliamentary elections. Their failure is due to the negative perception of women in the minds of men and society, and to weak support from political parties and civil society organizations.

Since Yemen is a traditional agricultural society where most people reside in rural areas, women's work in agriculture on family property is widely accepted and even encouraged by men. This is because agricultural properties are often small and families with limited incomes cannot afford paid labor, so they rely on the labor of the husband, wife, and children. In families where husbands migrate or are separated from their wives, women become the main breadwinners and play an important role in the home and in the fields.

Educated women, and those working in modern institutions, say that many men misinterpret the concept of guardianship/male superiority, thus further consolidating patriarchal control and devaluing women's status. Husbands often agree to let their wives work in order to benefit from the additional income, which can help cover family and living expenses, but this too puts women under constant control by their husbands. In some cases, women find themselves forced to give up part of their monthly income in order to be allowed to keep their jobs.

So there are many obstacles in the way of women's progress as part of the development process in Yemen. They include social and cultural hindrances that continue to undermine the value of women's work outside the home and often limit women's work to specific areas deemed appropriate by fathers, husbands, or brothers, such as

education and health. Other obstacles have to do with women themselves, because they need more knowledge and skills training in order to escape the limitations of menial jobs or laborious handiwork that generate limited income.

There are also institutional obstacles. Public and private work often require long working hours in the absence of preschool daycare centers, which have only recently started appearing, albeit at fees unaffordable for working mothers. Such obstacles reflect the lack of state support for working women. At one point there were hopes that each government organization would establish a daycare center for the children of its female employees, or at least provide financial support to enroll the children in other nurseries. However, this hope remains unrealized.

Yemeni women constitute a major pillar of the workforce in agricultural villages and rural areas in general. For the middle and lower classes, as well as Bedouins, women's work is the foundation of the family economy. The founding of the modern state saw multiple changes, including the adoption of modern discourse on gender equality in the political, economic, and social fields, as well as hundreds of women entering the modern labor market and educational institutions. Yet women continue to suffer discrimination, which reduces their participation in the public sphere.

In terms of decision-making, women's participation remains modest on all levels, with low rates within the modern workforce. In this regard, there is a huge gap between men and women. In 2004 women's participation stood at 9.6% compared to 68.4% among men. By 2010 the figure had increased to 10.1% among women, while remaining at 68.4% among men. According to official statistics from 2013 and 2014, the overall rate of participation in the workforce was 36.3%, but it was much higher for men (65.8%) than women (6.0%). Meanwhile, workforce participation among women with only basic education stood at 4.5%, rising to 14.8% among women with secondary education, and a remarkable 26.2% among those with post-secondary education (Central Statistical Organization, 2013 and 2014).

Due to the rising level of education among women in Yemen over the past two decades, their participation in the workforce is also expected to rise. The longer women stay in school, the fewer children they have and the more time they have to participate in the labor market, with smaller families and less housework. The low contribution of women to the national economy in general, and to urban versus rural life in particular, shows that Yemeni women continue to struggle in the face of social constraints and obstacles, and that the state does not support women's equality with men.

Life challenges and the mounting cost of living have changed some social values, including husbands and fathers approving women's work in institutions, companies, shops, and elsewhere. Although most women work specifically in the health and education sectors, NGOs have recently emerged as employers of women, being small organizations—there are nearly twenty-five thousand civil society organizations across Yemen today. Yet rural agriculture remains the primary sector for women's labor. Smallholdings require the combined work of men, women, and children due to the high cost of paid labor, which may be unaffordable for small farmers, but there are no accurate or comprehensive statistics on women's work in this area. Yemen has a large number of university graduates in all fields, including women,

who play a part in the day-to-day work of all state institutions and banks. However, there remain wide disparities between men and women in the scale of their work.

## 7.6 Marriage in the Context of Migration and During Conflict and War

The state of marriage and the status of women cannot be examined separately from the societal context, whether in rural or urban settings. Each political crisis in Yemen has strongly affected the family, and particularly women. In times of stability, migration has had a clear impact on women and marriage, albeit with different indicators. Migration is often based on an agreement between spouses, or even involving the whole family. It aims to improve their living standards by saving up some money from the new labor market to which the husband or unmarried youth migrates.

Migration has both positive and negative effects. Yemen experienced extensive migration activity in the 1950s, when Aden was a British colony and a hub for trade and various modern activities, serving as a major attraction for internal migrants. Meanwhile, Ethiopia was another magnet for hundreds of Yemeni migrants, some of whom settled and started families there through heterogeneous marriages. Migration to Britain, the United States, and East Asia also flourished in the early twentieth century, with a particular boom in the 1950s. However, the largest migration wave followed the 1973 war, when oil prices soared and Gulf countries needed diverse labor to expand their infrastructure. Yemenis were then introduced to different forms of migration from rural to urban areas in search of work and better livelihoods. All these forms of migration have left their mark on families in general, as well as on women and marriage.

Some might say that war and migration discourage marriage, due to their negative impact on the general stability of society, yet in reality society continues to adapt to the new variables of war and displacement. Migration is based on agreement within the family. For example, the family agrees that the eldest son or the husband should migrate for the specific purpose of earning more money by working on the open market for high wages. As such, migrant savings offer a boost to the family's household budget, with monthly remittances providing for both the family and the state through fluctuations in the local exchange rate.

Many Yemeni families and youths continue to aspire to emigrate, which they see as their way out of poverty and destitution (Arab Human Development Report, 2016). The lives of thousands of Yemeni families have, in fact, improved following emigration. Others who migrated internally have seen some improvement in their lives, but work opportunities are limited and wages low compared to those who went abroad, where the labor market is massive, requiring all types of work and offering higher wages, which allows for saving.

Many migrants have settled in their host countries, whether in the Gulf, East Asia, Britain, or the United States. Yemenis make up some of the largest and earliest

Arab migrant groups to the United States, Britain, and East Asia. The massive wave of migration in the 1970s boosted trade, housing construction, and education, thus expanding the local market after an opening up to foreign markets. Marriage was a priority for Yemeni migrants upon returning home or while still abroad. They would either take their wives back to where they had settled, or settle in Yemen with their wives and build houses using their savings.

With migration come stories of nostalgia, joy, pain, and suffering: stories of people struggling to make ends meet and improve their living conditions in an unfavorable political and economic situation.

While thousands have managed to improve their livelihoods, others have failed, due to the negative impact of migration on agriculture. Most migrants are farmers who have abandoned their land in hopes of making their fortune, only to return with less money than expected and to lose their land, which now holds little interest for them. They then migrate to the city once again and take up modern occupations on low wages.

Against this background, a new form of marriage has emerged in Yemen. Families would send their migrant sons photos of potential brides. Once a young man had approved one, he would legally authorize his father or uncle to sign the marriage contract on his behalf. The bride would then travel to meet her husband without any prior acquaintance. Alternatively, the migrant might come home for a few days, during which the contract would be signed and the wedding held, before leaving again with his bride. In such cases the young man's work abroad would contribute to the cost of the dowry. Grooms would even boast about paying dowries in foreign currency. In recent years, migration and war have become closely linked, as war has often led to internal and external migration, while migration became an escape from the horrors of war as well as a change of lifestyle. In both cases, marriage rates increased as people became more aware of the value of life. In rural and urban communities, people became aware that what they lost through war had to be replaced through the will to live, and marriage was the manifestation of this idea. Marriages were also affected by new rituals brought in from the countries hosting the migrants.

Over the past three years, thousands of families have been displaced by war, political turmoil, and unrest across the country, forcing many to move from cities to the countryside. Some families then managed to reunite after being separated. Refugee camps were set up inside and outside Yemen. Yet despite all these circumstances, marriage continued to be an expression of the Yemeni people's will to live. Refugee camps and groups recorded dozens of marriages, albeit with small ceremonies due to limited resources.

Meanwhile, the suffering of women continues under these conditions. In times of stability, the husband or fiancé might leave the home country for years, leaving a beautiful young woman behind to grow old. In fact dozens of Yemeni songs reflect the situation of young men and women in the context of migration. In times of war and instability, though, many women, in both rural and urban areas, find themselves having to adapt to harsh economic conditions, though this does not apply to all women or families.

Unstable conditions have led many parents to marry their underage daughters off to older men who can protect and support them. This was also common during times of stability, but the new circumstances have multiplied wedding costs and requirements. In Sanaa, weddings are held in luxurious halls with music bands. There are also smaller halls, but they all host groups of friends and relatives to celebrate the occasion.

War has a negative impact on women and girls—mothers and wives—especially with the death of a family's primary breadwinner, a recently engaged young man, or a newly married husband. As such, dozens of families have suffered waves of grief, caused by loss through war. Women have managed to adapt to these conditions by taking up work and earning an income. Many have even become their families' primary breadwinners in the absence of their men.

There are an estimated 21.1 million people (80% of the population) who need some form of humanitarian protection and assistance after losing their sources of income during the war. Government employees have also lost their salaries for a year. In addition, there are 1.2 million internally displaced people (IDPs), while large numbers have emigrated to neighboring countries such as Djibouti (where there is a large UN-run refugee camp), Somalia, Ethiopia, Oman, and Saudi Arabia. IDPs suffer the worst conditions of all. More than three million people were displaced from their homes after fighting intensified between 2015 and January 2017. According to a Gallup International survey, there has been a significant decline in indices such as personal well-being, optimism, economic outlook, and community connection. Meanwhile, food and shelter indices showed that over 60% of IDPs faced difficulties finding enough to eat. The survey also revealed that over 40% struggled to find adequate housing.

The instability caused by the civil war in Yemen delayed many marriages, as young men were unable to afford them due to their poor living conditions. Some migrated abroad; others returned to the countryside to work in agriculture, which flourished as wage employees and youths returned from the cities. For them, the countryside offered refuge and somewhere to grow their own food. In 2011, a popular uprising erupted against the political regime and the president. Young people camped in public spaces across the country, which witnessed dozens of marriages between couples who met during the sit-ins and thought the protest camps would provide a memorable setting, amid coverage by local and Arab media. However, many youths found it difficult to achieve their legitimate aspirations to get married, in terms of finding adequate housing to start a new, independent life. According to psychologists, these youths might come to feel frustrated, depressed, and powerless.

War and instability have also led to socioeconomic crises that have wiped out livelihoods. Women have played a significant role alongside men in adapting to the novel conditions, offering their savings (jewelry) to make ends meet. They have gone out to work, along with men, and most poor families have had to take their children out of school to work and bring in additional income. While men were the direct victims of war, women were affected both directly and indirectly. They bore the brunt of the family's poor living conditions, while also being subjected to different forms of gender-based violence. Moreover, women were more vulnerable

during emergencies, as they worked extra hours to bring in more income or to access services offered by aid organizations.

During the war, which has been raging for several years now, several examples have been documented of women's adaptation mechanisms, as well as their ability to remain flexible and persevere, contrary to the negative image depicted by some researchers or the traditional culture. From the beginning of the conflict in 2015, nearly three million people were displaced. By January 2017, more than two million of them were still living away from their homes.

During the current crisis in Yemen caused by the civil war, women have taken part in relief work, volunteer activities, and anti-war protests, and campaigned for the release of kidnapped political activists. They have also played a role in charities and within their own families. The social situation has led to a rise in civil participation among women and young people, as well as the social life of people displaced between 2015 and 2017, compared to 2014. Such voluntary charity and aid work is highly important for a large portion of Yemen's population, of whom 10% are said to be completely dependent on aid from others for their basic needs. In addition, 40% of IDPs live with their relatives, while 10% live with non-relatives, which shows how important social solidarity and humanitarian or charitable support have been, from civil organizations and networks in which women have themselves participated and received aid (World Bank, 2014; Oxfam et al., 2016).

As the crisis in Yemen escalated, a large proportion of sons and small families returned to their original, extended families, further exacerbating the burden of those families' living costs. Yet this return was necessary for protection and support. When displaced, many families had to seek temporary shelter in public institutions (such as schools, stadiums, and government establishments). Despite the scarcity of food and medicine, many individuals and families jostled to secure a place in these crowded refuges, transmitting disease and giving rise to gender-based violence against women. All of this put enormous pressure on the population, posing the threat of family disintegration and relationship breakdowns. Men and boys showed signs of frustration, as well as moral and financial defeat, casting a dark shadow over women (wives and daughters) and other members of their families.

In such conditions, families fear for their reputations, the burden of which is largely carried by young girls. Daughters and wives have had to seek work and bring home aid assistance. They have also had to take part in charity work as much as they could. Under the pretext of protecting the girls, fathers have forced their daughters into early marriages.

Reports indicate a rise in the rates of underage marriages as families seek dowries to overcome harsh conditions created by the conflict. Surveys of IDPs in Taiz showed that 8% of girls aged 12–17 were forced into early marriages. As fighting intensified and unrest spread to the cities, many women were subjected to gender-based harassment and violence, owing to the absence of security institutions, weak morals, and a collapse of the value system due to a lack of deterrent punishment.

Under these unstable conditions, many men and boys were separated from their families due to the war. As such, the rate of families supported by women is likely to have risen, from 9% before the war to an estimated 20–30% of displaced families.

According to official statistics, 10.3% of internally displaced families are supported by females, including 2.6% supported by girls under the age of 18. Among host communities and people returning to their hometowns, the rates of families supported by females stand at 5.4% and 3.4% respectively. These females face heightened risks of gender-based violence as they seek to provide for their families.

As the conflict drags on, many families adapt in negative ways that often have a permanent impact on children, such as taking them out of school to work, separating from the rest of their families, and marrying off underage girls. Wars undoubtedly have an adverse impact on families, young people, women, and children, yet to date there are no accurate data on the extent of this negative impact. What is certain, though, is that many families have lost their primary breadwinners or one of their sons (killed, disappeared, or disabled). In other cases they have lost their work, sources of income, or homes, as hundreds of Yemeni houses have been destroyed in the war.

Women bear additional burdens, and field studies need to be done to assess the situation from the perspective of those affected, especially the displaced and refugees. In these situations, women and other family members try as much as they can to protect the unity of their families as their primary objective. For most Yemenis, migration is the answer to many financial difficulties, but it brings with it a host of other problems that have a great impact on wives, who take charge of the family and play the combined roles of mother and father for the children and the household, while suffering emotional deprivation as their husbands spend long years abroad. Most Yemeni migrants do not take their wives or families with them. In fact a study sampling migrants from Saada and Hajjah provinces found that 79% did not take their wives with them, while only 21% did bring their wives and children. Even in terms of internal migration from rural to urban centers, especially the capital, most young migrants leave their wives behind due to high living costs (rent and daily expenses). In addition, these young migrants or farmers need to leave someone behind to take care of their affairs back home.

Some researchers view the absence of husbands for a year or more as a form of violence against their wives, as it denies them their religiously sanctioned rights as well as emotional gratification, which is the basis of a successful marriage. In addition, their absence often exposes women to violence (harassment) from other men. The main impact, however, is on child-raising, which is left entirely to mothers. Furthermore, friends, neighbors, and modern technology now fill the gap left by the absent fathers. As there are no studies on the negative impact of migration on families and children, researchers note that children, under the influence of bad friends, often turn to illegal drugs, leading to worsening academic performance. While Yemen has witnessed multiple cycles of violence in the past fifty years, it has suffered limited human and economic losses. This is Yemen's first full-fledged war that has taken place across the country's rural and urban areas, leaving a deep impact on the social infrastructure represented by families, women, and children. This war has also brought with it the destructive trio of death, disease, and poverty.

### *7.6.1 The Impact of NGOs on Marriage and Child Marriage*

As mentioned earlier, the role of local and international NGOs has been limited, but they have still provided a ray of hope for poor and low-income people who have been greatly affected by the war, offering them relief and humanitarian assistance. While there are up to twenty-five thousand local NGOs, they do not necessarily work properly or effectively, and only a small number of them have an actual humanitarian presence. Meanwhile, there are seventy-nine branches of international NGOs working in Yemen, but only a few of them have had any actual presence on the ground over the past few years since the war started.

These NGOs played a positive role before the war. They offered training programs for young men and women on civil society work, women's empowerment, raising awareness of women's political rights, and English language learning. They also campaigned with local NGOs, experts, and academics to amend some laws discriminating against women, such as the Personal Status Code and the laws on nationality, work, migration, and elections. The amendments focused particularly on setting the marriage age for both genders at 18, in accordance with the Convention on the Rights of the Child. These international NGOs worked with local partners to institute this amendment, which serves the interests of girls and allows them to continue their education, giving them more time for physical and psychological growth.

Prior to that, international organizations worked with the Women's National Committee (a semi-governmental committee including representatives of the most significant of Yemen's NGOs [the Yemen Women Union], as well as experts on women's issues). Together they prepared a draft civil marriage document for Yemen with support from Leiden University in the Netherlands. Their work was presented to a number of lawmakers for discussion, with the aim of revising and updating the marriage document by adding articles safeguarding women's rights, and recognizing the signatures of women themselves, instead of their male guardians. However, the draft was rejected after failing to obtain approval of the relevant parliamentary committee. Conservatives, both tribal and fundamentalist, have held the majority of parliament seats since 2006.

The efforts of international NGOs, the Women's National Committee, civil society, experts, and academics all seek to liberate girls/women from early marriage and modify laws that continue to discriminate in favor of men. They also focus on raising awareness of violence against women and its dangers. To that end, many women and NGOs have been trained to deal with this issue in the local community. In addition, volunteer groups of academics and women have held seminars and workshops to raise awareness of women's rights and urge the government to amend laws in favor of women. These groups helped train the women who took part in the National Dialogue Conference, strengthening their knowledge of political debate.

The current crisis in Yemen has created new forms of interaction and human relations, with the emergence of volunteer groups and charities during the years of war, in which women have generally played a major role. Despite the tragedies of

war, these groups have managed to raise progressive human and civil awareness in a traditional social context.

Awareness-raising work against early marriage began in the 1970s. Governments in the North and the South played a limited part in this, but failed due to the strength of social traditions and the weakness of civil action calling for change. Given the lack of response from current governments, local and international NGOs are continuing to play a more active role in raising awareness, training women, and creating active groups of women leaders across the country.

Most NGOs provide indirect intervention to raise community awareness on the harm caused by early marriage. They hold seminars, lectures, and training courses, in addition to supporting different groups, especially public opinion leaders and decision-makers, to pressure the government into setting the minimum age for marriage at 18, in accordance with the Convention on the Rights of the Child.

Many activities have sprung up targeting young girls and families affected by early marriage. There have been many cases of girls fleeing their husbands' homes and taking refuge with NGOs, which then offer them legal support to seek divorce in court. These organizations, especially the Yemen Women Union, play a significant role in supporting abused women, offering them the necessary support and care, and studying their cases. Civil society organizations (including the Yemeni Mental Health Association and the Yemen Women Union) also offer legal support for girls and their families, as well as medical care, including for reproductive health.

International NGOs have shown greater interest in cases of social bias against women under the pretext of customs, traditions, and religion. They have called for implementation of the Convention on the Elimination of All Forms of Discrimination Against Women by means of local laws. The war has recently unearthed myriad social issues that have affected many families, women, girls, and children. The crisis has seen an increase in the number of children dropping out of school to take up work that exceeds their physical abilities and experience, not to mention the increasing number of homeless children across different cities and urban centers.

### *7.6.2 The Position of the Government and the Women's National Committee on Early Marriage*

Despite all the civil society efforts over the past few years, they have yet to receive government support to amend laws, remove articles that discriminate against women, set a safe age for marriage, and protect girls from early marriage and being denied an education. Nevertheless, such efforts show civil awareness and collective action on the local scene, with limited support from international organizations. These efforts require state and government commitment, as well as a clear approach toward a civil state favoring the people and educating and training women to become active participants in the various development projects. This will not be achieved without raising the marriage age and allowing girls to continue their general and even higher

education. The government also has an obligation to protect families and provide them with financial and legal support, as well as to establish support and protection centers for women who have been subjected to domestic violence, abuse by their husbands, or harassment on the streets or in the workplace.

A civil-governmental working group was established (a national team headed by the Women's National Committee) to review a number of laws and ensure Yemen's compliance with international treaties, including those related to the rights of the child and discrimination against women. Until 2005, the Women's National Committee, supported by the World Bank, continued its efforts to review dozens of legal texts and scrutinize their compliance with international laws on human and women's rights. The Committee presented suggestions on the most important legal reforms that needed to be made in order to support the rights of women as human beings and citizens. Although the government approved some amendments favoring women, most of the laws continue to include clearly discriminatory provisions, and the general view of women continues to undermine their status and role in society. This requires a new political discourse that changes the image of women in the media, textbooks, and society in general.

In other words, despite the existence of laws supporting women, and even the constitution, a gap remains between legal texts and the reality on the ground, due to customs and traditions.

Furthermore, some political parties and groups are now spreading a Salafist culture that undermines girls' education and allows—indeed insists on—early marriage. At one point the traditionalists even led a massive women's protest in Sanaa, consisting mostly of girls and female students marching toward the parliament, demanding that the Personal Status Code remain untouched, as well as calling for recognition of early marriage as an expression of Islamic Sharia law. Meanwhile, local and international NGOs, along with university experts, continue to present studies and organize workshops and seminars to raise awareness on the importance of girls' education, the risks of early marriage and domestic violence, and gender discrimination laws. Through satellite TV channels and the Internet, international media have also played a role, highlighting some of these practices. For instance, they covered the story of Nujood Ali, a girl of nine forced into marrying an older man. The media have also covered homeless children, an issue that caught the attention of the government, which then tasked specialized researchers with investigating it.

Without a civil state favoring the interests of girls and children, and supporting women as part of a comprehensive development strategy, all of these social issues will continue, with increasing effects on society as a whole. The reality of the Yemeni state and society requires an end to the current political, economic, and social crises. This will only come about in a civil state with progressive laws, institutions, and media, and a modern education system that allows girls to complete their general education and enroll in universities. The general interest of Yemen should be placed above that of political parties, customs, and social traditions that oppose the state and its laws.

It is time to uncouple tribal traditions from the state's laws and modern development projects, in response to international changes in an era of globalization that

requires more educated and open people who are able to keep up with social and cultural changes. This will also require a strong presence of young men and women in different fields of education and employment. At a time of globalization and change, this is Yemen's main challenge. Globalization affects all aspects of life, and young Yemenis should not be isolated from positive interaction with and adaptation to it. They need to acquire the civil and modern values that will make it possible to build an open society where there is no room for discrimination against women. The incongruity here reflects the dual presence of the state and the tribe, laws and traditions, and civil and Salafist discourse.

Yemen has certainly changed since the mid-twentieth century. Today, the country has a regional and international presence. In fact, amid the recent crisis, this international and regional presence often dictates the country's politics, economy, relief work, and support for women. Around twenty years ago, Yemen engaged with globalization, and its young men and women played a role in local and international civil society organizations operating in Yemen. In response, the government ratified several international agreements, and the country joined the International Trade Organization (ITO). Women also took part in regional and international conferences on political participation. However, despite all the action, interaction, and integration with globalization, the power of tradition remains the most influential in terms of political decisions and policy making, and stands in the way of many reform measures on women's issues.

## 7.7 Conclusion

Marriage, when analyzed, reflects a panoramic view of society in all its social, economic, cultural, and political aspects. It brings together all these elements, and is affected by internal and external factors; it also has more to do with custom and tradition than with modern changes. This chapter has offered a telling portrayal of the nature of society in terms of its traditional, cultural, and social aspects, as well as modern legal and political aspects. Since any discussion of marriage in terms of social structure tends to attract official and societal interest, changes only appear gradually, because society—with its culture and traditions—refuses to allow modern variables to affect families and women, both of which are regarded as private spheres that should not be subject to state intervention. As such, the family has never received much attention from the state in Yemen. In fact the project of modernization has never been the state's primary interest, and so change occurs gradually from the bottom up, rather than as part of a comprehensive public policy plan.

In Yemeni society, tradition manifests itself in many ways, reflected in the types and rituals of marriage and the value system relating to marriage and family in general. Many variables affect women and family, including the Personal Status Code, migration to cities, war, conflict, and migration more generally.

This chapter has presented a comprehensive picture of the nature of Yemeni society through the lens of marriage. It began by defining marriage and its laws,

then described the societal contexts in which marriage takes place. It discussed the various types of marriage, women's relationship with work, and violence against women (inside and outside the home). The chapter also addressed the extent to which the economy affects marriage, due to its high costs, and how this causes a relative delay in marriage. Moreover, girls' education was examined as another factor causing marriage delay. However, the most salient aspect of the topic in Yemen was found to be early marriage, which was linked to polygamy and large families. Early marriage is also related to the situation of the family and men's behavior toward women. Marriage and divorce are both born out of a societal context where economic conditions intersect with the emotional lives of men and women.

Marriage reflects the reality of women and families and how they fit into the general societal context, as well as international variables that have spread across Yemen through imported goods and consumption patterns. Many foreign rituals and practices—mostly related to marriage and families—are also being imitated, especially since a large portion of Yemenis depend on migration for their livelihoods.

Yemeni society remains traditional and continues to evolve. Therefore marriage has yet to become an entirely personal decision. For now, it remains a family decision controlled by kinship relations and interests, although there have been some exceptions, especially in cities. Marriage contracts in Yemen have undergone multiple changes, along with the Personal Status Code. Yet despite these legal and cultural shifts, marriage still depends more on traditional points of reference than on the law. Moreover, Yemeni society still favors early marriage, despite various changes that have affected delayed marriage, women's education, household management, and social upbringing. The fluctuation of Yemeni society between tradition and modernity is most evident in marriage, as well as the realities of the family and women's social roles and status.

## References


Al Aryani, I., Al Azzi, A., Al Aryani, E., & Al Sabea, S. (2006). *Integrating a child rights perspective in gender-based violence with a focus on honor killings, early marriage, and sexual abuse.* Sana'a University (in Arabic).

Al Azzi, A. (2007). Women's perception of domestic violence and suffering from anxiety and depression: A comparative study of a sample of Yemeni and Egyptian women. *Egyptian Journal of Psychiatry, 17*(55). Egyptian Psychiatric Association (in Arabic).

Al Haimi, A. (2009). *Early marriage and its social effects.* Working Papers Presented at the First National Conference to Combat Violence Against Women, Republic of Yemen. Supreme Council for Women, National Committee for Women (in Arabic).

Al Madhaji, K. (2011). *Mutual affection between spouses and its link to religious commitment.* Unpublished master's dissertation, Sana'a University, Faculty of Arts, Department of Psychology (in Arabic).

Al Mahdi, L. (2004). *Neurotic anxiety and its link to delayed marriage age among Yemeni women.* Unpublished master's dissertation, Sana'a University, Faculty of Arts, Department of Psychology (in Arabic).

Al Radaei, K. (2008). *Motives and forms of domestic violence against married Yemeni women: Issues of adaptation in a changing reality.* Master's dissertation, Sana'a University, Faculty of Arts, Department of Sociology (in Arabic).
Al Salahi, F. (2003). *Conditions and issues of rural women from a gender perspective*. Women's Forum in Taiz (in Arabic).
Al Salahi, F. (2005). *The political role of Yemeni women from a gender perspective*. Friedrich Ebert Foundation, Yemen office.
Al Salahi, F. (2007). *Yemen's street children: A survey and analysis* (in Arabic).
Al Salahi, F. (2010). *Review of the findings of a field study on sexual harassment against women: A sample of 1500 women* (in Arabic).
Al Sharjabi, A. (2005). *Targeted violence: A social analysis in light of gender theory* (2nd ed.). Supreme Council for Women (in Arabic).
Al Weheshi, J. (2011). An estimated number of migrants between the capital city and other Yemeni provinces. *Arab Family Health and Population, 4*(11). Arab League (in Arabic).
Arab Human Development Report. (2016). *Youth and the prospects for human development in a changing reality*. UNDP.
CARE. (2015). *Rapid gender analysis of Yemen.*
Central Statistical Organization. (2001). *Survey of men's positions and attitudes towards family planning and reproductive health* (in Arabic).
Central Statistical Organization. (2007–2015, multiple reports). *Statistical yearbook* (in Arabic).
Central Statistical Organization. (2015). *National health and demographic survey 2013. Key report: Pan-Arab program for family health.* Arab League (in Arabic).
Family Social Association for Development (FAD). (2012). *Report on the direct interventions of organizations working against early marriage.* Marriage Without Risk Network. MEPI (in Arabic).
Human Rights Watch. (2011). *"How come you allow little girls to get married?" Child marriage in Yemen.* Human Rights Watch (HRW). https://www.hrw.org/report/2011/12/07/how-come-you-allow-little-girls-get-married/child-marriage-yemen
International Center for Research on Women. (n.d.). *Child marriage around the world.* International Center for Research on Women (ICRW). https://www.icrw.org/files/images/Child-Marriage-Fact-Sheet-Around-the-World.pdf
International Organization for Migration (IOM) report. (2015). *Migration, displacement, and development in a changing Arab Region* (in Arabic).
Manea, E. (2010). Yemen. In S. Kelly & J. Breslin (Eds.), *Women's rights in the Middle East and North Africa: Progress amid resistance.* Freedom House; Rowman & Littlefield.
Mathar, T. (2010). *Globalization and its impact on social values related to the Yemeni family.* Unpublished master's dissertation, Sana'a University, Faculty of Arts, Department of Sociology (in Arabic).
Oxfam, CARE, & IASC. (2016). *From the ground up: Gender and conflict analysis in Yemen.*
Sa'em, N., & Al Azzi, A. (2012). *Women and violence during the life cycle.* CAWTAR (in Arabic).
United Nations. (2002) *Women and men in Yemen: A statistical portrait.* Economic and Social Commission for Western Asia (ESCWA). http://css.escwa.org.lb/scu-countryreports/YemenEN.pdf
United Nations. (2008). *Convention on the elimination of all forms of discrimination against women, Yemen.* Committee on the Elimination of Discrimination against Women, 41st session.
United Nations. (2010). *Country assessment on violence against women: Yemen.*
Women's National Committee. (2010). *The status of women in Yemen 2010.* In cooperation with UNFPA (in Arabic).
World Bank. (2013). *Yemen—Household budget survey project.* The World Bank. https://documents.worldbank.org/en/publication/documents-reports/documentdetail/933951468181748580/yemen-household-budget-survey-project
World Bank. (2014). *The status of Yemeni women: From aspiration to opportunity.*

World Bank. (2017). *Yemen poverty notes*. The World Bank. https://www.worldbank.org/en/country/yemen/publication/yemen-poverty-notes-june-2017
Yemeni Observatory for Human Rights. (2006). *Annual report on human rights and democracy in Yemen* (in Arabic).

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