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Married in Spite of The Law: An Ethnographic Study on Early Marriage in Zaatari Refugee Camp

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Abstract

Despite being generally forbidden by the Jordanian Law of Personal Status, early marriage among Syrian refugees in the camp of Zaatari is still common, and according to some sources, its incidence has increased during the past years. This practice in Zaatari is regulated by the Syrian *adat*, that at the same time coexists with Jordanian law and decision norms advocated by International NGOs; giving place to a situation of legal pluralism in the camp. The overall aim of this thesis is to contribute to scholarly debates around the socio-legal adaptation of refugees into a new legal environment by exploring legal pluralism in Zaatari and the interplay between the alternative normative orders that conform it, with a focus on the practice of early marriage. For this purpose, this study is based on ethnographic fieldwork combined with qualitative methods of data collection.

Key words: Early marriage, Jordanian Law of Personal Status, *adat*, Zaatari refugee camp, socio-legal adaptation, legal pluralism, legal culture and living law.

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Preface

For the past eight months I have had the privilege to work hand in hand with Syrian refugees in the camp of Zaatari in northern Jordan. Zaatari is the second largest refugee camp in the world and the fourth city in the Hashemite Kingdom. The camp is home to nearly 80.000 Syrians who have fled a protracted civil war ongoing for the past eight years that has devastated the country. Zaatari sets a unique example of resilience and daily lifelines. Walking down the *Champs Elysees* –the local nickname for the market or commercial street– one can contemplate the bustling life of an Arab city. When scaping their war-torn country, refugees have not only brought with them their families and few belongings; most importantly, they have brought their culture, traditions and life-style. This has allowed them to create their own new home in the middle of the Jordanian dessert.

Daily chats and conversations with the inhabitants of Zaatari have helped me gain significant knowledge and understanding about the Syrian culture and the daily life of a refugee. I have enjoyed spending hours drinking *qahwa* (coffee) with Syrian women while conversing about their memories back in Syria and their current life in the camp. I have come to know that most of these women were married when they were still girls between 13 and 17 years old. Some claim that early marriage is an adequate and necessary tradition that ought to be respected, others state that it is just a way for families to overcome financial hardship and many say to be determined not to make the same “mistake” with their daughters. Still, early marriage is a very common practice that, according to some, is currently growing in Zaatari.

Witnessing the existence of a variety of experiences and opinions about early marriage within the community of Zaatari has drawn my attention to a topic that is claimed to be one of the main concerns by Western actors and the Jordanian government. Despite the law in Jordan generally forbidding under-age marriage and

INGOs¹ in the camp strongly advocating to end this practice, many families and girls in Zaatari still decide to go through marriage at an early age.

An increasing interest in the interplay and reciprocal influence of social norms and formal law² has encouraged me to explore the plural legal orders operating in Zaatari camp and the implications it has for socio-legal research on refugees.

Introduction

1.1 Research Problem: Illegal and Unregistered Early Marriage

Early marriage is a widely shared and accepted practice in Syria. It is considered *adat wa al-taqalid*³ in some regions across the Arab country and it is also legal in Syrian Law. According to UNICEF, in 2017 around a 3% of girls were married under the age of 15 in Syria, and a 13% was married under the age of 18 (Girls Not Brides, 2019, B).

Due to a traditional rural culture, the major role of religion and religious community leaders in social life and existing legal pluralism, legal culture in Syria⁴ is characterized by a strong predominance of social over legal norms and formal law. According to Fanack, an independent online media organization, when it comes to marriage, this is translated into many couples getting married through a *sheik* (religious community leader) not officially registering their wedding (Fanack, 2017).

In the wake of the ongoing war in Syria, over 670.000 civilians have been registered by the United Nations High Commissioner for Refugees (UNHCR)

¹ Throughout the paper, I will be using the acronym INGO to refer to International Non-Governmental Organizations.

² Throughout the paper, I will be using 'formal' and 'state' law in order to refer to the law/s emanating from the government.

³ 'Adat Wa Al-Taqalid' is the Arabic term to refer to customary law in Syria. I will more extensively explain this concept further in the document. Throughout the paper, I will refer to it as just 'adat', as it is commonly done among Syrians.

⁴ Despite the existence of varied legal cultures within the Arab country, I will use the framework of the nation state to describe legal culture.

fleeing to neighboring Jordan during the past 8 years (UNHCR, 2019, B). In such displacement, Syrian refugees have brought with them their *adat* i.e. their customs, traditions, religious and moral codes as well as social and cultural norms. Many Syrians have continued the practice of unregistered early marriage upon arrival to the neighboring country. Not only that, the number of early marriages of Syrians in Jordan has more than doubled in the last three years. Despite the lack of scientific knowledge, alternative non-academic sources provide interesting information that can serve to frame this issue. According to statistics published by the independent news organization Al Jazeera, “in 2014, 15 percent of all Syrian marriages in Jordan included a child bride, but now the number has risen to 36 percent” (Al Jazeera, 2018). Furthermore, an independent study conducted by the media organization Fanack in October 2015 with 51 married refugee couples in northern Jordan found that about half of the couples had not formally registered their marriage in either Syria or Jordan (Fanack, 2017).

Such lack of official tracking hinders the already arduous task of the Jordanian authorities in the face of a critical humanitarian emergency. Without the pertinent documents, spouses risk losing the rights that the law grants them in case of divorce, and “there is no way to affix kinship to children as per Jordanian law and thus children of these marriages are believed to be conceived out of wedlock.” (Ibid). Onerous and unmet legal requirements for marriage in Jordan –such as the minimum legal age– are pointed out as some of the main reasons for unregistered marriages among Syrians (Ibid).

The Jordanian Law of Personal Status of 1976 currently in force, established the legal age for marriage in 16 years old for males and 15 years old for females (Cherland, 2014). In an unexpected and controverted move for some, in 2017, the Jordanian government passed on a resolution that introduced some exceptions to the minimum legal age for marriage on the JLPS⁵. Due to the difficulty of finding the official law in English, I have used an overview of Muslim family laws and

⁵ I will be using this acronym in order to refer to the Jordanian Law of Personal Status.

practices presented by Musawah –a global movement for equality and justice in the Muslim family– to review the current JLPS. The minimum legal age for marriage in Jordan is now 18 years old, but the law currently provides that “a judge may permit girls and boys as young as 15 to marry if it is deemed to be within their interest.” (Musawah, 2017). “When considering whether to allow a girl under the age of 18 to get married, the income of the prospective husband is often the main determining factor considered by the judge” (Ibid). Although the Jordanian government has not released any official statement, it is commonly claimed that the introduction of the mentioned exceptions was a desperate try from the government of the Hashemite Kingdom to improve the situation of unregistered early marriages among Syrian refugees.

Despite being illegal in most cases, early marriage is still common among Syrians in Jordan; and many times, it is also unregistered. In the refugee camp of Zaatari, the marriage of Syrian girls under 18 years old has not only not decreased but it has increased in the past years. Such increment has taken place despite the JLPS and the joint efforts of INGOs to raise awareness about the potential dangers and consequences of this practice.

1.2 Aim and Research Question

In the Arab Republic of Syria, the Personal Status Law provides that if adolescent boys or girls at the ages of 15 and 13 respectively claim to have reached puberty early, the judge shall give consent for their marriage if satisfied with the truth of their claims (Anderson, 1995). On the other hand, according to the JLPS, the legal age for marriage in Jordan is 18 years old and, exceptionally, a judge may permit girls and boys as young as 15 to marry if it is deemed to be within their interest (Musawah, 2017).

Syrian refugees in the camp of Zaatari are now subject to a new and more restrictive law that regulates marriage. Furthermore, international and mainly Western NGOs are actively involved in advocating a new set of decision norms in

the sites they manage inside Zaatari, among which one of the main is postponing marriage until the couple has reached legal age. Nevertheless, according to studies published by various INGO and media organizations, early marriages among the Syrian community in Jordan, and in Zaatari camp particularly, have increased in the past years (Hikmat, 2017; UNICEF, 2014; Al Jazeera, 2018; Fanack, 2017).

The existence of various normative orders in Zaatari exposes a situation of legal pluralism around early marriage that includes the Syrian *adat*, the JLPS and the decision norms advocated by International NGOs. In such context, the Syrian *adat* strengthened by contextual factors seems to be having more weight than state law and other norms in conditioning the behavior of the inhabitants of Zaatari.

The overall purpose of this thesis is to contribute to scholarly debates around legal adaptation of refugees into a new legal environment by providing new empirical and theoretical insights. Moreover, the study aims at contributing to fill an existing gap in English literature regarding *adat* in Syria. For this purpose, I present an ethnographic case study that focuses on the practice of early marriage among Syrian refugees in the context of the legally pluralistic refugee camp of Zaatari, Jordan. More specifically, the thesis intends to explore the following issues:

1. Syrian *adat* - customs, tradition, cultural norms and moral codes around early-marriage practices
2. Zaatari inhabitant's familiarity with the JLPS,
3. The relationship and interplay between *adat* and the JLPS and the extent what the existence of this law influences refugees' behavior towards early marriage
4. The capacity of decision norms advocated by INGOs to influence refugees' behavior towards early marriage

The thesis focuses on exploring legal pluralism around early marriage in Zaatari taking into consideration various socio-legal perspectives such as the legal culture as well as the existing legislation and social factors in the camp. Nevertheless, due

to limited space, this paper does not aim at exploring further issues such as the legal consequences of early marriage in Zaatari or potential socio-legal solutions for this problem. Future research could focus on these aspects in order to widen the scope of this work.

In order to accomplish the research aims, the following overarching research question will be investigated and addressed:

Why does early marriage in the refugee camp of Zaatari continue to persist and to be commonly practiced despite being legally forbidden?

1.3 Conceptualization of Terms

In order to ensure a proper and full understanding of this research project, I clarify various concepts that I repeatedly use throughout the study.

Early Marriage: I use this term in order to refer to the act of marriage when a person under eighteen years old is involved (UNICEF, 2019, A). Although there are various terms to refer to this practice, the UN and other international organizations use ‘child marriage’. Nevertheless, I have decided to use ‘early marriage’ instead, as I believe that the definition of ‘child’ as someone under 18 years old is highly Western-centered and may not fit other non-Western cultures.

Adat Wa Al-Taqalid: ‘Adat wa al-taqalid’ (also ‘adat wa taqleed’ or ‘adat taqalid’), commonly called ‘*adat*’, is an Arabic term used to refer to customary law in Muslim majority countries (Hasan, 2015, p.83). Most of the existing research on *adat* is based in countries of Central and Southeast Asia; predominantly Indonesia (Cheng, 2006; Davison & Henley, 2007; Hauser-Schaublin, 2013; Hooker, 1970; Ter Haar, 1948). Nevertheless, the term *adat* is also commonly used across the Middle Eastern region and more specifically in Syria, where it is employed to refer to customary practices and social norms. The concept of ‘*adat*’ has been briefly mentioned and translated into English as “customs”, “traditions” and “habits” in various works about diverse aspects of life in Syria and other Middle Eastern

countries (Bamyeh, 2012, p.37; Dabbagh, 2005, p.19; Salamandra, 2004, p.103; Shannon, 2006, p.8). According to my own observations during fieldwork in the Syrian refugee camp of Zaatari, the term *adat* is commonly used to refer to customs, traditions, religious and moral codes as well as social and cultural norms. Yet, research about Syrian *adat* in English is notoriously scarce.

Decision Norms: Following Ehrlich's (2002) definition, decision norms (or 'norms of decision' as called by the author) are here understood as a set of norms introduced in a community by an institution or entity (in this research, by international NGOs) that are followed in certain cases or spaces but that are anyway external to social life of a community.

Background

2.1 Early Marriage in The Law: International Law and The Syrian Law of Personal Status

Men and women of full age have the right to marry according to Article 16 of the Universal Declaration of Human Rights⁶ (United Nations, 2019). Similarly, Articles 17(2) and 12 of the American and European Convention on Human Rights adopted in 1969 and 1953 respectively as well as Article 33 of the Arab Charter on Human Rights adopted in 2004 grant the right to marry men and women of "marriageable age" (Inter-American Commission on Human Rights, 2019; Council of Europe; Arab Charter on Human Rights). In 1964, the General Assembly of the UN adopted the Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages that provided contracting states to take legislative action to specify a minimum age for marriage. On the other hand, Article 16(2) of the UN Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) adopted in 1975 categorically states that "the betrothal and the marriage of a child shall have no legal effect".

⁶ The Universal Declaration of Human Rights was adopted by the United Nations General Assembly in December 1948.

Determining the minimum legal age for marriage corresponds to states according to the mentioned international treaties and conventions. However, despite not suggesting or determining one, these pieces of law signal the very clear purpose of regulating marriageable age under what is considered appropriate and respectful of human rights.

After making a recommendation for such regulation in 1964, the UN General Assembly adopted the Convention on the Rights of the Child in 1989. Article 1 of this convention defines a child as a person “below the age of eighteen unless under the law applicable to the child, majority is attained earlier” (OHCHR, 2019, B). The Committee on the Rights of the Child, organ that monitors the implementation of the Convention, “strongly recommends that state parties review and where necessary reform their legislation and practice to increase the minimum age for marriage with and without parental consent to eighteen years for both boys and girls.” (CRC, 2013). Furthermore, UN agencies UNFPA and UNICEF describe the act of marriage when a person under eighteen years old is involved as child marriage (UNICEF, 2019, A).

These organizations claim that child marriage is a fundamental violation of human rights affecting mainly girls that “compromises girl’s development by resulting in early pregnancy and social isolation, interrupting her schooling, limiting her opportunities for career and vocational advancement and placing her at increased risk of domestic violence.” (UNICEF, 2018).

Global estimates from the UN indicate that “more than 650 million women alive today were married as children worldwide” and “at least 12 million girls under 18 years old are married every year.” (OHCHR, 2019, A). Early marriage is a practice that seems to be substantially more prevalent in developing countries, with special incidence in sub-Saharan Africa (UNICEF, 2019, B).

The Syrian Arab Republic is among the countries that have not ratified the UN Convention on Consent to Marriage, Minimum Age for Marriage and Registration

of Marriage as well as the Convention on the Rights of the Child. Nevertheless, the Arab country is a party of CEDAW and the Arab Charter on Human Rights and it is consequently bounded to determine a minimum legal age for marriage. Article 18 (1) of the Syrian Law of Personal Status provides respectively that “capacity to marry shall be complete in a male at the end of his eighteenth year and in a female the end of her seventeenth year; but that if an adolescent boy claims to have reached puberty after the completion of his fifteenth year, or an adolescent girl after the completion of her thirteenth year, and they demand the right to marry, the Qadi shall give his consent if satisfied of the truth of their claims and their physical fitness for marriage.” (Anderson, 1955, p. 37). The Syrian Law of Personal Status is predominantly based in Islamic jurisprudence and at the time of its promulgation in 1953, “it was considered one of the most progressive law codes in the Middle East” (Van Eijk, 2013, p. 52). According to Anderson, “[t]here can be no manner of doubt, (...) that the motive behind these reforms was the pressure of modern life, social change, and social conscience; that the inspiration was, in origin, Western; and that only the form was Islamic.” (Anderson, 1995 cited in Van Eijk, 2013, p. 54).

The SLPS is applicable to Muslims and non-Muslims in Syria, but “specific religious communities retained their legislative and judicial autonomy in the field of family law, parallel to the general state law on family relations” (Van Eijk, 2013, p. 51). This state-supported plurality of laws and jurisdictions gives place to a complex legal pluralism in the matter of family law in Syria. Nevertheless, such pluralism is not egalitarian. The SLPS and the courts applying it have a privileged position in the field of personal status over other religious communities and minorities that becomes especially evident in cases of interreligious relations or conversions from one religion to other (Van Eijk, 2013). According to Maktabi (2010), “legal pluralism within family law serves not only as a means of maintaining and regulating the internal affairs of religious groups. Family law also defines the dividing lines between the different religious groups, with state authorities as gatekeepers who maintain and monitor intragroup boundaries through the state’s personal status registries.” (p. 568).

2.2 Syria: An Intractable Civil War

In March 2011, the Syrian government, led by President Bashar al-Assad, faced an unprecedented challenge to its authority when pro-democracy protests erupted throughout the country (Encyclopedia Britannica, 2019). Between the years 2006 and 2010, Syria had suffered from a critical draught together with experiencing political instability deriving from al-Assad's authoritarian regime. In addition, the Syrian government had also promoted economic liberalization policies that had mostly served to enrich capitalist groups while a big part of the Syrian population lived below the poverty line (Ibid).

The first major protest occurred on the 6th of March 2011 in the city of Dar'a, one of the most impoverished rural provinces in southern Syria (Ibid). The detention and torture of 15 young students from prominent Syrian families who were arrested for writing anti-government graffiti was the trigger of a wave of demonstrations that spread quickly to other Syrian cities like Aleppo and the capital Damascus. Protesters demanded an end to the authoritarian practices of the Assad regime (Ibid).

The wave of uprisings in Syria took place simultaneously with other pro-democracy protests in Tunisia, Egypt, Yemen and Libya as part of a movement that has been named the Arab Spring⁷. Al-Assad's regime responded by using fierce violence through police, military, and paramilitary forces in order to suppress a wave of demonstrations that had quickly spread across the country. By 2012, the conflict had escalated into a civil war (Ibid).

Eight years after the first protests erupted, the Syrian war is still ongoing and has become a protracted conflict difficult to classify due to the numerous local, regional and international players involved in it (Billingsley, 2018). According to statistical data provided by the United Nations High Commissioner for Refugees,

⁷Arab Spring: wave of pro-democracy protests and uprisings that took place in the Middle East and North Africa beginning in 2010 and 2011, challenging some of the region's entrenched authoritarian regimes.

there are currently over 6.6 million internally displaced people in Syria and more than 5.6 million Syrians have fled the country seeking refuge in neighboring countries of Turkey, Lebanon, Jordan and beyond; constituting the greatest civilian displacement since World War II (UNHCR, 2019, C).

2.3 Jordan: Hospitality in The Face of a Humanitarian Crisis

As stated by a report published by Carnegie Endowment for International Peace—a global network of policy research centers—, due to persistent social and political instability in Syria, by the end of 2011 Jordan had welcomed more than 2,000 Syrian refugees (Francis, 2015). Many of these refugees entered the country believing that they would soon return to their homes. However, the number of Syrians coming to Jordan rose dramatically in the following years. Most refugees in Jordan stayed in the country (Ibid). In accordance with data provided by the United Nations High Commissioner for Refugees (UNHCR), Jordan currently hosts 671,579 registered Syrian refugees. 17 per cent of them live in three main refugee camps in the Hashemite Kingdom (UNHCR, 2019, B). Nevertheless, according to a report presented by the Forum of INGOs in Jordan, the number of Syrian refugees has remained consistent for the past three years due to the increased entry restrictions to Jordan (Jordan INGO Forum, 2018).

“Despite hosting one of the largest refugee populations in the world, the Jordanian government has a remarkably underarticulated refugee policy” (Francis, 2015, p.6). Jordan has not ratified any international convention or protocol on refugee policy, and it is therefore not subject to any international obligation or mandate. This gives the government a higher degree of agency in its response to refugee influxes (Francis, 2015).

Cooperation between the Jordanian government and the United Nations High Commissioner for Refugees (UNHCR) is defined by a memorandum signed by the two parts that provides the parameters for such joint effort. Nevertheless, the agreement does not contemplate a variety of legal rights that the United Nations

Convention on Refugees guarantees in signatory countries. This leaves Syrian refugees in Jordan in an increased situation of legal vulnerability (Ibid).

2.3.1 Al-Za'atari Refugee Camp

As stated by Ledwith in a report published by the Affordable Housing Institute, “Al-Za’atari Refugee Camp (commonly known as Zaatari) opened in July 28, 2012 in the Governorate of Mafraq in Jordan as part of the UN-sponsored relief effort to house those displaced by the Syrian civil war.” (Ledwith, 2014, p. 14). The planning and development of the camp on a land owned by the Jordanian armed forces was a joint effort of UNHCR and the Jordan Hashemite Charity Organization (JHCO). Zaatari Camp has now grown to become the second largest refugee camp in the world and the fourth largest city in Jordan (Ibid). Zaatari is home to 78,597 Syrian refugees who are mainly originally from Dar’a and rural Damascus (UNHCR, 2019, A). Over a 63% of its population are adults between 18 and 59 years old and children between 5 and 11.

One-room prefabricated caravans are the main form of housing in Zaatari. Caravans are designed to host one family, but these usually host more than one due to the lack of space and financial resources of refugees to acquire new ones (Ledwith, 2014). Infrastructural services such as water and electricity are provided by non-governmental organizations and UNHCR (Ibid).

Despite an increasing economic activity generated through the opening of small businesses by refugees, unemployment is still one of the main issues pointed out by the inhabitants of Zaatari (Ibid). Unlike in other refugee camps such as that of Azraq, people in Zaatari can exit the camp with an authorization from the police. This makes it possible for some Syrians to work outside. Nevertheless, work conditions for refugees outside the camp are generally precarious and abusive. Furthermore, issues such as child labor, difficult access to higher education, daily crimes (smuggling, theft, violence,), sexual- and gender-based violence and armed

-forces recruiting are pointed out as some of the main daily concerns in the camp (Ibid).

2.3.2 International NGOs: Presence of The West Through Humanitarian Aid

Social infrastructure in Zaatari is mainly provided by national and international NGOs that partner with UNHCR in the service delivery. The main activities these organizations work on are protection, education, health, water and sanitation, community empowerment and self-reliance, and access to energy (Ibid).

When it comes to the issue⁸ of early marriage, most NGOs in Zaatari, especially international or Western organizations, have a strong and clear discourse on avoiding this practice. The ‘He for She’ initiative of UN Women, the Norwegian Refugee Council, Save the Children and Mercy Corps are some of the international NGOs that work on child protection issues and allocate part of their resources and efforts to end early marriage in Zaatari.

Overall, the message that these NGOs spread is that early marriage “has a devastating impact on the girls” (NRC, 2019) or “numerous adverse effects on the overall well-being of children” (Save the Children, 2019), and that therefore, girls should postpone their marriage at least until they reach age of majority or finish their higher education.

2.3.3 Early Marriage in Zaatari: An Increasing Trend

Despite all that, early marriage is a common practice in Zaatari. According to a report published by the Higher Population Council of Jordan, although it was already common in Syria, studies point out that the cases of girls married under the age of 18 have increased in the camp in the last few years (Hikmat, 2017).

⁸ I refer to this practice as an issue following the approach that most NGOs use. However, it is not my aim to evaluate or judge the validity, legitimation or character of early marriage in this study.

The same report also showed that the 73.3% of women between 15 and 18 years old in Zaatari are married. Furthermore, the percentage of married girls who have spent more than a year in Zaatari is significantly higher than those who have spent six months or less (Ibid).

That same study has also pointed out that “the reasons for the marriage of female Syrian refugees in the camp are security in the absence of educational opportunities, the instability of the family, the loss of parents, the desire of parents, residence with relatives or brothers [and] acquiring a better standard of living.” (Ibid, p.23). Furthermore, refugee girls have stated that “customs and traditions [also] encourage their marriage before reaching 18 years.” (Ibid).

Existing studies attempt to provide an explanation to early marriage in the camp of Zaatari by identifying the most common motivations behind it. Nevertheless, these are often presented as conclusions –obviating their background and contextual meaning–, which hinders a proper and thorough understanding of the situation and can lead to misconceptions and risky generalizations. Furthermore, it is possible to identify a research gap regarding the socio-legal dimensions of this practice.

My aim throughout this thesis is to provide an in-depth study of early marriage supported by empirical data, in order to contribute to filling the mentioned gap by exploring the interplay between normative orders around early marriage in the context of a refugee camp.

Literature Review

The practice of early marriage has been extensively researched from various disciplines and perspectives, resulting in a wide array of varied theoretical and empirical works. The scholarly interest in early marriage is primarily set on the most predominant locations as well as on the main causes and consequences of this practice. Despite most of the literature on this topic has been produced using a Western-centered perspective, some authors have also claimed the need to contextualize this act. Recently, early marriage is being approached from a new

angle that explores its links to humanitarian crises. From a Sociology of Law standpoint, early marriage among Syrians in Jordan can be studied in the context of legal pluralism and legal adaptation of migrants and refugees. Interestingly, there is very little work on *adat* or early marriage in relation to formal law in the Middle Eastern region and more specifically in Syria.

Throughout the literature review section, I will be exploring previous work on early marriage from four different angles: discourses on early marriage in existing literature, early marriage in humanitarian settings, socio-legal integration of migrants and legal pluralism in post-colonial societies.

4.1 Discourses on Early Marriage

Early marriage is generally presented as a violation of human rights in existing literature (Otoo-Oyorsey & Pobi, 2003; Jensen & Thornton, 2003; Hodgkinson, 2016; Levine et al. 2009; Girls Not Brides, 2019, A). According to Otoo-Oyorsey and Pobi (2003) “child marriage [violates girls’ human rights as it] perpetuates the feminization of poverty, preventing girls from attaining their full potential in terms of developing their social capabilities.” (p.1).

Within the extensive body of literature on early marriage, girls –who are generally portrayed as vulnerable and agency-less– are the main subjects of study due to a higher prevalence of female over male under-age marriages. Previous studies have also established ‘a where’ to this practice by pointing out the increased incidence of early marriage in rural and poor communities of countries in the ‘developing world’ (Giaquinta, 2016; Jensen & Thornton, 2003). Contrarily, not much attention is paid to statistics regarding under-age marriage in countries of the West (Giaquinta, 2016).

For the most part, literature suggests that the “interplay of social norms, economic structures and familial motivations” are the leading causes to this practice (Hodgkinson, 2016, p. 18 cited in Giaquinta, 2016). In a study conducted in 1996, Singh and Samara concluded that women's access to paid employment and formal

education, demographic factors such as the oversupply of one sex over the other, residence in urban or rural areas and cultural factors play a decisive role in determining the age of first marriage in the 'developing world' (Singh & Samara, 1996). Later studies have reinforced this theory by signaling socioeconomic status, access to education and socio-cultural factors as some of the underlying causes of early marriage. According to Levin et al (2009), "in general terms, women who live in rural areas, come from poorer households, and have less schooling are more likely to marry early." (p.47). Similarly, Gaffney-Rhys (2011) explains how "poverty is one of the major factors underpinning early marriage" (p.2) when young girls are seen as an economic burden and adds cultural values to protect girls from sexual exposure as well as poor law enforcement and legal systems as additional root causes.

When it comes to consequences, Jensen and Thornton (2003) claim that marriage under 18 years old affects "women's physical, mental and emotional development and well-being." (p.1). The same authors point out that "marriage is a barrier to education" (Jensen & Thornton, 2003, p. 1) that reinforces the cycle of poverty and gender inequality that girls are assumedly already subject to (Hodgkinson, 2016; Girls Not Brides). Some studies even claim that it decreases national productivity and GDP. Regarding this lack of education, Gaffney-Rhys (2011) adds that it may negatively affect the level of awareness of the married girl about basic reproductive health issues and may generate power relations between the spouses that render the girl more vulnerable to sexual and domestic violence (Hodgkinson, 2016). In line with this, various studies underline the risk that early marriage presents to young brides' health due to early pregnancies; to the extent that Levine et al claim that married girls "are at substantially greater risk of illness and death." (Levine et al. 2009, p.46). Overall, early marriage is stated to "constrain decision making and fewer life choices of girls" as well as to "deny girls the opportunity to fully develop their potential as healthy, productive and empowered citizens." (Levine et al. 2009, p.46; UNFPA, cited in Hodgkinson, 2016, p.6,12).

The texts and arguments I have just presented embody the hegemonic discourse on early marriage in existing literature that is shared with and supported by international organizations and (primarily) Western states. In order to explore alternative scholarly discourses around early marriage, I will be reviewing three texts by Giaquinta (2016), Bunting (2015) and Archambault (2011) that attempt to explain the need to contextualize early marriage and avoid misrepresenting generalizations about this practice.

In her work “Silenced Subjectivities & Missed Representations: Unpacking the Gaps of The International Early Marriage Discourse” Giaquinta (2016) claims that predominant literature on this topic is a “monolithic representation of what this practice constitutes, underpinned by contested notions of gender, race and age, and colonial notions about girls’ agency, sexuality and vulnerability.” (p.1). Early marriage is generally approached through ‘othering’ the culture and beliefs of the community where the practice takes place, while making systematical assumptions and silencing certain realities (Ibid). Furthermore, “most of the existing literature generally explains early marriage as a standardized bundle of universally applicable causes and consequences.” (p. 2). Giaquinta (2016) underlines that the importance of raising this critical perspective lies in the fact that dominant discourses around early marriage guide the strategy of the international and development communities on how to address this practice and “structure the flow of resources and the relationship between the Global North and South.” (p. 2). Instead, early marriage should be acknowledged as a consequence of a set of social injustices that will not disappear merely by forbidding under-age marriages. Early marriage will not disappear if the underlying roots that lead to it remain latent (Ibid).

Bunting (2015) opens the discussion on the minimum legal age for marriage claiming that a “uniformed marriageable age of 18 years old obfuscates the diversity of childhoods.” (p. 18). According to the author, certain generalizations about the causes and consequences of early marriage can be made, being economics, gender inequality in society, discriminatory emphasis of girls’ virginity, legal inequality, cultural dynamics and education and employment opportunities

the main themes interlinked with this practice (Ibid). Nevertheless, Bunting also advocates for the need of contextualizing; “the cultural constructions of childhood need to be considered in analyzing early marriage, [as] experiences and discourses of childhood, adolescence, and marriage cannot be assumed to be uniform across cultures, place and time.” (Bunting, 2015, p. 18). Bunting (2015) concludes that “cultural notions of childhood, maturity and responsibility vary from culture to culture” (p. 33) and shares her argument with Giaquinta (2015) in claiming that “delaying age at marriage will not necessarily address teenage girls’ poverty, ill health, illiteracy and education.” (Ibid, p. 34).

Archambault (2011) adds to the discussion by providing a contextualized example of early marriage among Maasai girls in Kenya. The author exposes the “limitations of (trans)national and local discourses in understanding and addressing the practice of early marriage among the Maasai” (p. 640) and demonstrates that the efforts to raise awareness between locals against this practice cannot be fruitful if there is not a deep and thorough understanding of the socio-economic situation and cultural features of the respective community.

This brief review has served to acknowledge the meanings (and their respective underpinning ideologies) ascribed to early marriage in existing literature, as well as to locate the research topic within the contemporary scholarly debate. The understanding of early marriage in this thesis draws from Giaquinta, Bunting and Archambault’s expressed need to contextualize this practice and avoid misrepresenting generalizations based on Western-centric assumptions. Early marriage as a cultural practice has repeatedly been researched from a sociological and developmental perspective, often with the aim of determining its validity, appropriateness and legitimation. This thesis will contribute to widen that perspective by providing a rather objective analysis of early marriage focusing on its socio-legal dimensions.

4.2 Early Marriage in Humanitarian Settings

Recently, a new trend in early marriage-related literature is starting to explore the links between early marriage and humanitarian settings. Most of the studies and research on this topic are conducted by international development and humanitarian organizations that work to combat early marriage in these contexts.

In a resolution adopted in June 2017, the Human Rights Council of the UN evinced its concern about “the incidence and risk of early and forced marriage highly exacerbating in humanitarian settings due to various factors.” (UN Human Rights Council, 2017). Furthermore, various international NGO’s that are active in countries or regions where early marriage is a common practice such as CARE International, UNICEF, UNFPA and the Women Refugee Commission among others, have released a series of reports that share and support this concern.

In order to explore the main arguments and findings regarding the interlinks between early marriage and contexts of humanitarian crisis and emergency, I will be reviewing two NGO reports that analyze this issue with a focus on the Arab region.

According to a study conducted by CARE International in partnership with other six international organizations called ‘Child Marriage in Humanitarian Settings: Spotlight on the Situation in the Arab Region’ (2018), increased rates of early marriage among displaced populations in conflict-affected-countries indicate that the risk of early marriage is exacerbated in humanitarian crisis due to insecurity, increased risks of sexual and gender-based violence and the break-down of rule the of law, among other factors. Early marriage is claimed to be perceived as a coping mechanism by families in order to create a positive transition for girls with limited options that end up being considered an economic burden for the family’s financial situation (CARE International, 2018). This same study points out to a very interesting alteration of the social process of marriage resulting in “shorter engagement periods, lower bride prices, change in cousin marriage practices, and a

reduced age at first marriage.” (p. 4). Attempting to protect girls from sexual violence and the honor of families is also an explanation to increased cases of early marriage in contexts of instability and insecurity (Ibid). A second report published by CARE International in 2015 presents similar conclusions and contributes to this finding by explaining that “early marriage is seen as a form of ‘protection’ and a way for families to keep the ‘honor’ of their daughters.” (p. 7).

The information provided by these studies is relevant and helpful for this research as it aids in contextualizing the practice of early marriage. In a refugee camp such as Zaatari, many of the conditions and circumstances pointed out by these organizations are present in day-to-day life. Nevertheless, despite the existence of social features common to all humanitarian crises, I believe that trying to generalize entails the risk of overlooking contextual dimensions that vary from one setting to the other and that are key in comprehending the particularities of this phenomenon. Through a thorough ethnographic study, I aim at providing an in-depth analysis of early marriage in the refugee camp of Zaatari from a perspective that has previously been rarely applied often for the study of this practice.

4.3 Socio-legal Integration of Migrants

Socio-legal research on how migrants adapt to the legal environment of their host country is especially relevant for this thesis. Most of the existing literature on this topic is based on studies about strategies of legal adaptation among migrants in the USA (Kubal, 2012). Traditional frameworks for socio-legal and migration studies tend to focus mainly on factors of the host country’s legal environment such as laws and institutions, and do not pay much attention to the legal culture of migrants when studying their adaptation to the legal environment (Ibid). In this section of literature review I will be exploring two pieces of Agnieszka Kubal’s work. The main reason for this literature selection is Kubal’s approach to legal integration that takes into consideration ‘soft’ cultural factors as one of the main components in the study of the mentioned phenomenon, acknowledging migrants’ active role in their process of legal adaptation.

In her book 'Socio-legal Integration', Kubal (2012) examines how contemporary migrants establish, build and transform their relationship with the law in their host country drawing from the case study of Polish post-2004 EU enlargement migrants in the United Kingdom. Kubal contributes to the existing literature on migrants' socio-legal adaptation by developing a theoretical framework (transnationalism) that "reflects the greater complexity of migration in the contemporary world" and "overcomes some of the shortcomings presented by the other traditional frameworks." (Ibid, p.21). The author draws from the premise that migrants' have agency to "navigate and negotiate their relationship with the law in the complex process of socio-legal integration" (Ibid, p. 12), and uses a reflexive analysis that integrates both the structural factors of the legal system as well as the legal culture (values, attitudes and accustomed patterns of legal behavior) of migrants. Kubal's approach is especially interesting for this thesis as it provides a thorough review of the concept of legal culture and makes emphasis on migrants' cultural 'luggage' in the process of legal adaptation (Kubal, 2012; Kubal, 2013). "Cultural luggage provides some sort of a lens or an algorithm through which [migrants] interpret the 'unfamiliar' and make sense of the new experiences, [so that] their choices of lines of action continue to be influenced by values and norms as well as actual patterns of behavior that they had internalized at home." (Kubal, 2012, p. 24). However, the author recognizes that "communities are not homogenous, but complicated by those characteristics of their members other than 'cultural' ones." (Kubal, 2013, p.4).

Moreover, Kubal points out that transnationalism aims at blurring the generally assumed division and differences between migrants' home country and their hosting society and acknowledges the diversity of experiences that migrants have as well as the heterogeneity of the community that hosts them (Kubal, 2012). Furthermore, she brings light to certain features of contemporary migration that previous frameworks overlook, such as the lack of serious settlement plans or the degree of long-distance involvement in the cultural, social, political and economic life of their country (Ibid).

Kubal's work is particularly interesting and relevant for this study as it develops an approach to studying legal adaptation of migrants that takes into consideration relevant factors present in the context of Zaatari, such as the uncertainty about settlement plans and lack of 'clean break' between the home and host countries. Moreover, the author acknowledges migrants' agency and legal culture when choosing their 'legislative strategy', which is one of the main aims of this socio-legal analysis. Therefore, Kubal's explanation of migrants' 'luggage' and perspective on legal culture will be used as guiding concepts in this thesis. Nevertheless, the research illustrated in Kubal's work focuses solely on the legal adaptation of migrants that participate in their host society. By studying this phenomenon in the context of a refugee camp where interaction between refugees and the host society's legal 'structural factors' (law, rules, regulations and their enforcement in the host country) is very limited or non-existent, I will contribute to the literature regarding migrants' socio-legal adaptation.

4.4 Legal Pluralism in Post-Colonial Societies

According to Svensson (2013), "legal pluralism has its most recognized roots within research of colonial and post-colonial societies, for example Malinowski, 1926." (p. 48). Reviewing Malinowski's work 'Crime and Custom in Savage Society' (1926) is relevant for the purpose of this thesis as Malinowski was the "first one to apply ethnographic method to the study of social order [...] asking serious anthropological questions about the nature of law, the range of forms that law can assume, the strategies that people employ in using, resisting and responding to it, and the ways in which it can be studied." (Conely & O'Barr, 2002, p.847). Malinowski set a precedent for rethinking the nature of law and its multiple meanings by "shifting the definitional focus of legal anthropology from form to function." (Ibid, p.856). Although this piece of work has been highly contested and it does not directly contribute to the study of legal pluralism, it proposes a very interesting and at the time innovative approach to law as "whatever that produced and maintained the order." (Ibid, p.866). Together with this definition of law, some of the main findings of Malinowski's work such as the shared tendency to test the

limits of legal order by self-interested acts of deviance and resistance, provide a very relevant framework for pieces of research like this thesis that focus on understanding how people relate to the legal order.

Regarding legal pluralism in post-colonial societies, an article by Pimentel (2011) on legal statutory and customary jurisdiction in Mozambique provides an interesting overview of existing approaches to reconciling customary law and formal law while discussing the potential challenges and opportunities of legal pluralism. Some of the most relevant contributions of this work are the explored links between legal pluralism and the rule of law as well as legal pluralism and human rights (Ibid). Pimentel argues that “legal pluralism that retains and respects traditional and customary courts is essential to establishing and maintaining the rule of law in such areas” and he also claims that in contexts where there is legal pluralism, customary law should be seen as flexible and evolving in order to be respectful of human rights (Ibid, p.65). These two perspectives provide an interesting framework for understanding early marriage as a social practice that tends to happen outside the remit of the law and that is usually perceived as a violation of human rights. However, although Pimentel’s article provides a very interesting review drawing from an existing example of an officially recognized legally plural country, this piece of research does not explore the linkages and relationships between social norms that are not considered neither customary nor formal law.

Theoretical Framework

The theoretical framework of this thesis is built upon Eugen Ehrlich’s concept of ‘living law’. The main reason for the selection of this overarching theoretical concept is that it provides relevant guidance in trying to understand the interplay between social norms and formal law regarding early marriage in the context of Zaatari refugee camp. Moreover, the existence of a series of normative orders that influence social behavior to a greater extent than formal law exposes the existence of an underpinning legal pluralism. ‘Legal pluralism’ and ‘legal culture’

will be used in this theoretical framework for a deeper and more comprehensive analysis of the case study.

5.1 'Living Law' by Eugen Ehrlich

Ehrlich's approach to sociology of law is based on the idea that social reality is formed by multiple heterogeneous associations that fulfill a number of functions and build the social world (Ehrlich, 2002). This way, "society is the sum total of the human associations that have mutual relations with one another" and "the individual exists as a member of one or more associations; he is never actually isolated" (Ibid, p.95; Husserl, 1938, p.333). Every association possesses its own 'inner order' that according to the author refers to a "basic form of law" and provides norms with meaning and expectations (Ehrlich, 2002, p.106). It is such inner order of associations that enables overall social order by influencing individuals' behavior to a greater extent than state law does. Indeed, Ehrlich claims that "the law of today is under the domination of the inner order of the social associations" as all norms, even legal ones, are the product of social interaction (Ibid, p.10). Ehrlich's constructivist approach to society and law makes his work central to my thesis by providing relevant theoretical tools for the study of early marriage as a practice emerging from and entrenched in daily social life.

Drawing from this premise, Ehrlich introduces the concept of 'living law'. The existence of "a living law that governs everyday life despite not being posited in legal propositions" is one of Ehrlich's main findings that helps lay the foundation of the research question guiding my work. (Ibid, p.35). Ehrlich claims that legal propositions fill a secondary place in society compared to the predominate legal norms, and that there is more law than what is contained in the first (Husserl, 1938). In his words, "attempting to imprison the law of a time or of a people within the sections of a code is about as reasonable as attempting to confine a stream within a pond." (Ehrlich, 2002, p. 488). This way, he distinguishes between the law happening in the daily life of a society ('living law') and that existing in codes and applied in courts ('juristic law') and claims that 'state law' has limited meaning in

everyday life. Ehrlich concludes that “sociology of law then must begin with the ascertainment of the living law” (Ibid, p.501). ‘Living law’ in this sense has a strong relevance to exploring the (in)effectiveness of state regulations on preventing early marriage and the coexistence of such state law with other kind of norms regulating social life. Ehrlich’s claim that many relations in society fall outside the scope of the legal system is the starting premise for understanding why a legally forbidden practice is still part of the daily life of a community. According to the Ehrlich, political, social, intellectual and economic life are not merely regulated by state law, as there are alternative normative orders that influence individuals’ social behavior to a greater extent.

In his work, Ehrlich distinguishes a series of concepts that conform the ‘living law’, namely, ‘inner order of associations’, ‘rules of conduct’ and ‘norms for decision’. As previously explained, the ‘inner order of associations’ refers to the basic law of the various social groups that conform society. According to Ehrlich, the ‘living law’ is directly linked to the inner order of social groups or associations rather than to state law. ‘Rules of conduct’ are a set of rules emanating from and entrenched in social life that guide every social behavior. This way, ‘rules of conduct’ create a set of social expectations that condition social behavior and emerge from unwritten norms and rules that exist aside from the state law. For Ehrlich, ‘rules of conduct’ refer to social norms that are therefore the result of social interaction. In contrast, the ‘norms for decision’ are norms created by the state and applied in very few cases that are consequently external to daily social life.

The methodological approach that Ehrlich proposes for the study of ‘living law’ is one of the most relevant guiding features of this theory for the research of early marriage as a social norm. In his work, Ehrlich asks “how shall we quarry that part of the living law that has not been embodied in a legal document, but which nevertheless is a large and important part thereof? There is no other means but this, to open one's eyes, to inform oneself by observing life attentively, to ask people, and note down their replies.” (Ibid, p.498). Ehrlich claims that in order to truly understand ‘living law’, one should look beyond courts, codes and state jurisdiction

and should pay attention to how people behave and interact in their daily social life. The author proposes exploring the ‘actual state of the law’ by studying the “contribution that is being made by society itself as well as by state law and also as to the actual influence of the state upon social law” (Ibid, p.504).

5.2 Legal Pluralism

Ehrlich’s assumption about the existence of alternative normative orders regulating social life that coexist and often predominate over state law exposes the existence of ‘legal pluralism’. In order to complete the theoretical framework of this thesis for a more comprehensive analysis of my case study, I will hereunder explore Merry’s (1988) theoretical approach to the concept of ‘legal pluralism’. The selection of this author over other academics and scholars that have also contributed to the development of this concept lies in Merry’s ability to provide a useful summary of theoretical tools and concepts that allows to conduct a deep and thorough analysis of the defining features that characterize ‘legal pluralism’ in a given context. Merry’s approach is complemented with various relevant insights provided by alternative authors.

The concept of ‘legal pluralism’ was originally coined to name those situations where the introduction of European colonial law in traditional societies created an overarching plurality of legal orders (Ibid). Still, ‘legal pluralism’ goes beyond the mere merge of ‘traditional’ and Western law as a consequence of colonialization, as many indigenous⁹ societies already possessed complex and plural legal orders before they were colonized. According to Pospisil “every functioning sub- group in a society has its own legal system which is necessarily different in some respects from those of the other subgroups.” (Pospisil, 1971, p.107 cited in Merry, 1988).

In her work, Merry underlines two different approaches to studying ‘legal pluralism’ that she refers to as “classic legal pluralism” and “new legal pluralism”.

⁹ The term ‘indigenous’ is used to refer to societies prior to being colonized.

The first one studies the “intersections between indigenous and European law” in the context of colonialization while the second one aims at exploring “complex and interactive relationships between official and unofficial forms of ordering” (Merry, 1988, p.872, 873). What is relevant here is how the author exposes a different nature in the relationship between the legal orders or systems: dominance of an imposed legal system over a previously existing one in the case of “classic legal pluralism” in comparison to a more fluid interaction between orders in new legal pluralistic approach (Ibid).

Griffiths contributes to the discussion on the forms that ‘legal pluralism’ can take by distinguishing between a ‘juristic’ view and a ‘social sciences’ view of this concept. The ‘juristic’ view refers to a dual legal system that has different bodies of law for different populations depending on their ethnicity, religion, nationality or geography. On the other hand, ‘legal pluralism’ from a ‘social sciences’ view regards “the coexistence in a social group of legal orders that do not belong to a single “system” (Griffiths, 1986 cited in Merry, 1988, p.871).

The various perspectives about ‘legal pluralism’ underlined by Merry and Griffiths are relevant for my thesis as they provide useful insights for the research of the relationship between social norms and official law in the camp of Zaatari. The theoretical approach of my work will be that of combining these binary perspectives in order to enhance the dialectical analysis of relations among normative orders in the case I study.

Additionally, Moore’s notion of the semiautonomous social field will be used to guide the analysis of the relationship between normative orders from a non-deterministic perspective that recognizes the fluidity of the interaction and “gives room for resistance and autonomy” (Ibid, p.878). According to Moore (1973), a semiautonomous social field “can generate rules and customs and symbols internally but that is also vulnerable to rules and decisions and other forces emanating from the larger world by which it is surrounded” (Moore, 1973, p.700 cited in Merry, 1988). Moore’s model can also serve to explain why new law fails

to achieve its intended purposes. The author claims that “the social arrangements [that new laws intend to alter] are often effectively stronger than the laws introduced.” (Moore, 1973, p.723).

5.3 Legal Culture

‘Legal culture’ is a complex concept that has raised notorious controversy regarding the way it should be understood and applied. According to Silbey (2001), ‘legal culture’ “refers to an aggregate level (macro or group) phenomenon” in contraposition to ‘legal consciousness’ that explains “micro level social actions, specifically the ways in which individuals interpret and mobilize legal meanings and signs.” (p. 8624).

For most of the twentieth century, law was studied “as if it was a separate realm from society”, assuming that “they were two empirically distinct spheres, conceptually as well as materially separate and singular.” (Ibid, p.327). There was a need for theoretical materials and research methods that “involved more intensive study of local cultures, native texts, and interpretive hermeneutical techniques for inhabiting and representing everyday worlds to construct better accounts of how law works, or to put it another way, how legality is an ongoing structure of social action (Ewick & Silbey 1998, p.33–56 cited in Silbey, 2005, p.328).

When conceptualizing this term, one should start with defining and narrowing down the meaning of culture.

Bierbrauer (1994) defines culture as a “structure of meaning that guides and organizes individuals and groups in everyday interactions and conflict situations [and that] is passed on through socially transmitted norms of conduct and rules for decisions that influence the construction of intentional systems, including cognitive processes and individual dispositions.” (Ibid, p.243). Silbey (2001) adds to this definition by claiming that culture is “a particular set of social institutions that is devoted specifically to the production of signs and meanings”, and distinguishes two common meanings of culture “as an analytic tool of social analysis referring to

the meaningful semiotic aspects of human action, and as a concrete world of beliefs and practices, ways of doing and thinking that are associated with a particular group or society.” (p.8624).

Friedman’s (1975) introduction of the concept ‘legal culture’ was an attempt to approach law as a system emanating from and conducting social forces. This was an attempt by Friedman to distance from a notion of law that attributes “too much independence and efficacy to the law on the books, effacing the power and predictability of legal practices.” (Friedman, 1975 cited in Silbey, 2001, p.8625). When using ‘legal culture’ as a concept Friedman was shedding light on the effect of social forces in shaping the law; “those parts of general culture customs, opinions, ways of doing and thinking that bend social forces toward or away from the law.” (Friedman,1975, p.15 cited in Silbey, 2001, p.8625). As defined by Hamilton and Sanders (1988), the concept of legal culture “encompasses not only attitudes, values, and opinions held with regard to the law per se but also the appropriate way to resolve disagreements and process disputes... [and] include [s] the informal resolution of wrongdoing in everyday life, including the decision . . . that some matter is not one for formal legal.” (p. 302 cited in Bierbrauer, 1994, p.244).

For the purpose of this thesis, ‘legal culture’ will be used both as an analytic term in order to explore “the role of taken for granted and familiar actions that operated on and within the interactions of the legal system and its environment” and a descriptive term that defines “a number of related phenomena: public knowledge of and attitudes toward the legal system, as well as patterns of behavior with respect to the legal system, including judgments about the law's fairness, legitimacy, and utility.” (Friedman, 1975 cited in Silbey, 2001, p.8625).

The selection of this theoretical framework is not casual but has been purposefully designed for a successful analysis. The three theoretical concepts explained in the previous paragraphs will be used complementarily. Firstly, Ehrlich’s claim about the existence of a ‘living law’ aside from formal law sets the

foundation for the study of legal pluralism. This way, identifying the existence of social norms regulating daily life in Zaatari is the first step to acknowledging and exploring pluralism in the camp. Moreover, theories explaining legal culture can aid in understanding individuals' inclination towards the law and the social norm and will help explain the predomination of one over the other. In conclusion, the combination of these theoretical approaches will enable a more comprehensive analysis aimed at answering the research question guiding this work.

Research Design and Methodology

In order to answer the main question leading this research, I have used qualitative techniques based on an ethnographic study conducted between July 2018 and February 2019 in the refugee camp of Zaatari in northern Jordan. Over the course of these eight months, I have been able to build a relationship with the inhabitants of Zaatari, get insight into their culture and lifestyle and even participate in their traditional practices.

I have selected my research methods following Creswell (2013), who claims that qualitative techniques of data gathering are the best approach in situations where the researcher “seeks to establish the meaning of a phenomenon from the views of the participants. This means identifying a culture-sharing group and studying how it develops shared patterns of behavior over time and during their engagement in activities.” (p. 48).

My reason for spending time in Zaatari is that I have been working as an intern in a community strengthening project implemented by an INGO. This internship took place during the third semester of the master's in Global Studies that I am currently undertaking. As a social sciences student, the aim of my internship was to gain insight into academically studied issues of conflict and migration through practical work experience. Nevertheless, shortly after beginning my work in the camp and as a result of my daily conversations with refugee women I developed a growing interest in the issue of illegal and unregistered early

marriage. The project I worked in has a strong focus on culture as a way of enhancing community cohesion, which facilitated my integration in the cultural and traditional life of Zaatari. My fieldwork as an intern consisted of monitoring and evaluating the implementation of the project as well as getting feedback from Syrian volunteers and participants for improvement purposes. Through working in the camp, I was able to combine my work assignments with my field research, conducting daily participant observations and informal chats. Because access to the camp is restricted, working with an INGO was the best way for me to ensure my entrance to Zaatari over the course of eight months.

My fieldwork was aimed at gaining insight into the daily life of refugees, Syrian culture, *adat* and its interplay with the JLPS and other normative orders operating in the camp (primarily decision norms advocated by INGOs); with special emphasis on the practice of early marriage. For this purpose, I have combined participant observations, informal interviews and formal interviews with different population groups.

6.1 Methodological Approach

Before describing my fieldwork process in Jordan, I find it relevant to provide a brief overview of ethnography as a method. Creswell (2013) claims that ethnography is “a design of inquiry coming from anthropology and sociology in which the researcher studies the shared patterns of behaviors, language, and actions of an intact cultural group in a natural setting over a prolonged period of time.” (p.42). The main defining factor of ethnography is its focus on culture as “the beliefs, values, and attitudes that structure the behavior patterns of a specific group of people.” (Merriam, 2009, p.27). Ethnography studies individuals as actors in their context rather than passive objects and the ethnographer writes about the routine and daily lives of people (Sjöberg, 2011; Fetterman, 1998). In addition, various authors agree that keeping an “open mind” is an essential ability of an ethnographer (Fetterman, 1998; Silverman, 2007). According to Fetterman (1998), an open mind allows the researcher to “explore rich, untapped sources of data” that

were not necessarily previously defined in the research design (p.2). Merriam (2009) claims that ethnography is both a process of researching as well as a product; when the findings are finally elaborated. “The method essentially consists in working with people for long periods of time in their natural settings” and the primary methods of data collection include participant observation, interviews (formal and informal) and the analysis of various kinds of documents.” (Merriam, 2009; Creswell, 2013).

This methodological selection is closely related to the theoretical framework of my research. According to Ehrlich (2002), the best way to study the ‘living law’ is to “observe life attentively, to ask people, and note down their replies.” (Ibid, p.498). Similarly, various authors claim that the study of law from a social perspective requires shifting the focus from the traditional study of legal codes and institutions to the study of social life and how it creates and shapes law (Merry, 1998; Silbey, 2005). Despite not being the only approach, I believe that ethnography is both the most helpful as well as most successful method for the research of legal pluralism in the context of a refugee camp.

As previously mentioned, I have conducted an ethnographic study in the Syrian refugee camp of Zaatari located in northern Jordan for a period of eight months. Despite not being based in the camp for security reasons, I have paid visits twice a week on average for the mentioned period. During my visits to Zaatari I have had the opportunity to work and converse with the inhabitants of the 7th district, where the site of the INGO is located. Most of the refugees in Zaatari are originally from southern Syria, mainly from Dar’a. The principal and almost exclusive religion in the camp is the Sunni branch of Islam and the biggest population groups are formed by adults between 18 and 59 years old, followed by children age 5 to 11 (UNHCR, 2019, A).

The primary goal of my fieldwork was to understand the dynamics of legal pluralism among a group of refugees in their host country. For this purpose, I have examined the interplay between the Syrian *adat*, the JLPS as well as other

normative orders existing in the camp, by observing behaviors and attitudes towards early marriage among its inhabitants. I have tried to understand why a practice that is forbidden by law is still being commonly exercised within the community of Zaatari. When carrying out observations, I have been primarily concerned with how families decide to marry their daughters (or allow them to get married when they ask for it) as well as how grooms ask for brides' hand by proposing to their families. Through these observations I expected to gain insight into the context and main reasons why early marriages are celebrated as well as the legal or non-legal procedures that are followed. Furthermore, it was also my goal to explore the degree of understanding and contact that people in Zaatari have with the Jordanian legal system as well as the legal culture of the Syrian community. For this purpose, I have paid attention to the way daily life is ruled and governed in the camp.

6.2 Collecting Data

Regarding data collection, I have used data triangulation in order to enhance the validity of my findings. Following Denzin's (1978) typology, this research applies a methodological triangulation through the usage of multiple methods for the examination of legal pluralism in Zaatari (Mathison, 1988). This way, I use participant observation as well as informal and formal interviews (consisting of semi-structured individual and double interviews and focus group discussions) as methods for data collection.

In addition, the research design of this thesis has been structured in two phases of empirical data collection with the purpose of getting a more comprehensive insight into the interplay between the existing normative orders around early marriage in Zaatari. Phase one refers to the participant observation as well as formal and informal interviews with refugees in the camp, aimed at better understanding their perspectives, experiences, opinions and behaviors towards early marriage and the JLPS. In phase two, I have led two semi-structured interviews and a focus group discussion with INGO practitioners in order to explore

the decision norms related to early marriage that international organizations advocate for through their intervention.

6.2.1 Sampling Strategy: Who to talk to?

Through my data collection process, I have interviewed a total of 17 individuals; 11 Zaatari inhabitants (7 females and 4 males) and 6 NGO practitioners (4 females and 2 males). For a purposeful selection of participants, I have applied a ‘criterion’ sampling strategy combined with a ‘maximum variation’ strategy according to the typology developed by Miles and Huberman (1994). The main criteria that the selected cases had to meet was having experienced early marriage in first or third person i.e. getting married at an early age, having married someone who was under 18 or having experienced it within close family. Furthermore, I have also selected various cases that showcased diverse variations (i.e. getting married at an age under or above the average) in order to identify common as well as deviated patterns. Regarding INGO practitioners, I have intendedly interviewed individuals from two different INGOs belonging to one of these two different categories: ‘having worked before or currently working in a project related to gender and early marriage prevention’ and ‘not having directly worked in a project related to gender and early marriage prevention’.

I find it relevant to acknowledge that 10 out of 11 interviewees in Zaatari are usual participants or beneficiaries of the services provided by the INGO I was working with; which can be considered a limitation. In order to counter the potential issue of interviewees coming from a certain context and therefore sharing very similar experiences and mind-sets, I have tried to expand as much as possible the target group of daily chats and observations. This way, I have been able to gain insight into the routines and opinions of Syrian refugees from different backgrounds.

6.2.2 Collecting Data Through Multiple Methods

In an attempt to build an in-depth picture of the case I am studying, I have used various methods of data collection that I explain hereunder (Creswell, 1998):

Participant observation: *From outsider to insider*

Sjöberg (2011) claims that ethnographic studies in sociology of law should explore how norms and rules are practiced daily. Apart from being one of the core methods in the ethnographic study, participant observation presents the perfect opportunity for this purpose.

Most of my observations have taken place during my visits to Zaatari as an NGO practitioner. Observations have usually taken the shape of daily chats with the Syrian volunteers who work in the INGO, those who come to participate in the activities and events as well as other inhabitants of the district. For this purpose, I have participated in the outreach process conducted by the NGO and I have also had the opportunity to witness numerous sessions of the various programs implemented by the NGO, some of which evolve around parenthood and early marriage.

When carrying out observations, I have been primarily interested in looking at various dimension of social life in Zaatari. Firstly, I have attempted to get insight into daily-liveness of Syrian refugees, understanding potential changes in their routine and lifestyle since they fled Syria. I have paid attention to daily activities and practices, gatherings and social celebrations as well as interpersonal relationships (mainly among family members and neighbors). Furthermore, I have raised questions in the spur of the moment that have helped in understanding life in Zaatari and how it differs to life in Syria. In this sense, I have been interested in discovering if and how future plans and expectations have changed for most refugees. Another key dimension I have been interested in observing refers to the *adat* or norms that regulate social life. In this regard, I have focused my attention in identifying those social norms that people follow daily and that shape their life

choices. I have had the opportunity to attend various sessions in which young people discussed the impact *adat* has in their day-to-day life and the consequences of following or not following this set of norms. I have also attempted to understand the social meaning of marriage for the community of Zaatari, as well as socially constructed notions of ‘childhood’ and ‘womanhood’. For this purpose, I have paid special attention to the lifestyle carried by women (both adult and children, married and unmarried).

Informal interviews: *Daily chats for a better understanding*

Because sharing opinions about *adat* and early marriage can be sensitive for some and even considered *haram* or *aheb*¹⁰ for others, I have found informal interviews to be a very useful method to collect relevant information in a relaxed atmosphere with no expectations for neither the researcher nor the informer(s). Furthermore, the lack of structure has allowed me to raise free-flowing questions that have led the conversation to interesting terrains that, despite being out of my research scope, have been key in helping me get a full picture of the context.

Due to the outgoing and talkative character of the inhabitants of Zaatari, most of my informal interviews have occurred spontaneously. For this reason, I have not used any specific sampling strategy. I have considered that everyone who was ready to chat about early marriage, *adat*, Jordanian law and any other aspect of social life relevant for my study, had something interesting to add to my understanding of social life and legal pluralism in Zaatari. For the better flow of the conversation, I have avoided recording or taking notes during the interviews and I have written down the relevant information only after finishing.

The findings of the informal interviews have provided me with key details, personal opinions, experiences and information that have not often been shared in structured interviews, probably due to the more ‘serious’ layout of these. Still this

¹⁰ The term ‘haram’ refers to that what is forbidden in the Qur’an.

information has been fundamental in allowing me to get clear understanding of social dynamics in Zaatari.

Formal interviews: *Looking for key information*

All interviews have been conducted in both Arabic and English. The few notions I have in Arabic together with the little English of participants has enabled a certain degree of reciprocal understanding. However, I have been aided by an interpreter in every interview.

In addition to observations and informal interviews, I have conducted 16 individual and double semi-structured interviews as well as two focus group discussions with inhabitants of Zaatari and INGO practitioners. The main reason for choosing semi-structured over structured interviews lies in the expectation that “the interviewed subjects’ viewpoints are more likely to be expressed in an openly designed interview situation than in a standardized interview or a questionnaire.” (Flick, 2009). Nevertheless, data collection through these methods has required me as a researcher to fully understand the social context and constantly adapt my methods in order to guarantee the well-being of participants.

In the first phase, I have conversed with Syrian refugees in the camp of Zaatari. The round of interviews started with individual semi-structured interviews that I conducted with three Syrian women between 30 and 50 years old. During these interviews, I had the chance to discuss about personal experiences and opinions towards early marriage, reasons and motivations behind this practice and its symbolic meaning in the Syrian culture and tradition.

Next interviewees were men. I conducted a focus group discussion with four individuals between 39 and 60 years old. I have made a big effort to properly understand social and cultural dynamics in order to guarantee that interviewees felt as comfortable as they could. In this sense, I soon understood that whilst listening to male’s perspectives on *adat* and early marriage was an essential requirement for a comprehensive understanding, they would not feel comfortable talking about it

one-on-one with a Western young female, outsider to their religion, traditions and culture. For this reason, I decided to select ethnography as a method that would better fit the context.

Similarly, I also had to adapt my methods when interviewing other population groups. Despite being aware that their opinions could be controversial, middle-aged women talked freely in interviews. Nevertheless, when talking to younger females who have recently experienced early marriage, I soon understood that they were more reticent to manifesting ideas that they thought were not appropriate, and they clearly expressed not feeling comfortable in one-on-one interviews. For this reason, I conducted two semi-structured double interviews with four Syrian women aged 18 to 20. These interviews were also more structured than the previous ones as the interviewees claimed that they found it easier to answer closed rather than open questions.

Regarding the second phase, I conducted various interviews and focus group discussions with practitioners of one of the main INGOs operating in the camp as well as an initiative of the UN aimed at promoting gender equality. The aim was to explore the main discourse shared by International NGOs on early marriage in the camp of Zaatari as well as to understand its effect in conditioning refugee's behavior. This way, I have been able to identify the main key messages that organizations share with Syrian refugees on the topic of early marriage as well as to gain insight into the main internal-debates around their intervention.

6.3 Ethical Considerations

Diener and Crandall (1978) categorized ethical issues that researchers may encounter into a series of overarching areas; some of which are: causing harm to participants and lack of informed consent and invasion of privacy (cited in Bryman, 2011). Furthermore, the American Sociological Association (2018) claims the need to avoid any kind of discrimination based on participant's answers in order to respect the principal ethical standards within this discipline. Among all the existing

contributions to ethical considerations, I have selected the mentioned for being the ones that resonate most with my fieldwork process.

Firstly, in order to deal with a potential lack of informed consent and invasion of the privacy of interviewees, I prepared written consent forms that participants had to read and sign before the start of the interview. The form – attached to the annex– contains information regarding the researcher, research project and purpose as well as participation, confidentiality and potential withdrawal. Furthermore, my contact information (email and phone number) was also included so participants could contact me in case of having any kind of question or concern. The consent form was translated into Arabic in order to guarantee a proper understanding of the information displayed in it. The aim of this measure was twofold: on the one hand, I wanted to make sure that participants properly understood the study they were participating in. On the other hand, it served to legitimate my position as a researcher and gain participants' trust.

As previously mentioned, I have considered essential to constantly remind myself about my role and the implications of my presence in the camp. I believe it is the researcher's duty to be aware of existing power relations not only when interviewing, but also while conversing or participating in any event or activity. This was fundamental to avoid making unaware usage of my power while collecting data.

The following example serves to further illustrate my argument. During informal interviews, some participants (especially young women) provided me with non-accurate information by adapting their answers to what they believed I expected or wanted to hear. For example, on our first conversation, few girls claimed having met their partners through social media or having dated them before marriage. In consecutive interviews, they recognized going through an arranged marriage, which contradicts that first information. I believe the reason behind this was their expectation to be judged by me if they would share their real story. This way, they just opted to answer what they think a white young Western female (like

myself) would have answered. Additionally, there is the fact of me working with an International NGO that advocates against early marriage and promotes a set of Western-centered values that do not necessarily fit the Syrian tradition and culture. For the eight months I have been visiting Zaatari, it has been my duty to try to deconstruct as much as possible the existing power relations and differences as well as to gain participants' trust so they would feel comfortable sharing their experiences with me in a non-harmful way.

Secondly, considering that marriage at an early age can have negative or traumatic effects for some women, I have found it essential to avoid causing further harm by putting pressure or increasing the stress of interviewees. For this purpose, I have paid attention to the way I was formulating my questions and conducting the interviews so as not to appear judgmental or generate feelings of guilt, shame or regret among interviewees (even those who are happy with their situation). Discussing my interview guide with few Jordanian co-workers and Syrian volunteers has been an effective strategy to make sure I was asking appropriate questions in a way that respected the local culture and was not hurtful for participants.

Finally, I have made the effort to avoid any potential discrimination. Most individuals I have interviewed are usual beneficiaries of the services provided by the INGO I worked with, and all interviews have taken place in the site of this same organization. One of my main concerns was to make sure that participants would not be target of discrimination for the answers or opinions they would share with me, either by practitioners or by other beneficiaries. For this purpose, guaranteeing participants' confidentiality has been one of my priorities. Some of the measures I have taken include anonymizing names, conducting interviews behind closed doors and making participants sign a confidentiality clause.

Presenting Empirical Data and Analysis

Empirical data will be presented in two main sections that are likewise divided in subparts. The first section concerns my observations in the camp of Zaatari regarding daily life, traditions, culture, *adat* and marriage. The aim of this first part is to present the main conclusions of my ethnographic work, analyzed through the theoretical lenses that frame the study. The second section presents empirical data collected through formal interviews with Syrian refugees and INGO practitioners, and it is structured according to the main findings of my work.

7.1 Personal Observations of Daily Life in Zaatari

Zaatari is well-known for its liveliness. In its almost 7 years of existence, it has developed the very characteristic bustling social life of an Arab city. The local market, known as the *Champs Elysees*, is one of the main spaces for social gathering. Irrespective of the time or day of the week (except for Fridays, holy day in Islam), the market is always full of men, women and children that walk hastily among people, donkey carts and the very few cars that are allowed into the camp. Children, who usually walk in groups of boys and girls separately, go through this street in their way to the school and they often take advantage to stop and buy some traditional foods such as *knafeh* or *falafel* from the many food selling stalls. Men can be seen sitting in front of the small business (usually run by them) smoking *arghile* and playing cards while women walk around in small groups of three or four carrying their youngest children in their arms and buying food and goods for the household.

Despite its liveliness, life in Zaatari is routinary. Most of the inhabitants do not usually go outside, except for work or commercial reasons, and inside the camp, events or activities that break the monotony of everyday life happen rarely. Furthermore, roles and responsibilities for men, women and children are strongly delimited, which defines a different and characteristic life-style for each of these groups. Only when getting some insight into the daily life and routines of the

mentioned age and gender groups one can fully comprehend various dimensions of social life in Zaatari.

In the Syrian tradition and culture, the man is the bread-winner of the family. In Zaatari, where jobs are scarce and unemployment rates high, numerous young and adult men find themselves not being able to fulfill the main roles and responsibilities that the community attributes to them. Such situation is source of stress, anxiety and depression for many, and in some cases leads to violent behaviors within the household. Men spend most of their time with other men in socializing spaces such as the market or the mosque and they generally do not contribute to household related duties such as cooking, cleaning and caretaking.

Daily life looks very different for women. As in most patriarchal societies, females in Zaatari are attributed the responsibility to ensure the well-being of the household by taking care of children, attending and serving other family members and performing the role of housewives. Such role is not only assigned to adult women but also girls above 11-13 years old who are expected to start preparing for their future life as wives and mothers. Women are generally excluded from male-dominated social life, but they manage to find their own indoor socializing spaces.

Children in Zaatari go to school, play and attend activities organized by NGOs. So far, they carry a very similar lifestyle to their peers in other parts of the world. Nevertheless, poverty, reclusion and post-conflict stress makes life for kids in Zaatari far more challenging. Life for boys and girls is also characterized by slight differences underpinned by gender connotations. Girls as young as 8 are expected to take care of their little siblings and, in isolated cases, can be forced to drop out from school in order to help with house work. On the other hand, early labor (understood as working outside the household) is common among boys from the poorest families.

Everyday life in Zaatari happens on the fringes of Jordanian society, with limited or non-existing contact between its inhabitants and their host community.

The camp exists in a limbo between two countries, cultures and socio-legal orders (Merry, 1988; Kubal, 2012). Syrian refugees perceive Zaatari as an island where, despite its location in a different national territory, they can still carry their traditional life-style, which includes behaving in accordance to the norms that used to rule social life back in Syria. Refugees carry with them a “cultural luggage” that shapes the way they have adapted to life in the Hashemite country (Kubal, 2012). This feeling of disconnection and lack of accountability towards the Jordanian government and society has been enhanced by the notorious lack of presence of Jordanian institutions and the dominant role of refugees in organizing social and economic life in the camp (Ibid). This contributes to a generalized perception of impunity among refugees, who do not experience a sense of obligation towards Jordanian law (Ehrlich, 2002; Moore, 1973). Furthermore, uncertainty about settling plans contributes to a generalized lack of sense of belonging to the host country that makes refugees feel as guests; not subject to respecting the legal order like the rest of Jordanian citizens (Kubal, 2012). In such context, the ‘living law’ governing everyday life in Zaatari covers an extensive space and fills in the gap left by the lack of state presence (Ehrlich, 2002).

Apart from refugees themselves, local and international NGOs are the main actors contributing to social life in the camp. Sites managed by these organizations have become a relevant space for daily social gathering in Zaatari. Nevertheless, these spaces, unlike others in the camp, are ruled by a set of Western-centered decision norms that do not necessarily fit the traditional Syrian *adat*. For example, early marriage is considered unacceptable in these spaces and those who participate in them are expected to behave accordingly by, for example, not advocating for it publicly (Otoo-Oyortey & Pobi, 2003; Jensen & Thornton, 2003; Hodgkinson, 2016; Levine et al. 2009).

7.1.2 Syrian Culture and *Adat*

Syrian culture is strongly collectivist. Overall, it is clearly observable how the well-being of the group is highly prioritized over that of the individual.

The center of social life in Zaatari is family. It constitutes the first and main social group that individuals belong to and it determines their identity to a greater extent than personal identity does. As an example of this, men and women stop being called by their birth name when they become parents and start being referred to as “mother/father of” (*om-* or *abu-*) followed by the name of their child. This is just one of the many daily-life examples that illustrates how group belonging (in this case to a family) determines individual’s reputation and social status far more than their own personal actions and behavior. Paradoxically, personal responsibility to maintain the good reputation of the family is even greater for individuals in this social context.

Adat refers to a set of social norms that embody the ‘living law’ in Zaatari and constitute the main normative order regulating life in the camp (Ehrlich, 2002). It represents the common values of the Syrian society and its adopted by individuals through the process of socialization. *Adat* prescribes how people should behave in general and specific cases (such as death of a husband or wife) as well as how social protocols should be conducted, and it conditions the life choices of those who follow it (Ibid).

Most importantly, *adat* regulates almost every aspect of social life. It is the normative order that dictates how trading deals should be conducted, the way businesses should be ruled, the procedures to elect community leaders and how disputes, and even crimes and offenses should be resolved. In this sense, *adat* does not leave much space for alternative normative orders.

Community members who fail to comply with *adat* face social sanctions that include gossip, loss of respect and reputation, rejection and even humiliation and exclusion from social life. Moreover, following collectivist cultural principles, these social sanctions are not only imposed at an individual level, but they often affect the whole family circle. This cultural feature helps explain the general rigidity and high degree of adherence to *adat* in the Syrian culture and especially in the

camp of Zaatari, as well as the difficulty for alternative normative orders to predominate in the camp.

Nevertheless, *adat* coexists with other normative orders in Zaatari, creating a situation of legal pluralism (Merry, 1988). Overall, these entail Jordanian law and the set of norms advocated by International NGOs. Despite *adat* has more weight in influencing daily life than alternative normative orders do, it is also characteristically permeable (Ehrlich, 2002). Rather than as a mere hierarchy, legal pluralism in Zaatari can be studied by exploring the fluid relationship between the various normative orders that fill in different spaces and complement each other creating a pluralistic and complex order that governs daily life in the camp (Griffiths, 1986 cited in Merry, 1988; Merry, 1988).

The practice of early marriage in Zaatari sets an interesting example that presents the opportunity to explore the interplay, reciprocal influence and complementary character of these three normative orders.

7.1.3 Marriage in Zaatari

When it comes to marriage, the Syrian *adat* is based on a certain interpretation of a basic norm presupposed to be valid in the Syrian socio-legal order; the Qur'an. The importance of family in the Arab culture "derives from the centrality of marriage and the family in the Islamic cosmic order." (Wiktorowicz and Farouki, 2010, p. 689).

Marriage is perceived in these terms in Zaatari. Rather than a volitional act based on an individual preference, marriage is a social obligation that members of the community fulfill in order to guarantee the well-being of their families and in last instance, society. It is a sort of price that ought to be paid in exchange to social belonging, and it is therefore considered *adat* (Ehrlich, 2002).

During the eight months I have been visiting Zaatari, I have never met a single adult (man or woman) who was not married at the time or had never been married before. For Syrians in Zaatari, marriage is both a religious as well as a

socio-cultural practice. On the one hand, marriage is part of respecting religious commandments in Islam. On the other hand, it grants social status and respect to individuals and families. For both males and females, marriage is how they prove to their community their ability to fulfill the roles and expectations assigned to them as well as to pursue what is socially established to be one of the main life missions; creating a family.

Many marriages in Zaatari are arranged between families. Consanguineous marriages are common, specially between first- or second-degree cousins. Families consider this option for two main reasons: it is a safe choice for parents to marry their siblings to someone they know, and it is also a way to enhance families' presence, social status or power within the community. Nevertheless, this is not the only option. Several marriages also involve two individuals from different families who do not necessarily know each other.

Most couples in Zaatari follow the traditional way for marriage in which the ceremony is officiated by a *sheik* (religious community leader). This procedure exposes a whole system regulating marriage aside from formal law that does not require state intervention and underlines the predominance of *adat* in regulating this practice.

Marriage also entails a transformation in social roles and responsibilities, especially for women. It somehow symbolizes the start of a new phase in adulthood. Married people are considered to be more mature, responsible and even trustworthy. In some families and social circles, unmarried women and girls are excluded from female gatherings regardless of their age. When it comes to males, it is more likely for a man to be granted a position of responsibility and leadership in the community if he is married. Within the household, women are given a whole new set of responsibilities after marriage. Traditionally, the just-married couple moves in with the family of the husband after the ceremony. Due to the lack of space, in Zaatari this often means living in an overcrowded caravan in which the couple has no privacy at all. The wife will now be expected to serve her husband's family,

specially his mother, and lead the household in terms of cleaning, cooking, caretaking and look after the well-being of the family.

Marriage of girls under 18 years old –so called early marriages– are common in Zaatari, despite being generally forbidden by the JLPS. Deciding the age for marriage usually depends on the family and potential bride. For many families it is *adat* to marry their daughters at an early age. However, despite its rigidity, *adat* is somehow permeable and influenceable by contextual factors (Moore, 1973). When it comes to early marriage, such factors are affecting the incidence of this practice among refugees. Through a series of interviews, I have been able to explore the permeability of *adat* and identify some of the main factors affecting it. I present them hereunder.

7.2 Presenting Empirical Data and Findings: Socio-legal Dimensions of Early Marriage in Zaatari Refugee Camp

In the following section I present the empirical data I have gathered through formal interviews that include semi-structured interviews and focus group discussions with Syrian refugees and INGO practitioners. The data is presented in four sub-sections according to the main findings of my work and explains the main factors affecting early marriage in Zaatari.

7.2.1 “I Got Married to Protect Myself”: The Effect of The Syrian Crisis on The Practice of Early Marriage

Throughout my many conversations with the inhabitants of Zaatari, the war in Syria and the consequent displacement that has brought them to seek refuge in a neighboring country were always very present. While discussing early marriage and its incidence, most respondents underlined the impact of war in affecting families’ and girls’ decision to get married before turning 18 (CARE International, 2018).

“Especially in the first phase of the crisis when we were at the border, people were getting married between each other. I remember a family that lived in a tent close to us and they asked males in my family to marry their daughters in order to guarantee girls’ safety. This way, if a girl was raped after being married, it was not the family’s responsibility anymore, but the husbands’ People got married out of need. In my community in Damascus it wasn’t

common to get married before 18, but because of the war, the situations in the border as well as in the camp when we first came here, it was very dangerous for girls to be ‘alone’.”

Female respondent in Zaatari, 33 years old.

According to the so called ‘culture of honor’ in Syria, individuals should safeguard the honor and social respect of their family. In practice, such expectation is especially placed in women, who are generally thought to be more vulnerable, sinful and therefore more prone to ruining the reputation of their families. In such context, the community expects females to prevent this from happening by seeking ‘protection’ from men or ‘protecting’ themselves.

“I was 13 when I got married. [...] I fled from Syria and lived in the border between Syria and Jordan for over four months. It was very risky for us girls there. There was a big probability for us to be raped. [...] I didn’t know my husband and I decided to get married because of the circumstances of the crisis. It was my only choice. When you get married at least you have someone to protect you. I preferred that rather than my reputation being destroyed.”

Female respondent in Zaatari, 20 years old.

A situation of increased insecurity and risk of sexual harassment and rape for women amplified by the conflict and consequent displacement, has influenced and continues to influence families and girls in Zaatari to consider marriage as an option despite early age. Although marriage does not protect females from sexual or any kind of violence, it does prevent them from the social sanctions that not following the social norm result in. The incidence of early marriage in this context is therefore higher in order to guarantee the respect of the *adat* and consequently, the maintenance of social order.

7.2.2 “It’s a matter of livelihood”: Motivations Behind Early Marriage in Zaatari

According to the empirical data collected through interviews in Zaatari, Jordanian law is not among the main aspects that families and girls take into consideration when deciding to get married at an early age. On the contrary, refugees point out to a series of factors that generally motivate this practice. Education is one of them. In accordance to the information provided by respondents

as well as personal observations, it is *adat* for families –especially those with lower incomes– to encourage or force their daughters to drop out from school and get married if their academic performance is not successful. On the other hand, those who get good grades are generally allowed to continue their education until being awarded the *Tawjihi* (Secondary Education Certificate), and in the case of families with financial means and a non-conservative mindset, they will also be allowed to attend university.

“Here as well as back in Syrian, education is appreciated, but it is a limited resource. Girls are generally encouraged to finish their high school, but If they do not get good grades, they will force them to drop out from school to get married; it’s the only alternative.”

Female in Zaatari, 56 years old.

Moreover, some interviewees stated that the level of maturity, physical appearance and the amount of engagement propositions a girl gets are also aspects to consider while deciding upon an early marriage.

“It depends on the groom and the circumstances. I have a neighbor who has a 16-year-old daughter. She is now studying for her last’s exams for high school, but she also gets grooms going to her house and asking for her hand every day. In these circumstances, maybe the family will agree to marry her earlier because they are afraid that they may lose the chance if someone good is proposing to their daughter now. This same neighbor has a 13-year-old daughter, although she is younger, she looks much older than her age and when the grooms come to propose to her sister, the father suggests them to take the youngest daughter because she is not good at school while her older sister is.”

Female in Zaatari, 50 years old.

Overall, marriage seems to be conceived in terms of livelihood in the camp of Zaatari. In such context, this practice is to a certain extent depicted from its cultural, religious and social connotations and it becomes a pragmatic resource used by the community to face poverty and lack of resources (Levin et al, 2009). The existence of these motivations behind early marriage evinces the permeable character of *adat* and its ability to adapt to the context.

“When it comes to early marriage, people see it in terms of livelihoods. Sometimes having children, especially girls, is seen as a burden If families do not have the resources to financially maintain them. People end up resorting to marriage as a way of getting rid of those children. They often do not even care about the groom, where he is coming from and whether he is an appropriate person for their daughter. Some people even marry their daughters to men from other countries like Saudi Arabia or Jordan, or sometimes even

online. Sometimes girls are also married to enhance the income of their families. Circumstances have changed and people need to find a way to overcome poverty.”

Male in Zaatari, 39 years old.

7.2.3 “Awareness Sessions Are Nice, But People Will Continue Acting Out of Need”: INGOs’ Discourse Against Early Marriage and Alternative Normative Orders in Zaatari

The main aim of my interviews with NGO practitioners and Zaatari inhabitants regarding the work of international organizations in the camp, was to understand whether these interventions create decision norms that influence *adat* and contribute to legal pluralism around early marriage, as well as to determine the extent to which these norms condition the behavior and/or decisions of refugees on this topic. In order to do so, I have explored the main messages shared by INGOs as well as the way refugees react to these.

International organizations often work with girls themselves, families and other members of the community and, according to interviewees, the main aim when developing this work is to inform about the potential risks of this practice and to “give girls voice” so they can make their own decisions. Overall, the primary message shared by these organizations to potential brides and communities is that of postponing marriage until legal age, invoking reasons of biological and social nature (NRC, 2016; Save The Children, 2019).

“[Name of the initiative]¹¹ always talks about gender equality. Gender equality is about listening to girls and allowing them to decide what they want to do. If we do not listen to them, we do not give them the chance to decide if they want to get married early or not. This is the message we share with the people we talk to.”

Male, UN initiative, 27 years old.

Nevertheless, practitioners acknowledge the permeability of *adat* and the influence that contextual factors have on this social norm, and they recognize the limitations of their interventions (Moore, 1973). When discussing early marriage in

¹¹The names of the organizations have been anonymized in order to preserve the privacy of the interviewees.

Zaatari, they claim that this practice is often seen in terms of livelihoods by Syrian refugees and that therefore, efforts aimed at ending it should be accompanied by other measures tackling the root problems that cause it.

“Well, Zaatari is a different thing. It is Jordan, but things work differently there. Economic issues play a big role when it comes to early marriage in Zaatari. Many young girls marry Jordanian men just to be able to go out of the camp and go to a better place. I do not support early marriage there, but I do not blame them either. They are mindless, they do not think, they just want to leave that place. When I was doing awareness sessions there, I would ask them, “why would you let your girls to get married early?” and they would tell me “are you kidding me? If my daughter would stay with me, she would die”. Parents sometimes do it for the best of their daughters and the whole family. Sometimes it is the only way for them to have some income. It’s a way of enhancing the opportunities for the girl and the family. [...] There have been some initiatives to employ women; something like this is probably what they need.”

Male, UN initiative, 22 years old.

The information provided by interviewees together with my own observations have allowed me to reach the conclusion that INGOs are able to create certain norms regarding early marriage that the inhabitants of Zaatari generally respect by adapting their behavior when they are in contact with the mentioned organizations. This way, a common behavior pattern for refugees is to not advocate publicly for early marriage or even to openly advocate against it when interacting with these organizations, even if their opinion and actions in their personal life differ from this positioning. However, these norms are not enough to create a transformation on refugee’s way of acting in their private and day-to-day life.

“We have realized that during the sessions people always tend to agree with the ideas we propose. I believe it is because we have created the expectation that we want them to agree with what we say. They believe that If they do not, we won’t help them. But when we talk to hem privately, they tell us that this is their culture and their way they are used to doing things and they are fine with it.”

Male, UN initiative, 27 years old.

Most Syrians I have talked to claim to believe that the awareness that INGOs in Zaatari are trying to raise regarding early marriage is much needed and that, with

time, it could help people change their mindset about this practice. Still, they have also recognized that they do not think the efforts are currently being fruitful as most people in the camp continue behaving according to what they believe is prescribed by the social norm and their community, and what they therefore consider to be best for their families and themselves.

“People do not trust NGOs either. I think it would be good for people to attend these sessions, but I believe they do not really care about them.”

Male in Zaatari, 39 years old.

“When it comes to the work of NGOs on trying to raise awareness against early marriage, I think it is the same as family planification. NGOs are trying to share this idea with people, but the truth is that the community will judge you if you do not get married and have children.”

Female in Zaatari, 20 years old.

7.2.4 “Nobody follows the law, so they had to change it in order to adapt to it to our social norm”: The Interaction Between the Syrian *Adat* and the Jordanian Law of Personal Status

Interviews with the inhabitants of Zaatari have allowed me to gain insight into their personal experiences and opinions regarding the interplay between *adat* and the JLPS (Merry, 1988). This way, I have been able to reach the conclusion that the Syrian *adat* combined with the socio-economic factors I have mentioned in the second sub-section of this chapter has a bigger weight in influencing and determining the behavior and decisions of the inhabitants of Zaatari with regards to early marriage (Ehrlich, 2002).

When chatting with Syrian refugees both in day-to-day conversations as well as formal interviews, most of them openly recognized that the JLPS was not or would not be a determining factor influencing their decision regarding an early marriage if they themselves or someone in their family was getting married at an early age. On the contrary, they mentioned some of the motivations previously explained as the only factors that people in Zaatari consider in the face of such type of marriage.

“People follow more the social norm than the law. Even before the Jordanian law allowed people to get married at 15, Syrians in Jordan were already doing it. People always find the way to get married.”

Male in Zaatari, 57 years old.

Moreover, a clear indicator that the practice of early marriage in Zaatari is perceived in social, financial, religious and cultural terms rather than as a legal contract is the independent and alternative system to unite people in marriage that exists apart from state jurisdiction. By this, I refer to the set of ceremonies presided by the *sheik* that are conducted to officiate a marriage and that, despite not involving the Jordanian courts or judicial system, are still considered legitimate and binding within the Syrian community. In this context, the law that regulates marriage as well as the official registration of marriage are perceived as auxiliary and secondary procedures that are not really determining in the practice of marriage. In the same line, it is also noteworthy that, although marriage in the Jordanian law is regulated in terms of age to the extent that it draws the line between legality and illegality, age is not ascribed the same meaning in the community of Zaatari and it is therefore not a determining factor for this practice. Early marriage is also common among certain groups within the Jordanian community, which reflects that in this case, the JLPS does not necessarily derive from social interaction, but is rather influenced by external forces.

Through my fieldwork, I have also tried to understand the degree of knowledge and comprehension of the Jordanian law and legal system –and more specifically the JLPS– among Syrian refugees in Zaatari. The information I have gathered has led me to the conclusion that inhabitants of Zaatari have very limited understanding about the Jordanian judicial system; an issue that I attribute to the limited or non-existent contact with it and the overall Jordanian society.

“I barely know nothing about the JLPS. The only law I know is the Personal Status Law and I only know that the age for marriage is 18.”

Female in Zaatari, 20 years old.

Finally, I have perceived a generalized feeling of impunity among Syrian refugees in Zaatari with regard to Jordanian law and especially the JLPS. Many of the interviewees have claimed to be aware of the illegal character of early marriages, but very few know about its legal consequences and even less have experienced them. There is a shared feeling of isolation in the camp, as refugees do not identify with the Jordanian society and they therefore do not feel the obligation to respect the law. Furthermore, the amendments in the JLPS in 2017 that included the exceptions for under-age marriages were seen as a victory by Syrian refugees who got it as message that it was somehow the Jordanian government that had to adapt to them and not the other way around.

“They created this new law only for Syrian refugees, because we pushed them to change the law according to our social norm.”

Male in Zaatari, 39 years old.

Analysis and Discussion

Adat is the main norm regulating marriage in Zaatari. This ‘living law’ dictates the procedures to unite two people in matrimony, it grants validity and social recognition to such union and it predominates over other norms regulating marriage (Ehrlich, 2012). *Adat* is strongly entrenched in the Syrian culture and religion and it has governed social life in Syria for centuries. This makes it a trustworthy and legitimate source of socio-legal order for Syrians, as it is perceived to emanate from the social practices of their own community. In this sense, *adat* is the most primary and basic form of law regulating the ‘inner order’ of the Syrian community (Ibid). A strong sense of ownership and identification with this social norm is one of the key explanations behind its predominance and deep level of rooting in the Syrian order.

Adat determines the practice of marriage to the extent of conditioning individuals’ behavior, even when that implies going against the law; as in the case of early marriage (Ibid). In the context of Zaatari, *adat* and its influence are

strengthened by the inability of the Jordanian government to create a sense of obligation towards the JLPS among the inhabitants of the camp, who do not identify with Jordanian society. As a result, they do not pay heed to the laws regulating a society that they still consider alien to their own as well as to the norms animating Syrian *adat* and other customs.

Nevertheless, the complex dynamics around the socio-legal adaptation of Syrian refugees in Zaatari are influenced by a series of factors that determine its nature (Kubal, 2012).

The legal environment around the practice of early marriage in Jordan is characterized by a remarkable laxity on the application of the legal consequences that follow the violation of the JLPS, especially among Syrian refugees. This is partly due to the existence of *adat* as a ‘living law’ within the Jordanian community itself. The influence of *adat* in Jordan goes beyond daily social practices and reaches the legal system. Under this influence, early marriages in rural areas of Jordan are often overlooked and even authorized by some courts. In such legal environment, Syrian refugees arriving to the neighboring country have continued exercising this practice with few legal obstacles. On top of that, the amendment of the JLPS that introduced some exceptions for the minimum legal age for marriage was perceived by refugees as a victory of their social norm and traditional practices against the law. This fact exposes the agency of Syrian refugees in their process of socio-legal adaptation to the legal order of their host country, and how their influence has been notorious to the extent of reaching the activity of the judicial system (Kubal, 2012). This sets a clear example of the capacity of social forces to shape the law (Friedman, 1975).

Syrian legal culture also plays an important role in the equation (Friedman, 1975 cited in Silbey, 2001). The way Syrians understand and relate to formal law in their day-to-day life is a strong determining factor in their process of adaptation to the Jordanian legal order (Kubal, 2012). Framing the legal culture in terms of a nation-state can be problematic –especially in the case of Syria– as it entails

generalizing certain cultural features and therefore overlooking remarkable differences between the rural and urban areas of the country, where formal law plays a different role in social life. Nevertheless, it is possible to draw an overall picture of attitudes, values and opinions towards law across the Arab country. Syrian culture is predominantly rural and it is characterized by the relevance traditions and customs play in daily life. It is also strongly influenced by religion, what grants it a conservative character and makes it reticent to change. Similarly, a distinguishable feature of the Syrian legal culture is that it concedes predominance to social norms over formal law, especially if there is any kind of contradiction between these two. The strong interplay between religion, culture and *adat* creates a robust system for the establishment and maintenance of social order, difficult to challenge and transform by external forces as well as by members of the community.

Overall, state law does not play a primary role in regulating daily life in Syria (Ehrlich, 2002). In rural and remote areas of the country, a weak presence of the government has led people to not identify with its rule and hence, with the law. Life in these regions has always been governed by *adat* and guided by religious and local leaders. These are considered legitimate and trustworthy sources of social order and even justice. This differs in urban centers such as Damascus, where traditional cultural values have been reshaped and the notion of nation-state and its jurisdiction has got through; encouraging citizens to participate from the legal system. Nevertheless, generally, Syrians share a sense of mistrust towards a legal system that they perceive to be distant to their community, and they therefore tend to go to law as a last resort.

When it comes to marriage in Zaatari, the Syrian legal culture translates into refugees having their own system to officiate unions aside from any kind of state intervention. Regarding early marriage, it is legally allowed and commonly exercised in Syria, what makes refugees feel legitimated to continue exercising it in the neighboring country.

Legal pluralism around early marriage in Zaatari has two interesting dimensions. On the one hand, it can be approached from a post-colonialist perspective, exploring it as an intersection between traditional social norms (*adat*) and Western-centered normative orders (JLPS and decision norms advocated by INGOs). Although it does not represent the classic legally pluralistic scenario where a European law is directly introduced by colonizing forces and is hierarchically situated above the indigenous norm (Merry, 1988), post-colonialist connotations underpin both the JLPS as well as the decision norms that INGOs advocate for, especially when it comes to determining the minimum legal age for marriage. Traditionally, marriage in most countries of the Middle-East has involved individuals (mainly females) under 18 years old, and such practice is still commonly exercised and legally accepted in some of these countries; for example, Syria (Giaquinta, 2016; Jensen & Thornton, 2003). In the face of a law that does not resonate with their tradition, culture and social norms, Syrian refugees in Jordan have adopted a strategy of resistance by continuing to celebrate these marriages despite their legal ban (Moore, 1973; Conely & O'Barr, 2002).

On the other hand, exploring legal pluralism in Zaatari solely from that dimension would overlook the complex and fluid relationship that has emerged between these three normative orders (Griffiths, 1986 cited in Merry, 1988; Merry, 1988). On a primary exploration, it is possible to identify that *adat*, the JLPS and the decision norms have different sources of legitimation and coexist in separate spheres in which they operate. *Adat* is legitimated by the traditional social norms, religion and culture of the Syrian community and regulates social life in Zaatari. The JLPS is legitimated by the Jordanian legal system and exists at an institutional level as the law regulating marriage in Jordanian courts. Finally, decision norms find their legitimacy in the legal tradition of the countries of origin of INGOs and predominate in the sites of these organizations.

Nevertheless, despite the clear predominance of *adat* in regulating marriage inside Zaatari, the relationship between these three normative orders is not isolated or merely hierarchical. The age for marriage is still primarily being determined by

adat, but the permeable character of this norm allows factors such as the decision norms advocated by INGOs to influence it. Moreover, although many families do not respect the minimum legal age for marriage, the number of couples that register their marriage in the Jordanian courts is growing. The relationship between these three normative orders has evolved into a complex system where the interplay between them gives place to a ‘two-step marriage’. Based on my observations and empirical data, most marriages in Zaatari are firstly officiated by the *sheik* – following *adat*– and are later registered in the Jordanian courts. This way, the social, religious, civil and legal rituals that consolidate a marriage do not converge in one single ceremony but are divided in two main procedures that conform the overall process of marriage.

Conclusions

The overall purpose of this thesis is to contribute to scholarly debates around the socio-legal adaptation of refugees into a new legal environment by exploring legal pluralism in Zaatari and the interplay between the alternative normative orders that conform it; with a focus on the practice of early marriage. The question guiding this research aimed at answering why, despite being legally forbidden, early marriage in Zaatari continues to persist and to be commonly practiced.

Eight months of thorough ethnographic study have allowed me to reach a series of conclusions that serve to answer that question. Firstly, the predominance of the Syrian *adat* over other normative orders (mainly the JLPS) in regulating life in Zaatari is the primary explanation for the persistence of early marriage among Syrian refugees. One of the main reasons behind this phenomenon is that the social sanctions imposed to individuals who do not follow *adat* are generally perceived to be more imminent, direct and harmful than the legal consequences that breaking the law entails. This is mainly due to the laxity in the application of those legal consequences, the lack of institutional presence inside the camp and the inefficacy of the Jordanian government in enforcing the law.

On the other hand, the findings of this study also expose the permeable character of *adat* (Moore, 1973). This set of norms is strongly influenceable by contextual factors. In accordance to this, the decision norms advocated by INGOs have the capacity to affect individuals' behavior to a certain extent. However, other contextual factors such as a poor financial situation and lack of livelihood opportunities have more weight in influencing such behavior. Yet, the relationship between the various normative orders in Zaatari is not merely hierarchical, but rather complementary. The interplay between these normative orders gives places to a complex system that conforms the process of marriage.

The findings of this thesis feed into scholarly literature around the socio-legal adaptation of migrants by studying the practice of early marriage and its interplay with the JLPS and alternative normative orders in the context of Zaatari refugee camp. Furthermore, it contributes to widen the scope of this field of study by exploring such adaptation in the context of a refugee camp, where contact with the host community and its legal system is limited or non-existent.

Empirically, this thesis contributes to a better understanding of *adat* and how this set of social norms relates to formal law and the alternative orders it coexists with. From a theoretical perspective, this work has served to illustrate approaches to legal pluralism and 'living law'. Moreover, it has contributed to expanding the area of study of sociology of law and to claiming its presence as a discipline by applying such theories to the study of an issue that is generally approached from other fields such as gender or development studies. This way, this thesis has evinced the relevance of the socio-legal perspective in understanding phenomena that are usually merely explored from a social standpoint.

Overall, the conclusions reached by this work present a new approach to early marriage in existing literature, exploring this practice as a social norm and in relation to state law. This thesis helps enhance the understanding of the explanations behind the inefficacy of state law in combatting early marriage, and sheds light to

the need to combine a series of approaches that tackle diverse issues in order to eradicate this practice.

As a concluding remark, I would like to underline that the findings provided by this ethnographic work could serve as guiding principles for INGOs in their efforts to promote women's rights in non-Western societies and, more specifically, in their fight against early marriage.

As this study has exposed, the permeable character of *adat* can allow it to evolve towards a more human-rights respectful approach (Pimentel, 2011). Non-Governmental Organizations can see this as an opportunity to successfully advocate against this practice. Nevertheless, I believe it is fundamental to understand early marriage as a consequence or manifestation of deeper social inequalities and injustices, rather than as an issue in itself (Guiaquinta, 2016).

INGOs working in this field have the responsibility to keep a critical perspective and avoid contributing to stereotyping communities in the Global South by imposing a set of Western-centered values that do not necessarily fit the context and do not help improve the overall well-being of individuals. These organizations should rather work to tackle the underlying issues that lead to this practice and should orient their efforts towards empowering communities so they can lead their own process of development.

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Annex

Annex I: Interview Consent Form

Dear Interviewee,

Many thanks for agreeing to participate in this research. Please find below some information regarding the aim and methodology of this research project for your kind consent.

Researcher: Itxaso Velasco, student of a master's degree in Global Studies at Lund University in Sweden.

Research Project: Early marriage: interaction between social norms and law in the Syrian refugee community of Za'atari in Jordan.

Purpose of the research: This research project aims to study the social norms of the Syrian refugee community of Za'atari regarding early marriage and how these interact with the Jordanian Personal Status Law. A special focus will be placed on how Syrian girls and women in Za'atari (married and unmarried) perceive early marriage, whether their perception on early marriage has changed or not since they arrived to Jordan, their level of understanding about the Jordanian Personal Status Law and whether their interaction with International NGOs' has transformed their perception on early marriage.

Participation: By accepting to participate in this research project you are expected to answer a series of questions as part of an interview. The questions asked will be related to the research topic of the project (early marriage: interaction between Syrian social norms and Personal Status Law in Jordan) and will mainly regard personal experiences, opinions and perceptions.

Confidentiality: The names, whereabouts and other personal details of the interviewees will be fully anonymised and the interview results will be used only for research purposes. The final results of this research project will be shared with the participants if they wish to. The answers of the interviewees will be written down for research purposes. You are kindly asked to answer the questions honestly and to the best of your knowledge and personal opinion.

Time required: The interview will require approximately 30 to 60 minutes of your time.

Withdrawal: Shall you feel uncomfortable with any of the questions or the interview as a whole; you have the right to skip questions or decide to withdraw from the interview at any time. If so, please just inform the researcher about your decision to withdraw. After the interview, in case you decide that you don't want the information you have provided to be used in the research, please inform the researcher about your decision so the researcher can discard your answers.

Contact information: In order to get in contact with the researcher, please use one of the following channels:

- Phone number:
- Whatsapp number:
- Email:

Further information: Shall you have further questions about the research, its purposes or the interview or, shall you require further information for your participation in this project, please contact the researcher to get the desired answers.

By signing this *Interview Consent Form* the participant agrees that;

1. She/he has been properly informed about the aim and terms of the research as well as her/his participation on it.
2. She/he will participate in the interview by providing her/his personal opinion, experiences and perceptions with the full right to skip questions or withdraw from the interview at any time.
3. The information she/he provides will be written down and used for research purposes only and she/he will have the right to consult the final results once the research has finalized.
4. She/he has received a copy of this consent form co-signed by the researcher.

Sincerely,

Itxaso Velasco

Place and date: _____

Interviewee Signature

Researcher Signature

Annex II: Structured Interview Guide: Zaatari Camp Inhabitants

Questions:

1. General Questions:

- Gender:
- Age:
- Marital status:
- Number of children:
- Age and gender of children:
- Nationality:
- Religion:
- Educational background:
- Current or former profession (including housewife or househusband):

2. Background

- Where were you born? (country and city)
- What is/was the nationality of your mother and father?
- Where were you raised? (country and city)
- When did you come to Jordan? (date)
- How old were you when you came to Jordan?
- Did you live in any other country apart from your country of origin before coming to Jordan?
- Did you come to Jordan with your family or alone? If so, what members of your family did you come with?
- Did you come directly to the camp of Za'atari when you came to Jordan? If not, where else have you lived in Jordan?

3. Cultural background:

- Where you raised in the Syrian culture?
- Where you exposed to any other cultures growing up?
- To what extent do you identify yourself with the Syrian culture?
- Do you follow Syrian cultural and social norms on your daily life? Could you think about any examples?
- Do you consider to be exposed to other influencing cultures and social norms?
- What feature of the Syrian culture do you identify yourself with most?
- Has this exposure to other cultures changed the social and cultural norms you follow, or has it allowed you to acquire new ones?
- If the answer to the previous question is yes; how have you integrated these different sets of social norms? Do they contradict anyhow? How do you experience that contradiction?
- Has your perception on the Syrian social norms or culture changed since you came to Jordan?
- Has the way Syrian culture and social norms affected your life changed since you came to Jordan?
- Would you like to tell me more about the Syrian culture and how you experience it in your daily life?

4. Marriage:

- *(If the interviewee is married)* When did you get married? (date of marriage)
- How old were you when you get married?
- How old was your partner when you married him/her?
- Where did you get married? (country)
- Did you get your official marriage document issued by the relevant institution of the country you got married in?
- Would you like to tell me more about your marriage?
- When did you decide to get married?
- Did your family support your marriage?
- Did you meet your partner before getting married to him/her?
- Did you get married before/after/same age that you expected to get married?
- Did you get married early/late/expected age according to the social norms of your community?

5. Integration in the Jordanian social and legal culture:

- What would you say is your degree of integration in the Jordanian culture? (High, medium, low)
- Do you have regular contact with Jordanians?
- How often do you go out of the camp?
- Have you ever had contact with the Jordanian legal system? If so, when/how?
- What is your degree of understanding of the Jordanian legal system? (High, medium, low)
- What is your degree of understanding of the Personal Status Law in Jordan? (High, medium, low)
- Do you know the minimum legal age to get married in Jordan?

6. Early marriage:

- What is your personal opinion on marriage under 18 years old?
- Do you think it is appropriate for both females and males?
- Would you say that early marriage is nowadays common in the camp of Za'atari?
- Do you know any recent cases of under 18 marriages in the camp of Za'atari?
- Would you say that the number of early marriages has decreased in the past years in Za'atari? If so, why do you think it is?
- Would you generally say that the inhabitants of Za'atari know the Personal Status Law? Do they generally know that the legal age to get married is 18 years old?
- Do you think that the existence of the Personal Status Law conditions people who want to get married or want to marry their children when they are under 18?

7. NGO creation of a new set of social norms

- Do you frequently interact with International NGOs' in the camp? Could you describe this interaction a bit further?
- What kind of activities do you participate in?
- Would you say that the social norms of these NGOs' or the activities they implement in the camp differ from Syrian traditional social norms? Do you perceive this as being positive or negative? Why?
- Have you attended any awareness session or other kind of activity on early marriage? Do you perceive early marriage differently after attending these sessions?
- How does the positioning of International NGOs' on early marriage interact with your own opinion on the topic?
- Does this generate any identity clashes on you?

- Does this generate any clashes with other members of the community?
- Do you think that International NGOs' should continue doing awareness sessions or other kind of activities on this topic? Why?

Annex III: Semi-structured Interview Guide: Zaatari Camp Inhabitants

Questions

1. Could you describe how you met your husband/wife and got married to him/her?
2. To what extent does the Syrian culture and social norms influence your social life? Could you provide some examples?
3. How did coming to Jordan and/or living in Za'atari affect the extent to which you follow traditional Syrian social norms? Do you now follow the same social norms you used to follow back in Syria? If not, what has changed and why?
4. Do you know the Jordanian Personal Status Law that determines the minimum legal age to get married in Jordan? Do you think people generally know this law in Za'atari?
5. What are your opinions/experiences on early marriage? On your own knowledge and experience, do you think that the early marriage number has decreased or increased in the past years? Do you think it is more or less common in Za'atari or back in Syria?
6. Do you think that being exposed to a different set of social norms (especially on the topic of early marriage) has made you change your own perceptions on this topic?
7. Is there anything else you would like to add into the topic of early marriage and social norms?

Annex IV: Semi-structured Interview: NGO practitioners

1. What is your personal opinion on early marriage? How does the NGO that you work with position on this topic?
2. Have you ever worked on this topic as a practitioner? What kind of activity/work did you do? Where? Who was the target?
3. What is the main message that the NGO you work with as well as other NGOs' you may partner with share on early marriage?
4. What are the opinions/perceptions on this topic of the people you work with (both other colleagues as well as participants/beneficiaries)?
5. What is your personal as well as the NGO's goal when you work on this topic?
6. What are the benefits and potential risks of working on this topic (early marriage)? Do you believe that it could cause any kind of harm to participants/beneficiaries?
7. How do you think that the social norms promoted by International NGOs/the NGO you work for interact with the social norms of the people you work with?
8. Is there something else you would like me to know about International NGO's work on early marriage?