**CHAPTER TWO**

**LITERATURE REVIEW**

This chapter is dedicated to review of existing literature on the topic. The chapter is divided into two parts: conceptual review and empirical review.

**2.1 Conceptual Review**

The review of UNGRD in this section is limited to what constitute violations of the UNGRD. For the purpose of this study, such areas as Girl Child Marriage (GCM), gender discrimination on girl's access to education (GEDIGAtE), and Female Genital Mutilation (FGM). These concepts are used in this dissertation to measure the impact of UNGRD on girls in Africa.

**2.1.1 GCM**

Child marriage is when a child gets married before puberty (UNICEF, 2014, as cited by Chukwuemeke et al, 2018). Therefore, GCM is defined as formal or informal marriage of a girl child before she attains age of 18 (Efevbera & Bhabha, 2020). GCM comes with consequences, which Efevbera & Bhabha (2020) identify as roadblock to global health, growth, as well as gender equality.

In addition, GCM violates a range of child rights and influences girls' agency, integrity, and dignity. It denies them their childhood and infringes upon their rights to participate in decisions that affect them. Girls who are married at a young age often find themselves isolated from their support networks, such as family, school, and peers. Their mobility may be restricted, and they may even be taken to neighboring countries without any support network. The ability to cope and develop autonomy in such circumstances varies among girls, depending on their level of agency and experience in early marriage. Child marriage also poses a risk to girls' physical integrity, as they may experience violence and forced or unwanted sexual intercourse. Limited education and exposure to reproductive health education hinder their ability to negotiate safe sex practices, leading to increased vulnerability to sexually transmitted infections and domestic violence (Population Council, 2009; Sauvain-Dugerdil & Thiriat, 2009).

Moreover, GCM hinders girls' right to education. Many girls who were attending school before marriage are likely to drop out prematurely and permanently. However, unmarried girls who give birth outside of marriage may have more support to continue their studies compared to married girls with restricted mobility and options (CERFODES, 2012; ActionAid, 2012; UNICEF, 2012; Lloyd & Mensch, 2008).

Also, child marriage has significant adverse sexual and reproductive health consequences for girls. Early marriage increases the risk of complications during childbirth and exposes girls to limited use of family planning methods. Girls' limited knowledge about contraception and social expectations of swift pregnancy after marriage contribute to low contraceptive uptake, which in turn exacerbates the risk of sexually transmitted infections and HIV transmission and conditions such as obstetric fistula, resulting from very early pregnancy, have lifelong adverse consequences for girls' health, social status, and economic prospects (Kante, 2009; Neal, 2009; Santhya et al., 2010; Tebeu et al., 2012; Boureima, 2013).

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FGM is any procedure that involves removing all or part of the external female genitalia or causing harm to the female genital organs for purposes other than medical needs (WHO, 2024).

FGM can cause immediate and long-term complications. The procedure is often performed under unsterile conditions by practitioners with little knowledge of female anatomy, leading to genitourinary health consequences and adverse obstetric outcomes. FGM also has psychological and sexual implications, affecting sexual response and satisfaction. Furthermore, anatomical distortions hinder various procedures and day-to-day activities (Berg et al., 2014; Iavazzo et al., 2013; WHO, 2006; OHCHR et al., 2008).

**2.1.3 GD/ GEDIGAtE**

According to the Convention on the Elimination of All Forms of Discrimination against Women, discrimination is defined as when people are excluded or restricted on the basis of sex (United Nations Human Rights, n.d). This discrimination breads inequality restricts girls' opportunities to participate fully in decision-making processes regarding their health, economic participation, and intimate relationships, and education. However, this study is interested in GEDIGAtE. This because there are different forms of gender discrimination against girls; Bamgbose (2018) list those forms to include FGM, child marriage, male child preference, non participation in family decision making, discrimination in inheritance, discrimination in education, etc. Therefore, what constitutes discrimination against the girl child is broad. Since GCM and FGM have been chosen, GEDIGAtE is added in this section.

**2.2 Previous Studies on Girl Rights in Africa**

Akolokwu and Nwauzi (2019) examine the application of girl-child rights in Nigeria and highlight the challenges faced in upholding these rights. The study identifies various factors contributing to these violations, such as the patriarchal social system, high illiteracy rates, customary laws, and religious beliefs.

Syed et al. (2019) draw from the findings and recommendations of the UN Women-led Multi-Country Analytical Study of Legislation, Policies, Interventions, and Cultural Practices on Child Marriage in Africa. The study focuses on 10 study countries, including Egypt, Nigeria, Kenya, Democratic Republic of the Congo, and Malawi. The study identifies underlying causes and drivers of child marriage in Africa, which are rooted in patriarchal societies and discriminatory gender norms perpetuating gender inequality.

UN Women (2018) assesses the state of child marriage in Africa, focusing on ten countries with a higher prevalence. It adopts a holistic descriptive analytical approach, combining quantitative and qualitative tools. The study provides critical information on the nexus between policies/legislation, cultural and religious practices, and the outcomes of interventions to delay the age of marriage and end child marriage.

Lubale (2013) conducted a study in Uganda to assess the prevalence and impact of child marriages. The findings revealed that 4.5 percent of children in Uganda were in child marriages, with girls being more affected than boys. Child marriages were observed across all socioeconomic and cultural classes within Uganda. The study further highlighted the negative consequences of child marriages, including school dropout, child-headed households, and increased poverty, particularly in urban areas.

Gamira et al. (2015) conducted a study focusing on young mothers who fell victim to early and forced marriages in order to explore the constraints, prospects, and policy directions for improving women's participation in national development. The study utilized both primary and secondary data, including questionnaires, structured interviews, and review of policy documents. Findings indicated that perceptions on the practice of early marriage were influenced by the quality of education received by parents. The study also identified weak implementation of policies and legislative frameworks, the belief that girls are a source of wealth, and the high prevalence of poverty as factors contributing to early and forced marriages.

Akolokwu and Nwauzi (2019) identify various factors contributing to these violations, such as the patriarchal social system, high illiteracy rates, customary laws, and religious beliefs.UNICEF (2013) published a report analyzing the prevalence and trends of female genital mutilation/cutting (FGM/C) in 29 countries, based on data from nationally representative surveys conducted over a 20-year period. The report indicates a decline in the practice of FGM/C in some countries and highlights the need to address the underlying social dynamics that perpetuate the practice.

Plo et al. (2014) conducted a survey at the General Hospital of Abobo in Cote D'Ivoire to describe the epidemiological aspects and clinical findings related to FGM in young patients. The study included 409 females aged 1 to 12 years and their mothers. The results showed that 15% of the young females had undergone FGM, with the majority coming from Muslim families. The study identified motivations for FGM, such as preserving virginity, chastity, body cleanliness, and cultural beliefs.

Kandala & Komba (2015) conducted a study in Senegal to examine the prevalence of female genital mutilation (FGM) and the effectiveness of the country's anti-FGM law in providing protection to the victims and dealing with actual breaches. The study utilized data from the 2010-2011 Senegal Demographic Health Survey and Multiple Indicators Cluster Survey, covering 14,228 women and their daughters. The analysis revealed an overall prevalence of 28.1% among women and 6.2% among daughters. The study identified sociodemographic factors, ethnicity, and region as significant factors influencing the prevalence of FGM.

Aidonojie (n.d.) Nabaneh & Muula (2019) explore the trends and effectiveness of criminalizing female genital mutilation/cutting (FGM/C) in Africa, as well as the legal and ethical implications of the emerging debate on the medicalization of FGM. The article emphasizes the consensus against FGM/C in international and regional human rights instruments and the criminalization of the practice in several African countries. It highlights the challenges in effecting change through legislation and examines the complexities surrounding the legal and ethical implications of medicalizing FGM. The article argues that while criminalization may not be the sole solution to ending FGM, it creates an enabling environment for the overall strategy of eradicating the practice.

Amoah (2007) argues for the importance of considering the intersecting identities of the girl-child and the cultural context in which she lives in order to achieve substantive equality. The study proposes the GRACE model, which acknowledges the intersecting identities of gender, race, age, and culture that shape the girl-child's experiences. It emphasizes that the lack of specific rights may vary across cultures but the marginalization of the girl-child remains consistent. The article highlights cultural practices in Ghana, such as sexual slavery and female infanticide, which marginalize the girl-child due to the intersection of her gender, age, race, and culture.

Nwozor & Okhillu (2022) examine the challenges faced by the girl-child in accessing education in Nigeria and the interventionist role played by UNICEF. The study adopts a lens of radical feminism combined with a human rights-based approach to interrogate the sociocultural norms and legal frameworks that hinder the girl-child's access to education. It highlights the dominant patriarchal system prevalent in Nigeria, particularly in northern regions, as a major force militating against the rights of the girl-child. The study acknowledges UNICEF's Nigeria Girls' Education Project (NGEP), which contributed to re-enrolling over one million out-of-school girls, but recognizes the need for further efforts to address the structural alienation hindering girls' education.

Aidonojie (n.d.) explores the abuse of the girl-child in Nigeria and the missing links in societal norms and legal frameworks that undermine the protection of the girl-child's rights. The study employs a hybrid research method, combining a doctrinal and non-doctrinal approach, including an online questionnaire survey. The findings indicate an increase in the abuse of the girl-child, despite existing legal frameworks.

Mwambene (2018) critically examines how Zimbabwe, South Africa, and Malawi address the conflict between cultural practices that lead to child marriage and the protection of children's rights. It highlights the conceptual and practical difficulties in regulating cultural practices and identifies gaps in law reforms. The article emphasizes poverty as a crucial factor underlying cultural practices linked to child marriage, such as lobolo (bride wealth) and ukuthwala. It argues that law reforms need to be coupled with practical measures addressing the factors that perpetuate child marriage.

**Synthesis of the Empirical Review & Establishment of Research Gap**

While each study focuses on different aspects, there are overarching themes and connections that emerge from the literature.

One common theme is the persistent violation of girl-child rights despite existing legal provisions. Akolokwu and Nwauzi (2019) and Aidonojie (n.d.) highlight the ongoing challenges in upholding these rights, emphasizing factors such as the patriarchal social system, cultural practices, and religious beliefs.

Another significant connection across the studies is the role of sociocultural factors in inhibiting the implementation of girl-child rights. Syed et al. (2019) and Nwozor & Okhillu (2022) highlight the influence of patriarchal societies and discriminatory gender norms on child marriage and access to education. They emphasize the need to address these sociocultural factors to effectively implement the UN Girl Rights Declaration.

The studies also recognize the importance of legislation and legal frameworks in protecting girl-child rights. UN Women (2018) and Nabaneh & Muula (2019) emphasize the role of policies and legislation in addressing child marriage and female genital mutilation/cutting (FGM/C).

Furthermore, the literature emphasizes the significance of international human rights instruments in addressing girl-child rights. Amoah (2007) emphasizes the importance of considering the intersecting identities of the girl-child and the cultural context, advocating for substantive equality.

The literature highlights the need for comprehensive assessments, encompassing multiple criteria such as FGM, GCM, and GEDIGAtE in the case study countries.