



Women and early marriage

A COMMITMENT By Tingting Cojuangco (The Philippine Star) Updated December 19, 2010 12:00 AM

We are 12 vehicles in all on a swift ride over the wide highway linking Sultan Kudarat Province to Maguindanao. Past the site of sorrow, we go to the site of huge houses of a provincial leader and next to them the tiniest shanties spread randomly in Maganoy, Central Mindanao. The occupants of this *nipa* and *sawali* houses are victims of conflict.

I remember Maganoy in the 1980s and the spot where I used to buy the softest *pandesal*. “Stop,” I would ask. Out of four times I succeeded in persuading my host just one time to halt the caravan of cars. I alighted from the car, ran to the bakery as my Muslim companions stood on alert in a territory that was not under their control. I landed twice on the same spot by that empty marketplace that’s dead quiet by 1 p.m. for safety’s sake, but hyperactive in the early morning. Children dashed alongside me — little victims who did not know the answer to their “why’s.”

Nothing good arises from conflicts.

Those shanties? They belong to thousands of internally displaced persons or *bakwits* who never returned to the land they tilled. Some live not by the main highway but in IDP camps where one household is entitled to one food coupon. Children as young as 12 years old are married off to qualify the union as a pair — as a family, in fact, and they then acquire an additional food coupon to share with their respective families.

I discussed this with Atty. Laisa Masuhud Alamia, who was a volunteer lawyer for Noynoy Aquino in Sulu, Zamboanga, Basilan and Tawi-Tawi, traveling by sea and air with me. The campaigns over, she’s busy again in her homebase, Zamboanga City, as a member of Nisa Ul-Hagg Fi Bangsamoro Women for Justice studying early female marriages. It’s a reality that women victims reach only until the execution of affidavits. Ultimately, they back out, afraid for their lives and to live in shame after their exposure.

A Family Code for every Filipino regulates the marrying age. At least 18 years of age for both male and female. However, the Code on Muslim Personal Laws (CMPL) has a different set of rules for marriage, divorce, custody of children, and inheritance, based on the Shari’a or Islamic law. Shari’a is divine yet different Muslim communities have different interpretations, which is inevitable with each tribe’s customs called Adat. The legal standard for marriages in the Code of Muslim Laws is 15 years old for males. For females it is between the ages of 12 and 15 if they have attained puberty. Unions below the prescribed ages is through a *wali*. He is the woman’s male guardian whose ceremonial rite according to Shari’a law is regarded only as a betrothal and may be annulled upon the petition of either party, four years after attaining the age of puberty. That is, provided no voluntary cohabitation has taken place.

Muslims generally do not register their marriages and deaths whether with the Shari’a Court or the local civil registry by custom. One reason is that they never did before, so why now? Anyway they do not find the registration process relevant.

The NISA Ul-Hagg Fi claims that the practice of early marriage is in accordance with the *Sunnah*, “practices during Mohammed time.” I read three case studies, one of them about a mixed marriage and called “The Case of Hubaida.” Here goes a story of an accepted early marriage by an unobjecting woman in obedience to a father and keeping by tradition.

While conflict was escalating between the Moro rebels and the Philippine government in Sulu in 1972, 16-year-old Hubaida was told by her father that a soldier had asked him to give her away in marriage. His firearms and military uniform intimidated him. A dowry had been agreed upon. Later that night an Imam was called to perform a *nikah*. In a matter of hours, Hubaida had changed status from a 16-year-old, first-year high schooler into a soldier’s wife. She was now the wife of a man whom she had met only a few hours before her [wedding](#)! And Hubaida never questioned her father’s judgment.

When asked if she knew about sex at that time, Hubaida, now 46, said, “How could I have known anything about that?” She said she was given tips by her mother on how to prevent pregnancy given the context of war. She did not want to be burdened with fatherless children.

Luckily for Hubaida, her husband treated her well enough although they could hardly understand each other because of the language barrier. When her husband was ordered to transfer to Manila, he decided to leave the military and live in Palo, Leyte.

Hubaida’s father wrote to her, worrying that she and his granddaughter might “become Bisaya.” Hubaida did not need further convincing. She told her husband that she and their daughter Evelyn were going to Sulu for a short vacation. In her heart, Hubaida knew that she was not going back either to Leyte or her husband. She learned how to survive as a single mother and worked for 10 years in Saudi, convincing herself that loneliness was not as important as ensuring the future of her child.

Economic reasons and the promise of a good life are convincing. There are, in fact, a few cases where girls as young as seven or eight years old are married off. The ages of the husbands upon marriage range from 11 to 59 years. Why not? Their mothers, sisters and grandmothers also married early.

Girls marry the creditors of their family to pay off debts. Peer influence is also noticeable. I found it a great relief as a fellow woman that 73.9 percent contracted early marriages “for love.” Others cited culture and family values, to settle family disputes, and to strengthen family ties and forge political alliances.

Women are not just for bearing children although some still think so, especially in rural areas. Women can contribute in human and economic terms to society. One wonderful impact of early marriage is that it gives these young girls a sense of well-being and self-esteem. Although their husbands, according to the Taosug and Samal, do not allow them to study because they are jealous of their meeting other boys in school. The girls anyway would never go to school pregnant.

If these girls marry early, it’s because they see marriage as a way to preserve their chastity and keep the honor of the family — women being weak and needing protection. Custom, tradition and habit are difficult to challenge. We are all molded by our parental beliefs and we get used to doing certain things according to our tribe’s way of life, and it’s far easier to adhere to than to fight.

The majority still agree to early marriages when demanded.