

Malaysian Civil Society Organizations (CSOs) Perspective on Child Marriage

Perspektif Pertubuhan Masyarakat Madani (CSO) di Malaysia Berkenaan Perkahwinan Kanak-Kanak

MOHD AL ADIB SAMURI, *NURHAFILAH MUSA & HELMIAH ABD RAZAK

ABSTRACT

In Malaysia, Civil Society Organizations (CSOs) play a pivotal role in advocating against child marriage and influencing societal perceptions of this detrimental practice. While the Malaysian government has made efforts to address this issue, the proposal to legally raise the marriageable age to 18 for all genders has been met with mixed reactions from different segments of society. This study aims to investigate the viewpoints of Malaysian CSOs on child marriage. A roundtable discussion was held with 11 representatives from organisations focusing on children's and women's issues. The findings reveal a consensus among most participants against child marriage, citing children's rights violations and misconceptions about children's maturity and the nature of marriage. Contrarily, some Muslim factions endorse child marriage for religious reasons, leading to varied opinions among CSO members, ranging from outright opposition to conditional or complete acceptance. The study highlights key reasons for opposing child marriage, such as the infringement of children's rights, concerns about sexual and reproductive health, and the vulnerability of children. It also outlines CSO strategies for combating child marriage, including reshaping public discourse, emphasising girls' education, and providing targeted sexual and reproductive health education to at-risk youth.

Keywords: Child Marriage, Children's Rights, Malaysian CSOs, Sexual Reproductive Health (SRH)

ABSTRAK

Badan bukan kerajaan (NGO) di Malaysia memainkan peranan penting dalam menangani perkahwinan kanak-kanak serta membentuk pandangan masyarakat mengenai amalan berbahaya ini. Walaupun kerajaan Malaysia telah berusaha, pembendungan perkahwinan kanak-kanak ini masih menghadapi beberapa cabaran. Sebilangan kelompok masyarakat setuju dan menyokong usaha kerajaan sementara sebahagian masyarakat yang lain menentang agenda pembaharuan undang-undang untuk menaikkan usia perkahwinan kepada 18 tahun untuk kedua-dua jantina. Oleh itu, tujuan kajian ini adalah untuk meninjau perspektif NGO Malaysia mengenai isu perkahwinan kanak-kanak. Perbincangan meja bulat (RTD) diadakan dengan kehadiran 11 anggota NGO Malaysia yang mewakili kepentingan kanak-kanak dan wanita. Perbincangan RTD yang dirakam ditranskripsikan secara verbatim sebelum dikodkan ke tema dan subtema tertentu. Kajian ini mendapati bahawa majoriti peserta menentang perkahwinan kanak-kanak kerana pelanggaran hak kanak-kanak, salah faham mengenai usia kanak-kanak dan konsep perkahwinan. Namun, beberapa organisasi Muslim memberikan alasan keagamaan untuk membenarkan perkahwinan kanak-kanak. Ini membawa kepada kepelbagaian pendirian antara wakil NGO daripada tidak bersetuju, setuju bersyarat dan setuju terhadap perkahwinan kanak-kanak. Beberapa justifikasi telah dikemukakan oleh para peserta yang menentang perkahwinan kanak-kanak seperti pelanggaran hak kanak-kanak, masalah kesihatan seksual dan reproduktif (SRH) dan kerentanan kanak-kanak. Selanjutnya, para peserta juga mencadangkan advokasi yang wajar CSO jalankan dalam mengakhiri perkahwinan kanak-kanak termasuk mengubah naratif sosial, memberi hak pendidikan kepada anak gadis dan menyediakan pendidikan SRH kepada kanak-kanak yang berisiko tinggi.

Kata kunci: Perkahwinan Kanak-Kanak; Hak Kanak-Kanak; NGO Malaysia; Kesihatan Seksual & Reproduksi

INTRODUCTION

Child marriage has been a primary concern to Malaysia's multi-religious and multi-cultural society due to the fact that, in most circumstances, child marriage violates children's rights. In early 2020, the Malaysian government launched a 'National Strategic Plan in Dealing with Causes of Underage Marriage' to address the issue. Based on UNICEF research (Samuri & Awal 2018), there are several drivers of child marriage in Malaysia, including poverty, sexual and reproductive health (SRH) issues and lack of access to education. The issue of child marriage ignited strong public interest, which led to the then Prime Minister issuing an order to raise the minimum legal age for marriage to 18 years for Muslims and non-Muslims in all Malaysian states (Hui 2018). To date, legal reform is still in the pipeline. Only one state outstate⁴ amended the specific provisions on marriageable age. In addition, the Malaysian Syariah Judiciary Department (JKSM) also enforces and tightens the Standard Operating Procedures (SOP) for Syariah courts to hear and process underage marriage applications. Despite the Malaysian government's effort to prevent child marriage, some Muslim clerics and CSOs clearly expressed their support for child marriage. Since Islamic law does not prescribe a minimum age for marriage, some Malaysian Muslims do not oppose child marriage.

The definition of Civil Society Organizations (CSOs), as per the United Nations, is that they are non-state, non-profit, and voluntary groups created by individuals within society that operate independently of government and commercial sectors. This category encompasses organisations rooted in the community and non-governmental organisations (NGOs) (UN Guiding Principle 2016). Arguably, CSO refers to organizations that advocate for democracy, human rights, and good governance in Malaysian context (Ismail 2022). In general, CSOs play a vital role in gaining society's trust to deliver communication through successful collaboration between CSOs, media, and the community (Doerfel & Taylor 2004). In the context of Islamic civil organizations, they play a significant role in societal development by actively engaging in Islamic missionary work and promoting Islamic values and lifestyle, influencing various aspects of life including youth, education, and government policies (Ghani et al. 2022). CSOs can maximise public awareness of social issues by using media

as information facilitators (Gandy 1982). Apart from the ongoing government efforts, some CSOs in Malaysia are actively striving towards ending child marriage and advocating children's rights. They have been actively providing information services and organising talks and campaigns regarding child marriage prevention. Meanwhile, CSOs' efforts have positive outcomes in increasing children's knowledge and improving their attitudes related to sexual and reproductive health and behaviours (Montgomery & Knerer 2016).

CSOs in Malaysia, such as Sister in Islam (SIS), Helwa ABIM, IKRAM, and the National Council of Women's Organization Malaysia (NCWO), have made ending child marriage one of their main agenda. It aligns with Goal 5 of the Sustainable Development Goals, which focuses on eliminating poverty and empowering women and girls (University of North Carolina 2016). To end the practice of child marriage, as defined in the SDG, the above-mentioned Malaysian CSOs have taken various approaches depending on their objectives. Other Malaysian CSOs have also actively raised societal awareness and pushed for legal reform, particularly Islamic family law, at the state level. Malaysian CSOs have also worked hand-in-hand with the government to get every community on board to stop child marriage from the grassroots, especially for vulnerable groups, particularly in remote areas. The Indigenous Peoples Network of Malaysia (JOAS) often conducts training and awareness programs in rural areas targeting married children or children who are sexually active on how to take care of their children (Arefin 2018).

This article examines CSOs' various views on child marriage in Malaysia. The study is essential since efforts to end child marriage must involve community leaders and CSOs to change the social narratives and formulate advocacy programs. This article examines the extent of CSOs' work to stop child marriage in Malaysia. The paper also discusses CSOs' perspectives on child marriage, including their stance, justification for and against child marriage, and advocacy programs.

BACKGROUND: CHILD MARRIAGE IN MALAYSIA

In year 2010, the United Nations (UN) reported that over 80,000 married women in Malaysia were girls between the ages of 15 and 19. However, the number could be higher as many couples do not register for

marriage (Nortajuddin 2020). According to official figures, about 10,240 child marriage applications were made between 2005 and 2015, an average of 1,024 applications per year. Among non-Muslims, 2,104 girls aged 16 to 18 married between 2011 and September 2015, an average of 420 per year (AsiaNews 2020). In addition, data collected for mandatory premarital HIV screening for Muslims revealed that, in 2009, 477 girls under the age of 15 were part of the screening, and two of them were approximately under the age of 10. The Malaysian Syariah Judiciary Department (JKSM) recorded 5,362 applications for permission for underage marriage of Muslim children nationwide from January 2013 to December 2018 (Pilus 2018). The then Deputy Prime Minister, who is also the Minister of Women, Family and Community Development (KPWKM), Datuk Seri Dr Wan Azizah Wan Ismail, said out of the total number of applications recorded by JKSM, 440 applications were recorded in Johor and another 389 in Kedah. Sarawak recorded the highest number of applications, namely 918, Kelantan (793), Negeri Sembilan (155), Pahang (354), Perak (266) and 91 in Melaka. Sabah recorded 793 applications, Selangor (385), Terengganu (407) and the Federal Territories (178). Meanwhile, data from the Home Ministry show that a total of 147 underage non-Muslim boys and girls got married in 2017.

Malaysia has signed the Convention on the Rights of the Child (CRC), which recognises marriage under the age of 18 as a violation of children's rights. Since the Malaysian Government and civil society organisations (CSOs) have come to realise the seriousness of the problem and its impact on the health and social conditions of children in the country, legislative reforms, policies, and programs have been introduced to curtail child marriage. Recent federal government efforts to address the causes of child marriage include a National Strategic Plan to Address the Causes of Underage Marriage, which was launched in year 2020. Datin Seri Wan Azizah, the then Deputy Prime Minister and also the Minister at KPWKM, strongly opposed child marriage (Berita Harian 2018) and stated that the government would adjust the minimum age for marriage and set it to 18 years (Berita Harian 2018).

The National Strategic Plan to Address the Causes of Underage Marriage (the Plan) contains seven objectives, 17 strategies, and 58 programs to be implemented by Federal Government agencies and State Government agencies at the grassroots level to address the six factors identified as the

causes of child marriage. The government and various CSOs will implement these programs and actions by utilising legislation and provisions under the jurisdiction of the respective Ministries/Departments/Agencies. The strategies, actions, and programs included in the Plan address the six factors contributing to child marriage (KPWKM, 2018) in the short, medium and long term (1-5 years). The primary purpose of these programs is to raise awareness and change the perceptions and stigma associated with the issue of child marriage in society. The planned programs involve economic support, the importance of education, strengthening family institutions, awareness of reproductive sexual health education, legislative changes and data collection to ensure the plan's objectives are achieved. Stakeholders, including the government and civil society organisations, play a vital role in executing the Plan. Cooperation is critical to ensure that all parties involved can mobilise all these plans and activities, which will ultimately curb child marriage in Malaysia. Malaysian CSOs' participation will ensure that this plan gets implemented as planned.

Awareness campaigns and advocacy programs on the adverse effects of child marriage, especially in the health aspect, need to be intensified by government agencies as well as local and international CSOs. Education and awareness should also be given to families of all ages, as parents and families play a significant role in marrying children. Such awareness programs should target men, as male family members tend to be key decision-makers in a traditional society. However, it should be noted that for this agenda to succeed, stakeholders need to understand the community's cultural background and the socio-economic pressures they face.

Efforts by the federal government to restrict child marriage have met resistance, particularly from conservative religious groups and parts of the Muslim community. They cite the Shafie school of law, predominant in the region, which legitimises child marriage. In the Shafie doctrine, there's no specific age limit for marriage, allowing even pre-pubescent children to marry, as puberty is not considered a prerequisite for a valid marriage (Asqalani 2001; Khin 1992). Historical examples, such as Prophet Muhammad's marriage to Aisha, are often referenced by Shafie scholars (Samuri et al. 2022). The school allows guardians, like fathers and grandfathers, to marry off underage girls through the 'wali mujbeer' concept (Nawawi 2000), though sexual relations are permitted only after

reaching puberty. However, the current practice of child marriage significantly deviates from these classical interpretations. Today, those entering such marriages typically have already reached puberty (Mohd Awal & Samuri 2017), making these unions adult by classical standards and thus permissible. Yet, there is growing acknowledgement of the detrimental effects of modern child marriage on the children involved. Islam takes a serious stance on protecting children from such harmful practices. Hence, the federal government's approach to discouraging child marriage aligns with 'siyasaah al-shariyyah', enabling the government to limit permissible practices to safeguard the welfare of its citizens.

CSOs EFFORTS IN ENDING CHILD MARRIAGE

Some CSOs have attempted to end the practice of child marriage. CSOs in various parts of the world are playing a more prominent role in advocating this issue to change the public's perception and religious leader's stance on child marriage. Previous studies have shown that CSOs have a tremendous impact in transforming society's view of child marriage in many countries such as Pakistan, Mexico and India. (Hotchkiss et al. 2016; Svanemyr et al. 2012; UNICEF 2014; Delprato et al. 2015; Naveed & Butt 2015). Some CSOs have been actively involved in conducting studies and surveys to document the negative consequences of child marriage extensively. The role of CSOs in meeting their long-term goals of social justice through advocacy strategies in curbing child marriage issues depends on whether the CSOs were active, influential, and trusted to transform at a time. Previous study demonstrates that CSOs, representing the 'voice of the people' at all levels, can easily undertake community development projects since they are essential government partners (Yeo et al. 2018).

International organisations have implemented several approaches to curbing child marriage globally. These include approaches through mass media and arts brought by *Breakthrough* (Let's Breakthrough. 2020) and The Pixel Project (The Pixel Project 2020) that inspire the community to take bold steps to uphold dignity and stop violence and discrimination against women and girls. Regarding children's education, the world organisations The Education Trust, CARE, and World Vision have improved access to early childhood learning and

quality of education for children's well-being (The Education Trust 2020; CARE 2020; World Vision 2020). A lobbying approach to legal and child rights reform has been applied by organisations such as *Humanium*, *Girl Up* and *Child Rights International Network (CRIN)* to produce new and dynamic perspectives on human rights issues that focus on children's rights (Humanium 2020; Girl Up 2020; CRIN 2020). This approach has also been adopted by many organisations worldwide so that children's rights are recognised, respected and upheld, and every violation of rights can be addressed.

The gender equality empowerment approach taken by The Coexist Initiative in Kenya has targeted men as assets to generate change by changing men's negative attitudes, practices and beliefs that place women and girls at more dangerous risks, including violence, education, poverty and death (The Coexist Initiative 2020). Not only that, CSOs in Geneva and Africa, such as *Forward* (Forward 2020) and *Humanium* (Humanium 2020), through their reproductive health care and violence approaches, have championed the eradication of oppressive practices against women, child marriage and gender-based violence that can threaten children's health, development and quality of life for children and women. Children-based organisations such as *Girls Up* and *Girls Not Brides* do many more advocacies plans and research approaches to curb child marriage through various platforms, including social media, curriculum advocacy, advocacy applications, budget advocacy and global advocacy (Girl Up 2020; Girls Not Brides 2020).

To achieve this goal in the long run, society's perspective on child marriage needs to be changed through a variety of programs and agendas. Cash Transfer Programs (CTPs) were introduced in the late 1990s in Latin America as one of the advocacy measures to curb child marriage. Unconditional cash transfer refers to a sum of money given in cash to the recipient to be used as savings or spent according to the recipient's wishes. Sometimes, money is given conditionally where the recipient has to perform an action or job before being given a gift, such as attending training or building a house. According to Harvey and Bailey (2015), this cash is handed over to aid recipients by aid organisations (known as 'cash envelopes') or using local financial institutions in cash, electronic mechanisms or vouchers. Under the program, the target recipients are people with low incomes and families with school-going daughters who will receive regular cash transfers (every one

or two months), depending on the child's attendance and performance in school. This cash grant has been shown to reduce the spending burden of parents sending their children to school (Amin et al. 2016). In addition, another method of giving cash is in the form of savings bonds that can be redeemed when the child is 18 years old, provided the child is not married before that age (ICRW 2020).

Studies show the CTPs program can prevent child marriage because parents will delay their daughter's marriage for as long as possible to earn the promised cash rewards. Through continuous evaluation, the program has the potential to help maintain household well-being during economic instability, increase food consumption and security and even reduce poverty (University of North Carolina 2016; Brugh et al. 2018; Handa et al. 2018). Furthermore, the program is seen to be able to increase resilience over mental health, increase children's attendance to school, and, at the same time, foster their involvement in doing homework (University of North Carolina 2016; Angeles et al. 2017; de Hoop et al. 2017; Kilburn et al. 2017).

Cash transfer programs alone cannot address the problem of child marriage. Through advocacy at international conferences, discussions on violence against women and children have been debated involving many countries affected by child marriage. *Action on Child, Early and Forced Marriage*, a Geneva-based CSO, has held an international conference entitled 'Let Girls be Girls: Joining Efforts To Eliminate Harmful Practices'. Strategies discussed at the conference were aimed at enhancing efforts towards eliminating harmful practices and promoting human rights, focusing on the practice of violence against children, female genital mutilation (FGM) and gender bias. In addition, an Afro-European medical networking and research conference was also held by *Action On Child, Early And Forced Marriage* entitled 'Violence Against Women and Girls: What More Should Governments Be Doing to Eradicate It in the Context of the Beijing +25 Global Review and the SDG Agenda?' Among the critical proposals discussed at this conference was to produce a national action plan to combat violence against women and children based on gender equality.

Plan India has taken aggressive steps to improve the economic growth of women and children in India. The program, the Saksham Project, is an initiative to prepare underprivileged girls for a more meaningful life and vocational skills of a marketable

nature. The Saksham Project has inspired many girls to get jobs or self-employment by conducting two youth training programs, namely, vocational training and entrepreneurship training programs, to start their businesses. The programs also teach teachers, parents, employers and the community about gender equality, equal opportunities and economic empowerment for girls because gender equality is present in all courses.

Malaysian CSOs also carry out various approaches and activities in curbing the issue of child marriage. The *Women's Aid Organization (WAO)* and *Malaysian Human Rights Commission (Suhakam)* have urged the Malaysian government to repeal relevant laws that allow children to marry despite having obtained permission from the Syariah Court or their respective state authorities (Lakhdar & Barr 2016; Hanapiah 2018). This is because child marriage is seen to have a lot of adverse effects on their future (Raj et al. 2009; Kidman 2017), and this act should not be allowed at all. WAO also suggested that it is appropriate for the Malaysian federal government to follow the steps of the Selangor state government, which decided to set the minimum age of child marriage to 18 years for both men and women (Hanapiah 2018).

Muslim women activists of *Sisters in Islam (SIS)* have also urged Ministers in the Prime Minister's Department to harmonise Islamic law nationwide, especially concerning child marriage. *SIS* argues that the government has been slow to act in addressing the issue of child marriage because, as long as there is no amendment to the law, child marriage will continue (The Star 2016). *SIS* is concerned with the manipulation of Islamic law, where in many cases, the alleged rapists are willing to marry their victims, even if they are underage, to escape from being convicted (The Star 2016). Underage marriage should not be a way out of sexual crimes (Johari & Leong 2017).

Activists of PUAKE Payong (Persatuan Untuk Anak Kita) have tried to provide safe and protected facilities for underprivileged children, including transit homes for unwed pregnant teenage girls and houses for children from the rehabilitation centre for juvenile offenders of Henry Gurney School (Teoh 2020). Despite what the community might think, every child is worth saving, and every child needs to have a robust support system for a bright future.

Whatever form of approach is taken by CSOs around the world, their goal is the same, which is to end the practice of child marriage. Although child marriage is strongly supported with consistent evidence that it is detrimental to health and well-being (Arthur et al. 2018; Zaman & Koski 2020), child marriage remains legal in many countries. Malaysian civil law requires a minimum age of 18 years before being allowed to marry, but Muslim girls as young as 16 years can legally marry with parental and Syariah court approval (Lakhdar & Barr 2016). On this issue, Malaysian law is at odds with the country's efforts to address child marriage since the efforts and approaches carried out by Malaysian authorities seem to have not been fully implemented. This paper aims to identify Malaysia's CSOs' perspective on child marriage, including the general view of the practice, its consequences and steps taken to eradicate it.

METHODS

This research collected data through qualitative methods, including roundtable discussions with representatives of Malaysian civil society organisations (CSOs). They come from various backgrounds, including Muslim-based, children and women-based organisations. The selection of the CSOs is based on the UN definition of CSOs, which is a non-state, not-for-profit, voluntary entity formed by people in the social sphere that are separate from the State market which includes community-based organisations as well as non-governmental organisations (NGOs) (UN Guiding Principle 2016). This paper will critically analyse data collected from the roundtable discussion.

ROUNDTABLE DISCUSSION

The Roundtable Discussion (RTD) method identifies interpretive knowledge and likely responses to social phenomena to increase stakeholder engagement to share experiences, build networks, solve problems and brainstorm relatively cost-effectively (Kellam & Langevin 2003 Hoek & Johnson 2010). RTD is used in this study to assess CSOs' perspectives regarding the issue of child marriage in Malaysia. A workshop was held to discuss and construct the questions posed in the RTD.

The RTD sought to engage with the selected CSOs by asking the following questions: (1) What is your opinion on child marriage? (2) What are your

views on the minimum age of marriage being set at 18? (3) What should a Sharia court judge consider when hearing an application for child marriage? (4) What is your opinion about children who are being forced to marry because they were raped or pregnant or having premarital sex? (5) How do we protect and support children who marry early?

Participating CSOs in this research were selected using a purposive approach through an online search and suggestions from local experts on the topics of interest. CSOs were searched and selected between December 2019 and March 2020. The CSOs recruited for the study were from the Klang Valley. They were invited through phone calls and emails. Some of the CSOs were quite hard to reach despite repeated attempts to get in touch.

Eleven participants confirmed their attendance at the RTD in Universiti Kebangsaan Malaysia (UKM), Bangi, Malaysia. The participants are nine female and two male CSO representatives from various backgrounds. The invitation to the CSOs did not specify the gender of the participants. Since there were more female participants than males, the study presumed that since the subject matter involved children, maybe the CSOs believed that female representatives were more suitable for the RTD.

The RTD protocol and questions were emailed to all participants before RTD for reference and preparation. The participants in this RTD were *Hal Ehwal Wanita, Angkatan Belia Islam Malaysia* (Helwa ABIM), *Pertubuhan IKRAM Malaysia* (IKRAM), *Pertubuhan Teratai*, Woman Aid Organization (WAO), Sister in Islam (SIS), *Persatuan Untuk Anak Kita* (PUAK), Family Empowerment Society (FAME), National Council of Women's Organizations (NCWO), *Yayasan Chow Kit*, *Dewan Muslimat PAS* and *Ikatan Muslimin Malaysia* (ISMA). The identities of all the representatives from the CSOs mentioned above are not revealed in this writing to protect their anonymity.

The RTD began with an introduction explaining the purpose and aim of the discussion (Squire and Hope 2013). The session lasted three hours, and each participant answered all five questions. The RTD and all the participants' responses were recorded. Two repertoires were appointed to take notes of the discussion.

DATA ANALYSIS

Following the completion of the RTD, data analysis was carried out. The audio recordings were

transcribed verbatim by a trained research assistant under the supervision of the principal investigator. The transcripts were translated as closely as possible from Bahasa to English. Based on open coding, the transcripts were analysed manually using different highlighters to denote the codes. Researchers applied a thematic synthesis methodology consisting of three steps: coding of ‘line-by-line’, construction of ‘descriptive theme’ and development of ‘analytical theme’ as suggested by Thomas & Harden (2008) and Kohno et al. (2020). The coding was sorted into several categories that enabled the themes to be revealed. After two weeks of meticulous work, the coding was completed. The principal investigator checked the coding four times and proposed some amendments according to its meaning and context.

RESULTS

This article focuses on four themes, namely CSOs’ stance, justification for disagreeing with child marriage, justification for accepting child marriage, and CSOs’ advocacy in ending child marriage. In

presenting the themes from the outcome of the RTD, the eleven participants are identified as CSO1 to CSO11.

STANCE AGAINST CHILD MARRIAGE

Child marriage is considered an unaccepted practice by most of the participants due to various reasons, as outlined in Table 1. In addition, these CSOs also strongly support the Federal government’s proposed legal reform to increase the marriageable age to 18 years old. This research reveals the reasons why CSOs oppose child marriage. Most participants concluded that child marriage is a violation of children’s human rights because it affects children’s right to protection and education (cited by CSO1 and CSO9). In addition, CSO4 and CSO5 opposed this harmful practice as the children’s opportunities will be denied, and they are unable to give consent in many activities, let alone entering into a marriage. Notably, CSO1 and CSO4 saw marital life as challenging, especially for children, due to their lack of maturity. In their view, marriage comes with a lot of responsibility.

TABLE 1. CSOs’ stance on child marriage

Theme	Subtheme	Selected Interview Excerpts
CSOs’ Stance	Total Disagreement	“In our opinion, we disagree with child marriage” (CSO8)
	Disagree with condition - Court permission	“...we do not agree with child marriage. But if there are things that should be considered that allow them to get married at the age of 15 or 16, the court can determine it. It’s not a total NO” (CSO2)
	Agree: Permissible in Islam	“... for me, it is ok because <i>shariah</i> ’ allows it.. It is not labelled as haram by <i>shariah</i> ” (CSO11)
	Reaching maturity	“There is no problem for children to get married... need to look at their background, history and level of maturity” (CSO10)

There are some differences of opinion. CSO2, who opposed child marriage, argued that child marriage is permissible only under certain circumstances, provided the Sharia court gives the permission. However, CSO11 and CSO10, both from Muslim organisations, cited that the practice is acceptable under Islamic law as long as the child reaches the age of puberty (*baligh*) and the marriage serves the best interest of the child.

JUSTIFICATIONS AGAINST CHILD MARRIAGE

Several justifications were cited by the participants who disagreed with the practice of child marriage, as stated in Table 2. The following are the reasons why the participants oppose child marriage: violation of children’s rights, children’s vulnerability, denial of children’s opportunities, children cannot give consent, physical and psychological maturity, children’s lack of understanding about marriage, marital responsibility, marriage is not the solution to the social problem, age gap between spouses, financial stress on children and rapist, who became the spouse to the child, can escape prosecution by marrying the victim.

TABLE 2. CSOs' justification for opposing child marriage

Theme	Sub-Theme	Selected Interview Excerpts
Justification for Opposing Child Marriage	Children Rights violation	"I think it (child marriage) contradicts with children's rights. Their right to get an education, their right to state if (they are) forced to marry" (CSO9)
	Children are Vulnerable	"Children are considered as vulnerable individuals until they reach the age of majority. So that's why they can't drive until a certain age, they can't sign for their health issue" (CSO5)
	Opportunity is denied	"So they will not have the opportunity when they (child) get married" (CSO5)
	Children unable to give consent	"And in Islam, consent must be obtained before marriage. Can children give their consent (to marry)?" (CSO4)
	Maturity in physical and psychological	"They are not matured at the age of 16, issue of mental readiness, physical readiness itself before getting marriage" (CSO2)
	Lack of understanding of marriage	"For teenagers who are being forced to marry underage, they don't learn and understand what marriage is all about" (CSO8)
	Marriage Responsibility	"Let's imagine, at 16 or 17 years old, they must be responsible as a husband. They are unwilling to ask their parents to help care for their family. Like I said before, the concept of marriage needs to be clarified first" (CSO4)
	Marriage does not solve the problem	"For me, marriage is not the solution for children who are involved with the issue. There must be other solutions." (CSO7)
	Financial stress on children	"Because we know the main conflict in marriage is financial issues. If they don't or can't have a job, they have to have financial support because nowadays everything needs money. Must have a support system on the children's commitment until they get the job and reach maturity." (CSO8)
	The rapist can escape prosecution by marrying victims	"If the reason is rape and unwanted pregnancy, it is not relevant to ask children to get married Because we are concerned about children's best interest" (CSO10)

CSO1, CSO8, CSO5 and CSO9 adduced that child marriage is a violation of children's human rights, such as the right to protection, education and health. For instance, CSO5 pointed out that "... *they (the children) have the right to health, education, and all of these rights will be jeopardised if marriage takes place.*" Interestingly, CSO11, who agreed to child marriage, at some point, acknowledged that 'forced' child marriage is a violation of children's rights as she put it:

"However, if the children have to marry when they do not have adequate understanding, I believe it is a form of cruelty that we need to curb; we can't let this happen to children."

CSO5 opined that children are considered vulnerable individuals who need adult guidance in making decisions. When children marry, their opportunities to get an education are denied. CSO4 opposed this practice by stating that children cannot give consent to marry. CSO8 argued that children are physically and psychologically immature to shoulder marital responsibilities. CSO8 and CSO4 contended that marital life is challenging for children since

marriage comes with great responsibility. Besides that, children cannot understand the concept and consequences of marriage, such as pregnancy, the duty to provide maintenance and marital relations, as explained by CSO5 and CSO9. Most of the participants in this study agreed that marriage before the age of 18 is not the solution to social problems, particularly children who are involved in sexual and reproductive health issues, as opined by CSO8. CSO4 acknowledged that child marriage brings more negative impacts and does not address the actual social problem.

Some participants shared their concerns on a few cases of young brides marrying their rapist for him to avoid legal prosecution. CSO3 contended that it is not fair to the girl as the rapist can escape from the legal prosecution by marrying the victims. Surprisingly, CSO10, who generally agrees to child marriage, expressed her concern for the victim's best interest, "*If the reason is an unwanted pregnancy, rape or fornication, it is not appropriate for children to marry. We need to look for their interest first.*"

THE JUSTIFICATION FOR CHILD MARRIAGE

Table 3 explains the reasons for some Muslim-based CSOs agreeing to child marriage. Their reasons are as follows: children’s maturity and sexual and reproductive health (SRH) issues, such as preventing fornication and removing shame. Representatives from Muslim organisations provided all cited justifications. For CSO10, child marriage is a solution to prevent children from getting involved in premarital sexual relations that are prohibited by religion: “...there is no problem if children want to get married if it is one of the alternatives to prevent an increase in rape cases”. CSO11 approved child marriage if the children like each other and

mutually agree to marry. CSO10 also asserted that matured children can marry at an early age, “... each child reaches maturity at a different age. Some of them matured earlier compared to their age, while others did not. We can’t simply stop them from getting married.” The justifications presented by these Muslim-based CSOs for endorsing child marriage reflect a confluence of cultural, religious, and social considerations. The insight here is that these organisations perceive marriage, even at an early age, as a means to address broader societal issues like sexual health and community honour, prioritising these over the potential individual risks associated with child marriage.

TABLE 3. CSOs’ justification for condoning child marriage

Theme	Sub-Theme	Selected Interview Excerpts
Justification to get married	Children’s Maturity	“Each child reaches maturity at a different age. Some of them mature earlier than their age, while others do not. We can’t simply restrain them, and we must take care of their best interest” (CSO10)
	Preventing fornication	“For me, there is no problem if the children want to get married if it is one of the alternatives to prevent an increase in rape cases” (CSO10)
	Concealing shame	“Need to consider whether children want to conceal shame if they had premarital sexual intercourse” (CSO10)
	Children are sexually active	“If both of the children like each other, and they are having sexual intercourse, in my view, just let them get married if they want to do so. It means they understand their responsibility, necessity (of marriage) and its consequences” (CSO11)

PROPOSED ADVOCACY WORK BY MALAYSIAN CSOS

During the RTD, representatives from the selected Malaysian CSOs proposed several advocacies works to curb child marriage, as in Table 4. The advocacy involves changing society’s narrative, giving girls the right to education and providing SRH education. For some Malaysian CSOs, changing society’s narrative became their main agenda to

change the positive societal perception of child marriage. There are three focuses pointed out in this RTD: advocating an international definition of child marriage, promoting awareness campaigns on the impact of child marriage and highlighting its harmful implications. CSOs must promote the international definition of child and child marriage that might help Malaysian society disprove their cultural understanding of marriageable age.

TABLE 4. The focus of advocacy for Malaysian CSOs

Theme	Sub-theme	Selected Interview Excerpts
Changing Narrative	Child marriage definition	“To build a module that can better understand this issue, firstly, we need to clarify the fundamentals of marriage and the meaning of children. Therefore, we can understand and differentiate between the meaning of children and marriage” (CSO6)
	Awareness campaign	“There is an awareness campaign being held called ‘Child Not Bride’ for children...” (CSO9)
	Highlighting negative implication	“What we should do at this time is changing the narrative on child marriage. Then, the narrative should be child marriage bring more harmful than benefit and so much research on this issues...” (CSO5)

continue ...

... continued

Girl Education	Completion of secondary education for girl	“Thus, they have to finish school with SPM qualification. With SPM, children can hunt for jobs in case they divorce. At least, they (children) can secure a better job and further study if they have SPM qualifications. This is because children are easily influenced by their surroundings and peers” (CSO3)
SRH Education	SRH Education for parents	“So, this is something that we have to discuss on how to address the issue; the most important part involves parents and how they educate their children. Need to educate and provide counselling for children who have had premarital sex. We need experts looking after them to handle this. There must be experts to handle this.” (CSO8)
	SRH Education for Children	“I think we need to provide them with sexual and reproductive education. The awareness has to be improved in many ways, especially on sexual reproductive education for both children and parents.” (CSO1)

CSO6 emphasised the significance of this narrative change in the following statement: ‘*So, to build a module that can provide a better way of understanding this issue, firstly, we need to clarify the fundamentals of marriage and the meaning of children*’. Public advocacy through regular awareness campaigns organised by local CSOs could better acknowledge the impact of child marriage. For example, CSO9 had reported their activities with refugee children named ‘Child Not Bride’. As long-term advocacy on curbing child marriage issues in Malaysia, CSOs have propounded narrative changes from a traditionally permissible practice to an unacceptable, harmful practice.

Secondly, completing secondary education is critical in delaying marriage and economic empowerment. Thus, CSOs planned a girls’ empowerment strategy to meet secondary education until they were 18 years old and avoid being married off, as stated by CSO3. Meanwhile, CSO1 mentioned that education could also bring a person out of poverty and prevent underprivileged girls from marrying. In addition, CSO1 also stated that awareness of sex education could provide early exposure to girls from sexual exploitation.

In maintaining the sanctity of marriage, authority is suggested to assess the underage marriage application process, as remarked by CSO3. Participants in this study also acknowledge that children who are raped or involved in fornication at a young age are advised to seek counsel and undergo psychological assessment. Also, participants believe that CSOs should work closely with the Malaysian government to curb the issue of child marriage. This effort is also possible with the help of a robust support system from parents and family, community, religious institutions and policymakers, as remarked by CSO5, CSO7 and CSO8.

DISCUSSION

This article sought to attend to the absence of research on the role of CSOs in advocating child marriage in Malaysia. Our findings provide insights into the perception of CSOs towards child marriage in Malaysia. Participants in this study had mixed views regarding child marriage, demonstrating the diversity of opinions in Malaysian public discourse. Most of the CSOs in this study conclude that there is no justification for child marriage due to lack of maturity, violation of children’s rights, and inability to fulfil marital responsibilities, which is in line with the international narrative in the previous studies (Ibrahim et al. 2012; Mustapa et al. 2015; Adinew et al. 2013). Meanwhile, some Muslim organisations tend to justify marriage with religious arguments, even though those views are highly contested within the Muslim community.

In this study, some CSOs focused on changing the narrative of child marriage from being seen as acceptable to being viewed as a detrimental practice to children. Initially, half of the CSOs in this study focused their energy and resources on lobbying for legal reform to ban child marriage. Still, the direction of their agenda has slightly changed to focus on promoting the harmful impact of the practice. Nevertheless, there are other Muslim CSOs which remained poorly informed about the negative implications of child marriage. These competing narratives have confused society and hindered the progress of advancing children’s rights in Malaysian society. With the vision of giving access to all people in Malaysia information on the harmful implications of child marriage, a few CSOs have been actively providing information and services and organising talks and campaigns related to child marriage, especially for the marginalised and underprivileged groups.

CSOs had worked hand-in-hand with its members in equipping children with education through a comprehensive and high-quality educational program for capacity building. Programs concerning SRH and HIV, sexual harassment, boy-girl relationships, and unplanned pregnancy issues were conducted for children in national and private schools, shelters and welfare homes, as also described in the study done by Pick et al. (2008) and Yeo et al. (2018). Since sex is still a taboo subject in the Malaysian community (Khalaf et al. 2014; Makol-Abdul et al. 2010), these organisations provided access to SRH services to prevent a lack of precise information on sexual and reproductive health issues by introducing the proper channel for them to seek advice. In the present study, the RTD participants recommended that young children should be exposed to sex education. This view is in line with a previous report in which sex education is suggested to be age-appropriate, which starts as early as before an individual reaches puberty for effective implementation of sex education (Mueller et al. 2008). The current study also believed that SRH education needs to be delivered to school dropouts, migrants and refugees' children to disseminate a comprehensive learning of sex education.

Meanwhile, participants in this study also suggested the involvement of parents and the public in developing their understanding to clarify their misconceptions and myths towards SRH. They stressed that young girls must be taught practical parenthood skills in the family, including reproduction and contraception information suggested by Khalaf et al. (2014), Mueller et al. (2008) and Enighe (2015). Improving parenting skills and education for parents will eventually help convince parents of the benefits of educating their children. For example, Positive Parenting, Malaysia's pioneer expert on education programs for parents, is one of the CSOs that actively provides information services and organises talks and campaigns for parents to be used as their guidance in educating their children. Given an alarming number of rape cases, sexual abuse of children, and increasing cases of child marriage reported in the media, CSOs had advised parents to be more open-minded about sex education.

The participants of the RTD revealed that there are parents who do not talk openly about sexual topics with their children as they view this as taboo (similar to what was mentioned by Makol-Abdul et al. 2010; Yoe 2018). Thus, local CSOs cooperated with the Malaysia government in disseminating

knowledge and guidance on parenting to parents as stated in the National Strategy Plan in Handling the Causes of Child Marriage (Ministry of Women, Family and Community Development (KPWKM) 2020), which includes parenting seminar and workshops in urban and rural areas, implementing SRH courses for communities and employees and conveying information on parenting in hospital, rural clinics and community centres. It is hoped that parents will benefit from this intervention, which aims to promote sensitivity and awareness among family members about the significance of SRH education and sexuality issues.

To strengthen the network between local communities and the authorities, CSOs have empowered young girls with information, skills, and support to act and advocate for themselves. Providing home shelter, awareness campaigns, adoption, recommendations to update premarital course modules and physical and mental assessments on children are related attempts by Malaysia CSOs for young girls to seek alternatives to marriage. Intervention from various parties, including policymakers, religious communities and families, combining legal advocacy with other CSOs in raising awareness on the consequences of child marriage would help reduce the number of child marriages in Malaysia. This study is in line with a study done by Pick et al. (2008), Makol-Abdul et al. (2010) and Ahmed (2015), where support and involvement of parental education and community mobilisation will provide a supportive environment for girls. As a result of this, parents will rethink marrying their children early, ultimately changing the traditional practices of child marriage.

CONCLUSION

In conclusion, this article illustrates CSOs' advocacy efforts to curb child marriage in Malaysia. All parties, including government agencies, religious authorities, parents, and community members, are becoming more aware of the need to empower girls to claim their rights. The view expressed in this finding reflects Malaysian society's opinions on child marriage. While the issue of child marriage in Malaysia is strongly advocated by most participants in this study, notably from women's rights groups and children's rights groups, there are still some groups which agree to child marriage, particularly Muslim groups. Although they acknowledge that child marriage has adverse effects, the CSOs that

condone child marriage tend to cite religious arguments, morality issues, and traditional practices. This indicates that the Malaysian government and international community need to do more work to convince these groups to change their narratives and perspectives about child marriage.

It was noted in the study that one of the major concerns of the CSOs was to provide SRH education to vulnerable children and their parents as a measure to end child marriage in Malaysia. A way forward in advocating the issue of child marriage is for SRH to be delivered to young children to curb the practice of child marriage. For the children's best interest, this study proposes that CSOs empower parents with sexual and reproductive health education and equip them with the latest approach to educating their children on this sensitive matter. Since Malaysia's CSOs are currently involved in addressing social issues at the grassroots level, this study encourages more collaboration between the government and other CSOs to address the child marriage issue.

Due to the complexity and interconnectedness of its causes and consequences, child marriage has no one-size-fits-all solution when it comes to eliminating the practice. Thus, addressing children's rights with social awareness and strong supportive legislation and policy is necessary. The society should engage in strategic lobbying with CSOs and stakeholder groups. The CSOs' involvement in spreading awareness of the issue is critical, especially for children to be aware of available help and resources around them. Child protection and early intervention can significantly reduce the occurrence of sexual issues such as statutory rape, unwanted pregnancy, child abuse, as well as child marriage. Malaysian CSOs are encouraged to conduct more awareness programs and training workshops among children so they would be able to equip themselves with the knowledge, skills, values, and attitudes needed to protect their rights.

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- Mohd Al Adib Samuri,
Institute of Islam Hadhari & Faculty of Islamic Studies,
Universiti Kebangsaan Malaysia,
43600 Bangi, Selangor, Malaysia.
al_adib@ukm.edu.my
- Nurhafilah Musa,
Faculty of Law,
Universiti Kebangsaan Malaysia,
43600 Bangi, Selangor, Malaysia.
hafilah@ukm.edu.my
*Corresponding author
- Helmiah Abd Razak,
Institute of Islam Hadhari,
Universiti Kebangsaan Malaysia,
43600 Bangi, Selangor, Malaysia.
helmiah@ukm.edu.my